

SUPREME COURT OF QUEENSLAND

CITATION: *Attorney-General for the State of Queensland v Crutch*
[2026] QSC 222

PARTIES: **ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND**
(applicant)
v
JASON MATTHEW CRUTCH
(respondent)

FILE NO/S: BS4452/20

DIVISION: Trial Division

PROCEEDING: Application

ORIGINATING COURT: Supreme Court of Queensland at Brisbane

DELIVERED ON: 18 September 2026

DELIVERED AT: Brisbane

HEARING DATE: 28 July 2026

JUDGE: Treston J

ORDER: **THE COURT being satisfied to the requisite standard that the respondent Jason Matthew Crutch, has contravened the supervision order of Crowley J made on 14 April 2025 ORDERS THAT:**

- 1. The supervision order of Crowley J made on 14 April 2025 be rescinded.**
- 2. The respondent be detained in custody for an indefinite term for control, care or treatment.**

CATCHWORDS: CRIMINAL LAW – SENTENCE – SENTENCING ORDERS – ORDERS AND DECLARATIONS RELATING TO SERIOUS OR VIOLENT OFFENDERS OR DANGEROUS SEXUAL OFFENDERS – DANGEROUS SEXUAL OFFENDER – GENERALLY – where the respondent contravened a supervision order made pursuant to Division 3 of the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld) – where respondent plead guilty to contraventions involving disobeying multiple reasonable directions – where reasonable directions included restricting the respondent’s associations and access to mobile phones – where respondent also engaged in highly sexualised correspondence demonstrating sexual pre-occupation, despite antilibidinal prescription – where the contraventions are admitted - whether the respondent should be released subject to the requirements of the existing

supervision order or be detained subject to a continuing detention order

Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld) s 22

Attorney-General (Qld) v Crutch [2021] QSC 4

COUNSEL: B Mumford for the applicant
T Morgans for the respondent

SOLICITORS: Crown Law for the applicant
Cridland Hua for the respondent

- [1] This is the final hearing of an application brought by the Attorney General for a further order to be made under s 22 of the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld) (**the Act**) in respect of the respondent, Jason Matthew Crutch, for alleged contraventions of an existing supervision order made on 14 April 2025.
- [2] The applicant seeks that the court rescind the supervision order made on that day, and order that the respondent be detained in custody for an indefinite term for control, care or treatment pursuant to s 22(2) of the Act. In the alternative, the applicant seeks an order pursuant to s 22(7) of the Act, that the respondent is released on the supervision order made by Crowley J on 14 April 2025, subject to any amended conditions as the court considers appropriate.
- [3] The respondent accepts that the court will be satisfied that he has contravened the supervision order but submits that the court can be satisfied on the balance of probabilities that the adequate protection of the community can be ensured by the existing supervision order, or as amended.

Criminal history

- [4] The respondent was born in March 1995. His criminal history was summarised by Lyons SJA in 2021¹ as follows:

Date	Description of offence	Sentence
Maroochydore Magistrates Court 26 August 2013	Unauthorised dealing with shop goods (maximum \$150) (04/08/2013)	No conviction recorded Fined: \$350
Brisbane District Court 7 August 2015	Carnal knowledge of children under 16 years (& attempts) x 2 (between 31/08/2014 and 01/10/2014 and on 02/10/2014)	On each charge: convicted and sentenced to 2 years imprisonment to be suspended for 3 years after serving 282 days.

¹ *Attorney-General (Qld) v Crutch* [2021] QSC 4, [7].

	• Carnal knowledge of girl aged 12 –16 years (09/07/2013) • Possessing child exploitation material (09/07/2013) • Indecent treatment of child under 16 (indecent film etc) (between 06/07/2013 and 10/07/2013) • Indecent treatment of child under 16 (procure to commit) (between 06/07/2013 and 10/07/2013) • Indecent treatment of children under 16 x 3 (09/07/2013) • Indecent treatment of a child under 16 (permit) (09/07/2013) • Indecent treatment of child under 16 (indecent film etc) on 05/07/2013 • Common assault x 3 (on 10/03/2014, 11/03/2014, 23/03/2014) • Breach of bail condition x 3 (10/03/2014, 11/03/2014, 12/03/2014) • Breach of bail condition x 3 (02/10/2014, 27/10/2014, between 01/09/2014 and 30/09/2014)	Convicted and sentenced to 12 months imprisonment to be suspended for 3 years after 282 days. Convicted and sentenced to 1 month imprisonment for 3 years after serving 282 days. On each charge: convicted and sentenced to 6 months imprisonment to be suspended for 3 years after serving 262 days. Order for 2 years probation. All terms of imprisonment to be served concurrently. On each charge: convicted and order for 12 months probation. On each charge: conviction recorded. Not further punished.
Brisbane District Court 11 September 2015 Sentence of 7 August 2015 re-opened and varied	• Carnal knowledge of children under 16 years (& attempts) x 2 (between 31/08/2014 and 01/10/2014 and on 02/10/2014) • Carnal knowledge of girl aged 12 – 16 years (09/07/2013)	As a result of re-opening: On each charge: convicted and sentenced to 2 years imprisonment to be suspended for 2 years and 11 months after serving 282 days.

	• Possessing child exploitation material (09/07/2013) • Indecent treatment of child under 16 (indecent film etc) (between 06/07/2013 and 10/07/2013) • Indecent treatment of child under 16 (procure to commit) (between 06/07/2013 and 10/07/2013) • Indecent treatment of children under 16 x 3 (09/07/2013) • Indecent treatment of a child under 16 (permit) (09/07/2013) • Indecent treatment of child under 16 (indecent film etc) on 05/07/2013	Convicted and sentenced to 12 months imprisonment to be suspended for 2 years and 11 months after serving 282 days. Convicted and sentenced to 1 month imprisonment to be suspended for 2 years and 11 months after serving 282 days. On each charge: convicted and sentenced to 6 months imprisonment to be suspended for 2 years and 11 months after serving 282 days. All terms of imprisonment to be served concurrently. 282 days of pre-sentence custody declared as time served under the sentence imposed. Other orders imposed on 7 August 2015 remain.
Maroochydore Magistrates Court 23 May 2016	• Assault or obstruct police officer (12/11/2015)	Conviction recorded. Not further punished.
Maroochydore District Court 12 December 2016	• Using internet to procure children under 16 and intentionally meeting or going to meet child (between 01/10/2015 and 04/10/2015) • Using internet to procure children under 16 x 6 (07/09/2015, 27/10/2015, 10/11/2015, between 02/09/2015 and 06/09/2015, 17/10/2015, 12/11/2015)	Convicted and sentenced to 20 months imprisonment to be suspended for 3 years after serving 396 days. On each charge: convicted and sentenced to 18 months imprisonment to be suspended for 3 years after serving 396 days. On each charge: convicted and sentenced to 12 months imprisonment to be

	- Grooming child under 16 years with intent to expose to indecent matter x 7 (07/09/2015, 06/10/2015, 10/11/2015, between 19/10/2015 and 22/10/2015; 31/10/2015 and 09/11/2015; 23/10/2015 and 08/11/2015; 06/11/2015 and 12/11/2015) - Grooming child under 16 years with intent to procure engagement in a sexual act x 19 (between 19/08/2015 and 07/11/2015; 02/10/2015 and 05/10/2015; 06/11/2015 and 10/11/2015; 03/10/2015 and 10/10/2015; 05/11/2015 and 08/11/2015; 25/08/2015, 04/09/2015, 07/09/2015, 08/09/2015; 26/09/2015; 28/09/2015; 04/10/2015; 05/10/2015; 26/10/2015; 11/11/2015) - Fail to comply with reporting x 11 (on/about 05/09/2015, 06/09/2015, 09/09/2015; 04/10/2015; 05/10/2015; 24/10/2015; 31/10/2015; 08/11/2015; 10/11/2015; 30/11/2015) - Using internet to procure children under 16 (between 23/10/2015 and 08/11/2015) - Grooming child under 16 years with intent to expose to indecent matter (19/01/2014) - Breach of suspended sentence (imposed on 07/08/2015 and reopened on 11/09/2015 re: carnal knowledge of children under 16 years and attempts x2) - Breach of suspended sentence (imposed on 07/08/2015 and	suspended for 3 years after serving 396 days. On each charge: convicted and sentenced to 9 months imprisonment to be suspended for 3 years. Convicted and order for 3 years probation. Conviction recorded. Not further punished. Breach(es) proven. Balance of suspended sentence invoked. On all charges: convicted and sentenced to 448 days imprisonment to be suspended for 3 years. Breach(es) proven. Balance of suspended sentence invoked. On all charges: convicted and sentenced to 83 days imprisonment to be suspended for 3 years. Breach(es) proven. No further action taken. All terms of imprisonment to be served concurrently with each other but cumulative to activated suspended sentence. 396 days of pre-sentence custody declared as time served under the sentences imposed.
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	reopened on 11/09/2015 re: carnal knowledge of girl aged 12-16 years) Breach of probation order (imposed on 07/08/2015 re: indecent treatment of child under 16 (indecent film etc) x 2; indecent treatment of child under 16 (procure to commit); indecent treatment of children under 16 x 2; indecent treatment of child under 16 (permit)	
Ipswich District Court 21 June 2018	- Rape (09/02/2017) - Fail to comply with reporting (between 28/01/2017 and 10/02/2017) - Breach of suspended sentence (imposed on 12/12/2016 re: using internet to procure children under 16 and intentionally meeting or going to meet child) - Breach of suspended sentence (imposed on 12/12/2016 re: using internet to procure children under 16 x 6)	Convicted and sentenced to 3 years imprisonment. Convicted and sentenced to 9 months imprisonment. Breach(es) proven. Balance of suspended sentence invoked. Convicted and sentenced to 212 days imprisonment. Breach(es) proven. Balance of suspended sentence invoked. Convicted and sentenced to 151 days imprisonment. All terms of imprisonment to be served concurrently with each other but cumulative on the activated suspended sentences. 496 days of pre-sentence custody declared as time served under the sentences imposed. Parole eligibility date set at 25 November 2018.
Toowoomba District Court	Breach of probation order (imposed on 12/12/2016 re:	Breach(es) proven. Resentenced for original

29 August 2018	using internet to procure children under 16)	offence and sentenced to 4 months imprisonment. Parole eligibility date set at 25 November 2018.
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- [5] I observe, as did Lyons SJA, that in sentencing the respondent in June 2018, the sentencing judge noted that the respondent had committed a series of very serious sexual offences. That is, respectfully, an accurate description of offending which included sexual offences against children (some of which were committed in breach of bail), internet related sexual offences, including highly sexualised content with young girls, and a count of rape in 2017. Much of the sexual offending against children has been committed through social media, and the count of rape was committed against a woman he had met through social media. He has therefore committed a series of very serious sexual offences.

DPSOA history

- [6] A supervision order was made by Lyons SJA in February 2021.²
- [7] On 16 August 2022, the respondent was sentenced for one count of possess child exploitation material, one count of using the Internet to procure a child under 16 and seven counts of indecent dealing with a child under 16. On 11 November 2022, the respondent plead guilty in the Richland Magistrates Court to 16 offences of contravening a supervision order contrary to s 43AA of the Act. That led to contravention proceedings before Bradley J who rescinded the supervision order of Lyons SJA on 19 December 2022.
- [8] On 29 April 2024, Brown J affirmed the decision of Bradley J and ordered the respondent to continue to be subject to a continuing detention order.
- [9] At the second review of the continuing detention order on 14 April 2025, Crowley J ordered that the respondent be released on a supervision order of 10 years duration.
- [10] The respondent was released from custody on 19 May 2025.
- [11] The respondent was returned to custody by an order of Smith J dated 17 July 2025 and has been remanded in custody since that time.

Alleged contraventions

- [12] The originating application was filed 17 July 2025.
- [13] The respondent accepts the evidence demonstrates that he contravened the order. He contends however that that concession does not obviate the need for the court to consider the nature of the contraventions and whether those contraventions are such as to have materially increased the level of risk his release upon a supervision order now poses in the community.

² [2021] QCS 4.

- [14] Dealing with the contraventions in chronological order, the first occurred on 22 May 2025 (three days after the respondent's release from custody on 19 May). The respondent admitted to a QCS officer that he had made homebrew alcohol. This is a contravention of condition 10 (following rules that are made about people who live in the place approved by QCS) and condition 26 (prohibition against using alcohol) of the supervision order.
- [15] On 10 June 2025, the respondent was given a reasonable direction not to establish or maintain contact with any adult or child females without prior approval of QCS, and to immediately cease contact with all adult or child females until his association with each of them had been assessed and approved. The direction specified four females. In contravention of that direction, and on the same day the direction was issued, the respondent then had telephone contact with two of the females specified in the direction. This was a contravention of condition 5.
- [16] On 12 June 2025, the respondent was issued with a reasonable direction not to use someone else's mobile phone for any purposes except seeking urgent help in an emergency. In particular, the direction advised him that he was not approved to use someone else's mobile phone to contact the associates that had been listed in the direction he was given on 10 June. The circumstances in which he was given that direction, arose from his disclosure that he had used the mobile phone of another resident within the precinct to make outgoing calls without approval.
- [17] On 17 June 2025, the respondent had a brief in-person contact with an unapproved female associate. This constituted a contravention of condition 5 (obeying directions about persons he wants to have contact with).
- [18] On 18 June 2025, the respondent disclosed that he had used the mobile phone of another precinct resident to order a safe online to store his valuables. This contravened condition 5 (obeying direction about using someone else's mobile phone), condition 10 (accessing the internet on the Wacol Precinct against the Wacol Precinct Rules) and condition 22 (accessing the Internet without approval).
- [19] On 20 June 2025, QCS issued a reasonable direction to the respondent permitting him contact with two female persons by telephone only (with other restrictions imposed, that any in-person contact must be approved and that no photographs could be received that appeared to depict individuals under the age of 18), but prohibiting contact with any other females, including seven named others.
- [20] On 26 June 2025, the respondent admitted to entering a bedroom of another precinct resident in a house that was not his, using a smart phone belonging to that precinct resident, and with that resident, on his phone, using the Internet to buy a tattoo gun and watch pornography. Those acts constituted contraventions of a number of conditions including condition 53 (not to get or have pornographic images on a computer or phone from the Internet).
- [21] On 29 June 2025, the respondent was directed to provide a urine sample. During the testing process, the respondent disclosed that he had consumed suboxone. The respondent subsequently tested positive to two prescribed medications (buprenorphine and tramadol) for which he did not have a prescription (a contravention of condition 27 not to take illegal drugs and condition 33 to only take

medicine prescribed by a doctor). The respondent provided a further sample on 4 July 2026 as directed, which confirmed the presence of buprenorphine.

- [22] On 1 July 2025, a review of the respondent's mobile phone demonstrated he was having telephone contact with an unapproved female, a person who is the mother of four children. Again, this was a contravention of condition 5.
- [23] On 8 July 2025, police executed a search warrant of the respondent's residence and found an unapproved PlayStation 4 console, and two unapproved USB devices. At that time the respondent admitted using another resident's smart phone to access a social media site to seek out pen pals including a 16 year-old female. This was a contravention again of condition 5 and of condition 24, the latter being a condition requiring him to inform QCS of any social networking sites used with 24 hours.
- [24] On 5 November 2025, the respondent pleaded guilty in the Richlands Magistrates Court to four offences contrary to s 43AA of the Act and was sentenced to 12 months imprisonment with an immediate parole release date. The respondent had served 116 days in presentence custody which was wholly declared.
- [25] On 16 November 2025, the respondent made a false entry in a record without lawful authority, in contravention of s 124J of the *Corrective Services Act 2006*, when he listed a female child as a contact to be added to his list of contacts stating that the child was his cousin. In truth, the child was the child victim of the respondent cellmate, and he added that victim child on behalf of that cellmate. He was charged with a further offence on 17 November 2025 and pleaded guilty to that on 6 February 2026. He was sentenced to 9 months imprisonment cumulative upon the sentence imposed on 5 November 2025, with parole eligibility after 2 months.

Proof of contravention

- [26] By virtue of the pleas of guilty to the breaches, and the concessions by counsel that the fact of the contraventions was not disputed, I am satisfied on the balance of probabilities as required by s 22(1) of the Act that the respondent has contravened conditions of his existing supervision order as set out above.
- [27] Therefore, pursuant to s 22(2)(a) of the Act, unless the respondent satisfies the court on the balance of probabilities that the adequate protection of the community can, despite the contravention, be ensured by the existing order (or as amended under subsection (7)), the court must rescind it and make a continuing detention order.
- [28] The respondent accepts that he bears the onus of satisfying the court as identified.
- [29] As to the contraventions generally, it is submitted on behalf of the respondent that those contraventions that occurred between his release on 19 May 2025 and his further return to custody on 12 July 2025 were detected and identified in the way in which it might be expected they would be, suggesting that the conditions of the supervision order were working in the intended way.
- [30] It is identified that the respondent did not abscond, did not withdraw from supervision and did not act in a way so as to commit or attempt to commit further sexual offences against a child. Whilst this is true, the contraventions must also be considered in the context of the medical evidence.

The respondent's conduct and medical evidence

- [31] I do not propose to repeat the detailed summary of the medical evidence contained in the decision of Lyons SJA of February 2021. I have read carefully her Honour's analysis of the medical reports prepared both for the purposes of sentencing and for the purposes of the application, which was then before her.
- [32] There has been however a significant development in the medical and other evidence since that time.
- [33] First, there was a range of further medical reports which were before Crowley J on 14 April 2025. That occasion was the second annual review of the continuing detention order which had been made on 19 December 2022. At that time, his Honour was satisfied that it was appropriate to make a supervision order. Without summarising all of the medical records before his Honour, the salient features of the medical evidence were:
- (a) the respondent was residing at the Woodford Correctional Centre in a protection unit, he was sharing a cell, had no difficulties and was otherwise without any breaches;
 - (b) the respondent was working as a unit cleaner;
 - (c) the respondent had obtained some certifications and had engaged in a tertiary preparation program, although he did not complete it;
 - (d) the respondent had frequent contact with his mother, who would travel from Toowoomba to Woodford to see him, and his sister, with whom he was close;
 - (e) the respondent was relaxing by reading books, drawing, painting and listening to music, with occasional visits to the gym;
 - (f) the respondent had been taking Zoladex antilibidinal injections for some months which he described:
 - (i) had been effective in reducing his sexual and deviant thoughts, as well as his sexual preoccupation;
 - (ii) that he did not get aroused from seeing nudity and sex scenes; and
 - (iii) assisted him to be able to "toe the line and maintain responsibility on the supervision order".
 - (g) there had been some improvement in his custodial behaviour, which had settled, and he was accepting both his antilibidinal medication and his ADHD medication;
 - (h) Dr Arthur did not consider that much could be gained from the respondent's continuing detention, although he would require a protracted period of supervision and control if released; and
 - (i) Dr Phillips considered the risk of sexual reoffending by the respondent would increase in the setting of increased sexual preoccupation or rejection of supervision.

- [34] Next, is the evidence of the respondent's conduct since his release on the supervision order on 19 May 2025 and his return to custody on 12 July 2025. I have already set out that conduct at [14]-[25] above, and I do not repeat it.
- [35] In August 2025, Mr Bruce Hamilton, forensic psychologist, recorded that the respondent had engaged in four sessions of psychological intervention during his period of release during which the respondent:
- (a) admitted he had trouble managing his sexual arousal, boredom and relationships with other men; and
 - (b) described a spike in his sexual arousal associated with being out of a custodial environment, on one occasion reporting masturbating at least daily, and on others, 3-5 times per day.
- [36] The respondent's conduct since his return to custody on 12 July 2025 is also relevant, as it informs the more recent medical opinions.
- [37] Before the court is a copy of correspondence between the respondent and a woman in the community (**MJ**) who, based on the contents of the correspondence, is an adult female with a female child (**SS**) aged 12 to 13 years old in her care. Between 9 August 2025 and 19 March 2026, the correspondence demonstrates the respondent:
- (a) has never met MJ or SS before, but soon after the correspondence commences on 9 August 2025, the respondent tells MJ "...I want you to know that your kids and grandkids are important to me...";
 - (b) referring to MJ and SS as his family, and to SS as his daughter;
 - (c) referring to MJ as "my beautiful wife to be" and asking her to make arrangements about them getting married;
 - (d) provided financial support and monetary gifts to MJ and SS on multiple occasions;
 - (e) completed paperwork appointing MJ his power-of-attorney whilst he was in custody; and
 - (f) expressed his desire to get a tattoo specifically for SS, asking (on 22 September) if there was anything that she liked and he would get it tattooed on the back of his leg.
- [38] On 2 September 2025, the respondent told MJ in an email that he had a history of being lied to by teenage girls about their age.
- [39] Additionally, a transcript of a telephone conversation between the respondent and MJ on 10 October 2025 reveals the respondent:
- (a) referring to SS as "our wonderful daughter", and, when speaking with her on the phone, calling her "lovely" and "anything for my lovely daughter...";
 - (b) said to SS "I just want you to be happy and have the best", and " just wait until I get out of this place, then I'll be able to spoil you rotten";
 - (c) spoke of spoiling SS with items such as an expensive laptop and a promise ring;

- (d) expressed the wish “I wish I could hug (SS)”; and
 - (e) asked for SS to call him “dad”.
- [40] While the applicant accepts that this behaviour might be indicative of forming a relationship with MJ, in light of the respondent’s offending history, the applicant submits that both the letters and the phone calls may be indicative of grooming type behaviour in relation to MJ and SS.
- [41] In between April 2026 and May 2026, the respondent communicated in a highly sexualised manner with at least one adult female. It is unnecessary and inappropriate to set them out here, but the communications are graphic.
- [42] This type of communication tends to show, the applicant submits, that the respondent was continuing to display significant levels of sexual preoccupation despite the administration of antilibidinal medication.
- [43] Other communications demonstrated a threatening tone to women with whom he was in contact (“...you can’t hide from me”) or a lack of self-awareness (“...just because I have a history of offending against children of that age group does not mean that it is my behaviour towards children now or in the future...”).
- [44] On 19 March 2026, the High Risk Offender Management Unit (**HROMU**) requested Arthur Gorrie Correctional Centre prohibit all contact between the respondent and MJ because of concerns his behaviour was consistent with grooming a parent to gain access to a child.
- [45] In late March the respondent was given an opportunity to provide any information, explanation or submission in relation to continuing contact with MJ, and he provided two letters in response dated 1 and 2 April 2026.
- [46] On 12 May 2026, the HROMU made a decision to continue the prohibition of contact between the respondent and MJ. Despite being notified of that decision, the respondent continued to try to make contact with MJ including by sending mail via another prisoner, providing MJ’s number to another prisoner to add to their Prisoner Telephone System (PTS), giving MJ an alias in an attempt to send her mail, and instructing his mother to create a new email address and Facebook account under an alias.
- [47] In addition to MJ, the respondent has frequently corresponded with a number of other women identified in the material as SG, LK, RM, AN, TH, SL and JP, several of whom have children in their care.
- [48] I turn to the more recent medical evidence.
- [49] Dr Arthur prepared a report dated 1 May 2026. Putting aside the extensive review which Dr Arthur prepared of his previous risk assessments, of particular relevance is the assessment that Dr Arthur made of the respondent in light of his understanding of the respondent’s contraventions, and generally of the respondent’s performance during the term of the supervision order made in April 2025. As to these matters Dr Arthur observed.

- “168. During his time in the community he displayed extremely impulsive and reckless behaviour. He actively sought out contact with young women and showed evidence of sexual preoccupation. He admitted to being sexually frustrated but denied culpability for the child pornography found on his phone.
169. After his return to custody he continued to display a high degree of impulsivity, poor social skills and a preoccupation with intimate relationships, seeking out contact with women by any means possible. He continued to flout rules, behave irresponsibly and annoy other inmates. He also admitted to episodes of substance abuse and was admonished for inappropriate sexual behaviour directed at female staff.
170. He did engage in individual treatment and group programs, completing both the HISOP and SOMP, although there was little evidence that he had internalised much of the content or further developed his understanding of his offending pathway or risk factors.
171. In the latter half of 2024 he commenced antilibidinal treatment (Zoladex) and was also prescribed a non-stimulant medication to treat his ADHD as well as a moderate dose of antidepressant, in addition to individual psychological therapy. There was some indication of improvement, with reductions in interpersonal conflict and inappropriate sexual comments. He was able to identify basic coping strategies and displayed intellectual insight into his verbal impulsivity. He reported a robust response to Zoladex and spoke candidly about his previous contraventions, with a capacity to identify potential risky situations whilst recognising the need to better manage his impulsivity and low frustration tolerance. He also verbalised an awareness of his tendency to try and please others or attempts to gain status amongst his peers.
172. He came before Justice Crowley in April 2025, who was satisfied at that time that his risk could be managed in the community and he was released on a supervision order of 10 years' duration from that date. He remained in the community at The Precinct on a stage 1 curfew for only seven weeks before he was returned to custody and charged with 6 counts of contravention of a relevant order in relation to accessing pornography, possessing a gaming console, using illicit unprescribed drugs, breaching Precinct rules and contravening reasonable directions regarding telephone use and associations. QCS formed the view that due to non-compliance he was no longer able to be safely managed in the community.
173. He had admitted to abusing Subutex and benzodiazepines in custody along with prescription sedative medications such as Quetiapine and Mirtazapine. Almost immediately he displayed impulsive behaviours, such as spending and lending large

amounts of money within a short period of time and attempting to make a home brew. Whilst claiming some reduction in libido, he still expressed a desire to engage in BDSM practices to meet his sexual needs and gave conflicting information about the presence of sexual fantasies and arousal. He was seen to put photos of naked girls on his bedroom wall and was reported to be bragging about his ability to masturbate three times a day even on antiliberals.

174. Despite having limited access to telecommunications, he was known to be communicating with a significant amount of women, some whom he claimed were "old friends" and others he had reportedly met randomly and sought out their contact details. He had expressed a strong desire to be in a romantic relationship and threatened to breach his order if not allowed to pursue a sexual partner. He reported reading erotic novels which included themes of rape and self-harm. In late June he admitted to the illicit use of a smart phone to view pornography and acknowledged an increased sexual drive, although claimed that he was unduly influenced by another resident who was manipulating him sexually. Later on that month he admitted to using illicit Suboxone and two separate opiates were detected in his urine. In early July he was caught lying about other residents' drug use, claiming he was manipulated to do so. Immediately prior to his return to custody he was verbalising emotional decompensation and suicidal ideation.
175. He had acknowledged challenges in managing sexual arousal, boredom and relationships to his treating psychologist but did not disclose any contravention behaviours. He also admitted to a spike in sexual arousal which he attributed to being out of a custodial environment. After disclosing his pornography use, he told Mr Hamilton that he had been groomed and manipulated by another resident and was masturbating three to five times per day to ejaculation.
176. Since his return to custody, prisoner Crutch has continued to display problematic behaviour. He was commenced on the Opiate Substitution Program in mid-August 2025 and after receiving his first dose of Buvidal (a mild dose of 8mg), he was found unresponsive in his cell; he believes he had a bad reaction to the drug but doctors thought this was due to other illicit drug use. He has since claimed to have "died" multiple times and required cardiopulmonary resuscitation. He also reports being assaulted by another prisoner and suffering a cerebral haemorrhage, but I have been provided with no medical information to confirm these claims. When reviewed by Dr Lenardon, prisoner Crutch blamed his contraventions on being overstimulated and not having access to his normal coping strategies such as listening to CDs and talking to his family.

177. He continued to pursue relationships whilst in custody and commenced writing to an older woman (M) in August 2025. Dr Lenardon considered that this might indicate ongoing sexual preoccupation. I have been provided with copies of written correspondence between prisoner Crutch and this woman, which are notable for their highly sexualised content. After a month of writing, prisoner Crutch starts referring to the woman as his "wife to be" and referred to paperwork relating to a future marriage. He frequently mentioned the woman's 12 year old daughter (or granddaughter) and offered to tattoo himself with an image that she is fond of (possibly indicating a preoccupation with the child). ...

...

182. He continues to display an external locus of control in regard to his sexual preoccupation, claiming that this is only a problem when other people encourage him and facilitate exposure to pornography. He claimed he would manage these issues at The Precinct by maintaining distance from other people, seeking out support from his family and "following the letter of the law", although could not explain why he did not utilise such coping strategies in the past. He identified risk factors for sexual recidivism such as lying, impulsivity, negative influences/associations and exposure to young girls and social media.

...

184. Prisoner Crutch's diagnosis remains unchanged. He fulfils the criteria for **Hebephilia** (a sexual preference for underage teenage girls). He has a confirmed diagnosis of **Attention Deficit Hyperactivity Disorder, mild Autism Spectrum Disorder** and **Substance Use Disorder** (multiple agents) in reported remission. He also presents with a **Mixed Personality Disorder with prominent antisocial and narcissistic features** associated with **high levels of Psychopathy.**"

(my underlining)

[50] In forming his opinion, Dr Arthur referred to a report of Dr Lenardon of October 2025, which report was not itself in evidence, in which Dr Lenardon described the respondent as "sexually pre-occupied".

[51] Dr Arthur concluded that when initially placed on the supervision order, the respondent's Static-99R was a score of nine. This is an actuarial risk assessment tool which positions offenders in terms of their relative risk for sexual recidivism based on commonly available demographic and criminal history information that has been found to correlate with sexual recidivism in adult male sex offenders. A score of nine places him at the upper end of the "well above average risk" range. His score at the time of the May 2026 report remained unchanged.

[52] Furthermore, Dr. Arthur had re-rated the respondent's Hare Psychopathy checklist based on updated information giving a pro rata score of 29.5 out of 40, which was just below the cut-off score of 30 used to diagnose psychopathic personality in North America, but well above the UK cut-off score of 25. Dr Arthur concluded that that score indicated significant psychopathic personality traits consistent with his clinical presentation.

[53] Dr. Arthur concluded:

“203. In my opinion prisoner Crutch's risk of sexual recidivism cannot be adequately managed in the community even under the strictest applications of a supervision order. Treatment to date appears to have done little to modify his underlying attitudes or behaviours. His self-report cannot be relied upon. He has shown himself to be either incapable or unwilling to exercise any degree of self-control, and like many psychopaths he fails to learn from experience. Due to his dishonesty and continual attempts at positive impression management, it is impossible to determine whether he has any intrinsic motivation to be released to the community and comply with his supervision order.

204. Whilst Zoladex may be modifying his sexual preoccupation to some degree, it remains a highly relevant risk factor. Despite his only modest response to the drug, it seems prudent to continue this drug. There is no evidence that increasing the dose or frequency of this medication will improve its efficacy.

205. Impulsivity appears to be another significant risk factor for sexual recidivism which may be amenable to medical intervention. Whilst prisoner Crutch is being prescribed Atomoxetine to treat his ADHD, the efficacy of this drug is well known to be inferior to stimulants such as dexamphetamine or methylphenidate. I understand that the prescription of such drugs in a prison environment may be difficult due to their high abuse risk potential. However, medication such as Vyvanse (Lisdexamphetamine) can be given as a once a day dose, making it less likely to be abused or diverted. I encourage his treating psychiatrist to investigate whether a trial of this medication is possible.

206. Clonidine is another non-stimulant drug that should be considered. It is believed to improve impulsivity and hyperactivity in patients with ADHD by decreasing noradrenaline release in the prefrontal cortex. It is often used in combination with stimulants, but care must be taken due to side effects that include low blood pressure and sedation.

207. Prisoner Crutch is also on an SNRI antidepressant, Duloxetine. Whilst this is an effective antidepressant, it is not as useful as pure SSRI drugs in the management of anxiety and compulsive behaviours. Prisoner Crutch has previously been on Paroxetine, which is a powerful SSRI shown to have some utility in the

treatment of compulsive sexual behaviours in patients with ASD. It is also known to reduce sexual drive in many patients, particularly at higher doses. This, in combination with Zoladex may be more effective in treating sexual preoccupation than the Zoladex alone.

208. Should prisoner Crutch remain in custody, I would encourage HROMU to fund ongoing psychological therapy with an external psychologist, as he would benefit from psychological therapy to explore motivational issues and to work on self-management strategies.”

(my underlining)

- [54] In his oral evidence, Dr Arthur explained his position that the respondent’s risk of sexual recidivism could not be adequately managed in the community by reference to a range of factors, including that the respondent has a lack of insight, poor self-regulation, is highly impulsive, and struggles to comply with the restrictions of a supervision order. Dr Arthur was also of the opinion that the most likely way of the respondent re-offending was by having contact with teenage girls or underage girls and engaging in sexually explicit discussions and photography. Dr Arthur expressed the view that even though the respondent had been taking libido lowering medication, which is generally very reliable in its capacity to lower testosterone, he continued to display significant levels of sexual preoccupation so that the benefit of the medication, Zoladex, had "certainly been less than was anticipated".

- [55] Dr Arthur concluded:

" ... because Mr. Crutch has high levels of sexual preoccupation despite treatment, because he's impulsive, because he has low regard for the restraints of the supervision order ... and I think he's proven this since he's been in jail, he's incredibly focused on seeking out relationships and sexual relationships ... then that puts him at a very high risk of ... sexual reoffending. ... and QCS simply can't stop that from happening. "

- [56] Dr Phillips also prepared a supplementary report dated 16 June 2026 and gave oral evidence. Like Dr Arthur, Dr Phillips also assessed the respondent’s Static-99R score at nine which defined him as “well above average risk” for being charged or convicted of another sexual offence. On the Hare Psychopathy checklist (PSL-R), Dr Phillips scored the respondent slightly less than Dr Arthur, at 26/40. However, she opined that the respondent’s psychopathic personality traits remain clinically relevant and elevate the respondent’s risk.

- [57] Dr. Phillips expressed the view that the current supervision order did not adequately manage the risk posed by the respondent that he would commit a serious sexual offence. As to this, Dr Phillips said:

“Whilst Mr Crutch claims that he will comply with all of the conditions of his supervision order if he is again released to the community, it is noted that he gave similar reassurances on each of the previous occasions of release. Without additional intervention, I have little confidence that Mr Crutch will abide by the conditions of his

supervision order, given his poor history of compliance with Court orders.

His future sexual offending may involve grooming pubescent females on the internet or via social media. He may engage in sexualised discussions with the victims, he may send the victims naked pictures of himself or persuade the victims to provide naked pictures. This could escalate to meeting the victim and to contact sexual offending. Contact sexual offending could involve kissing, touching on the breasts or digital, oral or vaginal penetration. Given the content of the CEM Mr Crutch has previously possessed, there is also the potential that his future sexual offending could include further possession of CEM, his offending may involve pre-pubescent females or underage males, and his offending may expand to include anal rape. Future sexual offending has the potential to cause serious psychological injury to the victims.

The future risk of sexual re-offending would increase in the setting of psychosocial stressors, such as difficulty in interpersonal relationships, perceived rejections, loss of social supports, frustration at the restrictiveness of the supervision order, loneliness or boredom. Mr Crutch has limited adaptive coping skills and may relapse to his long-standing pattern of use of sex as coping or substance use. In the context of psychosocial stressors, he may become more sexually pre-occupied and increase his use of pornography, which may fuel his sexually deviant behaviours. The risk of sexual offending may increase should he relapse to use of alcohol, cannabis or non-prescribed medications, which may be disinhibiting and increase the risk of him acting on his underlying sexually deviant interests. The risk of sexual re-offending may increase in the setting on non-compliance with medication and deterioration in his mental state. The risk of sexual re-offending would also increase in the setting of increased sexual pre-occupation, rejection of supervision or victim access.

I consider it likely that Mr Crutch will again cope very poorly with the restrictiveness of the order; will likely quickly become emotionally dysregulated (due to his ASD, personality vulnerabilities and limited coping skills); will potentially self-medicate with illicit substances; will likely again experience an increase in sexual pre-occupation, despite treatment with Zoladex; and may again seek to access pornography without permission. I consider it reasonably likely that Mr Crutch will again seek out use of a non-approved device. I consider it likely that he will attempt to seek contact with M, and also potentially her 13-year-old daughter S. Once he has access to a phone, I consider it reasonably likely that he will again attempt to have contact over the phone with underage females and may coerce vulnerable teenagers to engage in sexually explicit acts with him over the internet, for example, exchange of naked photos.

Whilst initially the risk of contact sexual offences against children will be minimised whilst he is on Stage 1 curfews with escorted

movements, the risk will inevitably increase once the escorted movements are ceased and he has unescorted access to the community. It is noted that while Mr Crutch is currently willing to continue to comply with Zoladex following release, he is ambivalent about long term management with antilibidinal medication. His risk of serious sexual offending would, in my opinion, quickly escalate without compliance with antilibidinal medication.”

(my underlining)

- [58] Without unduly summarising both doctors’ views, nor collating them in order of relative importance, their evidence as to the issues informing the respondent’s risk of committing a serious sexual offence if he were released to a supervision order seem to be as follows.
- [59] First, that the respondent has had little reduction in sexual preoccupation on antilibidinal medication. As he is not having the expected physical response to the medication, this makes it more likely that he will continue to seek out sexual gratification in the way of the subject offending between August 2015 – August 2018, the main drivers for his offending being high levels of sexual preoccupation and entitlement. This is a substantially different factual premise than that which was before Crowley J in April 2025.
- [60] Second, despite having been given instructions whilst on both a supervision order in the Precinct and later, in prison, he continues to have contact with women and children he ought not to have contact with. This suggests that he will continue to seek out such contact whilst on a supervision order, and that he will continue to ignore conditions and reasonable directions whilst subject to a supervision order.
- [61] Third, the nature of his contact has included grooming type behaviour of at least one young girl, and highly sexualised contact with adult women including those he has not actually met in person. The consequence of this is that his most likely pathway to offending will be his attempt to groom and engage young women for the pursuit of sexual gratification.
- [62] Fourth, the respondent, swiftly after release, took steps to seek out, and in fact obtain, the use of Internet access, with a focus on accessing and viewing pornography. That, in combination with his sexual preoccupation (even when medicated) lends weight to the conclusion that he will continue to ignore conditions and seek out a pathway to offending sexually.
- [63] Fifth, according to both doctors, his behaviour remains impulsive, which, when coupled with his now poor response to the anti-libidinal medication, increases his risk of serious sexual offending.
- [64] Sixth, although he has engaged in sexual offender treatment programmes, there seems to be little evidence that he has internalised much of the content, and he seems to remain incapable or unwilling to exercise any degree of self-control whilst in the community. Additionally, Dr Arthur describes him as dishonest and doubts his self-reports to the extent that those self-reports seem to reflect any genuine insight or progress.

- [65] Seventh, having regard to his poor capacity to self-regulate, and the serious risks associated with loss of regulation, the medical practitioners need to consider other therapeutic treatment regimes, in particular to reduce his sexual preoccupation, before he is released into the community.

Conclusion

- [66] I am satisfied on the balance of probabilities, as required by s 22(1) of the Act that the respondent has contravened requirements of his existing supervision order in the manner set out at paras [14]-[24] above. Therefore, pursuant to s 22(2)(a) of the Act, unless the respondent satisfies the court, on the balance of probabilities, that the adequate protection of the community can, despite the contravention, be ensured by the existing order (with or without amendments under s 22(7) of the Act), the court must rescind it and make a continuing detention order.
- [67] I am not satisfied that the respondent has discharged this onus for the following reasons.
- [68] Whilst the contraventions are not ones of serious sexual offending, they demonstrate a serious disregard for the terms of the order, and in particular disregard for reasonable directions not to establish or maintain contact with any adult or child females. For example, that direction was given on 10 June 2025, and the respondent contravened that direction twice on the day it was given (see para [15] above).
- [69] Similarly:
- (a) the contraventions on 1 July 2025 (having contact with an unapproved female associate, who is the mother of four children) and 8 July 2025 (using another resident's phone to seek out "pen pals", including a 16-year-old female) are contraventions which carry with them a risk of serious sexual offending; and
 - (b) the contravention relating to the production of home brew alcohol, carries risk of serious sexual offending in circumstances where the 2017 offending occurred in the context of intoxication.
- [70] Once returned to prison in mid July 2025, the respondent did little to demonstrate any attempt to comply with further directions. He sought out and maintained contact with at least one woman with a child and made what were likely overtures to groom them both. Even if the contact was not intended to be grooming, on an objective assessment, it was capable of being so. With his sexual deviancy and desire now virtually unchecked by the administration of antilibidinal medication, there is a serious risk that if released into the community, he would impulsively act upon his desires.
- [71] Importantly, the respondent's poor, ongoing response to the anti-libidinal medication coupled with his impulsiveness and sexual preoccupation (being factors which were not present before Crowley J in April 2025) mean I am unable to conclude that the adequate protection of the community can, despite the contravention, be ensured by the existing order.
- [72] While I recognise that there is an important distinction between a risk of further contraventions compared to a risk of serious sexual offending, here the respondent

has not satisfied me, on the balance of probabilities, that the adequate protection of the community can, despite the contraventions, be ensured by the existing order.

- [73] The respondent fairly conceded that there could not possibly be amendments that could be made to the existing order which would address the risks.
- [74] Accordingly, there will be an order that the supervision order of Crowley J made on 14 April 2025 be rescinded, and that the respondent be detained in custody for an indefinite term for control, care or treatment.