

CITATION: *Commissioner of Police v MC [2019] NTLC022*

PARTIES: COMMISSIONER OF POLICE
v
MC

TITLE OF COURT: Local Court

JURISDICTION: Criminal

FILE NO(s): 21834506

DELIVERED ON: 12 JULY 2019

DELIVERED AT: Darwin

HEARING DATE(s): 2 May 2019

JUDGMENT OF: Chief Judge Lowndes

CATCHWORDS:

CHILD PROTECTION PROHIBITION ORDER – NATURE OF A CHILD PROTECTION PROHIBITION ORDER – FACTORS TO BE TAKEN INTO ACCOUNT WHEN DETERMINING WHETHER TO MAKE AN ORDER – THE APPLICANT’S BURDEN OF PROOF – LEVEL OF RISK AND AMBIT OF THE ORDER

Child Protection (Offender Reporting and Registration) Act ss 71, 72(1), 72(2), 73 and 74

Commissioner of Police v Tak (No2) [2011] WADC 219 applied

Commissioner of Police v ABC [2010] WADC 161 applied

Commissioner of Police v ND (unreported decision of the Youth Justice Court delivered on 17 Apr 2015) followed

R v Mulholland (1991) 1 NTLR 1 applied

REPRESENTATION:

Counsel:

Applicant: Mr. T Dunham
Respondent: Mr. J Razi

Solicitors:

Applicant: Solicitor for the Norther Territory
Respondent: NAAJA

Judgment category classification: B
Judgment ID number: 022
Number of paragraphs: 63

IN THE LOCAL COURT OF
AT DARWIN IN THE NORTHERN
TERRITORY OF AUSTRALIA

No. 21834506

BETWEEN:

Commissioner of Police
Applicant

AND:

MC
Respondent

REASONS FOR JUDGMENT

(Delivered 12 July 2019)

CHIEF JUDGE LOWNDES

THE NATURE OF THE PROCEEDINGS

1. The Commissioner of Police (the applicant) has made an application to the Local Court (Criminal Division) seeking a child protection prohibition order against MC (the respondent), being a reportable offender, in the following terms:

For a period of five (5) years:

1. Prohibited from approaching, contacting or remaining in the company of any female child under the age of 16 years (contact includes by mail, phone, text messages, facsimile or other forms of communication) except in the presence of a responsible adult who is aware of the respondent's sexual criminal history.
2. Prohibited from residing at any residence occupied by a child under the age of 16 years unless with the consent of that child's adult parent, or adult guardian who is aware of the respondent's sexual offending.

3. Prohibited from purchasing, possessing or consuming any alcohol and must submit to breath test and/or breath analysis when requested by a police in relation to this order, including accompanying police to an appropriate location for such testing.
 4. Prohibited from purchasing, possessing or consuming any drugs and/or volatile substances that have not been prescribed by a medical practitioner and must submit to saliva, urinalysis, buccal swab and /or blood test when requested by a police officer in relation to this order, including accompanying police to an appropriate location for such testing.
2. Although the respondent does not object to the making of a child protection prohibition order the respondent opposes the orders in the terms sought by the applicant on the grounds that those orders are unnecessarily restrictive, and not required to meet the risk that the respondent poses to the sexual safety of one or more children or children generally, and proposes that the following less restrictive orders would be more appropriate in the circumstances of the case:

For a period of two (2) years the respondent be:

1. Prohibited from remaining in the company of, or residing in any residence occupied by a female child under the age of 16 years other than direct family, except in the presence of a responsible adult who is aware of the respondent's sexual criminal history.
 2. Prohibited from approaching, contacting or remaining in the company of any female under the age of 16 years when consuming alcohol or under the influence of alcohol or within 12 hours of consuming alcohol and must submit to a breath analysis when requested by police in relation to this order.
3. The application was initially heard by the Local Court in September last year. Rather than make final orders, the Court indicated that it was proposing to make an interim order (to be reviewed in May this year) so as to allow the respondent an opportunity to demonstrate to the Court that a final order in the terms sought by the applicant was not necessary.
4. On 3 September 2018 the following interim orders were made by consent:

The respondent is prohibited from:

1. Approaching, contacting or remaining in the company of any female child under the age of 16 years (contact includes phone, text messages, facsimile, email or other forms of communication) except in the presence of a responsible adult who is aware of the respondent's sexual criminal history;
 2. Residing at any residence occupied by a child under the age of 16 years unless with the consent of that child's adult parent or adult guardian who is aware of the respondent's sexual offending;
 3. Purchasing, possessing or consuming any alcohol and must submit to a breath test and/or breath analysis when requested by police in relation to this order, including accompanying police to an appropriate location for such testing;
 4. Purchasing, possessing or consuming any drugs and/or volatile substances that have not been prescribed by a medical practitioner and must submit to a saliva, urinalysis, buccal swab and/or blood test when requested by a police officer in relation to this order, including accompanying police to an appropriate location for such testing.
5. When the matter came back to court in May this year the Court heard final submissions in relation to final orders.

THE RELEVANT LEGISLATION

6. Section 71 of the *Child Protection (Offender Reporting and Registration) Act* (the Act) empowers the Local Court to make a child protection prohibition order prohibiting a reportable offender from engaging in specified conduct.
7. Section 72 (1) of the Act provides:

A court may make a child protection prohibition prohibiting a person from engaging in conduct specified in the order if the court is satisfied that the person is a reportable offender and, on the balance of probabilities, that :

- (a) there is reasonable cause to believe, having regard to the nature and pattern of conduct of the person, that the person poses a risk to the lives or sexual safety of one or more children or children generally; and

(b) the making of the order may reduce that risk.

8. It is not necessary, for the purposes of s 72(1), that the court be able to identify a risk to a particular child or particular children or a particular class of children: see s 77(2).
9. Section 73(2) of the Act directs the court to take into account the following matters when determining whether to make an order under s 72(1):
 - (a) the seriousness of the reportable offender's reportable offences and foreign reportable offences;
 - (b) the period of time since those offences were committed;
 - (c) the age of the reportable offender, and the age of the victims of those offences, at the time the offences were committed;
 - (d) the difference in age between the reportable offender and the victims of those offences;
 - (e) the reportable offender's present age;
 - (f) the seriousness of the reportable offender's total criminal record;
 - (g) the effect of the order sought on the reportable offender in comparison with the level of the risk that a further reportable offence, or an offence that may give rise to an offender reporting order, may be committed by the reportable offender;
 - (h) to the extent that they relate to the conduct sought to be prohibited- the circumstances of the reportable offender, including the reportable offender's accommodation, employment needs and integration into the community;
 - (i) in the case of a young reportable offender – the educational needs of the young reportable offender;
 - (j) any other matter the court considers relevant.
10. Section 73 of the Act deals with conduct that may be the subject of a child protection prohibition order.
11. Subsection (1) provides that an order may prohibit conduct of any of the following kinds:
 - (a) associating with or other contact with specified persons or kinds of persons;

- (b) being in specified locations or kinds of locations;
- (c) engaging in specified behaviour;
- (d) being in specified employment or employment of a specified kind.¹

12. A child protection prohibition order may prohibit conduct absolutely or on terms the court considers appropriate: s 73(2).

13. Section 73(3) provides that a child protection prohibition order may prohibit a person from entering or remaining in a place even if the person has a legal or equitable right to be at the place. Subsection (4) provides that if an order of that type is made and the court is satisfied that it is necessary to do so, the court must ensure that the order provides for the person in respect of whom the order is made to recover personal property, or other property prescribed by the Regulations, from a place specified in the order:

- (a) in the manner set out in the order; or
- (b) in accordance with procedures prescribed by the Regulations.

14. The maximum period for which a child protection order can be made against an adult is 5 years: s 74 of the *Child Protection (Offender Reporting and Registration) Act*.

THE APPLICANT'S BURDEN OF PROOF

15. The applicant bears the burden of establishing on the balance of probabilities that there is reasonable cause to believe, having regard to the nature and pattern of conduct of the respondent that the respondent poses a risk to the lives or sexual safety of one or more children or children generally and that the making of a child protection prohibition order may reduce that risk.

¹ See s 73(5) which provides that s73(1) does not limit the kinds of conduct that may be prohibited by a child protection prohibition order.

16. The applicant also carries the burden of establishing that having regard to the matters specified in s 73 a child protection prohibition order is not only warranted but that the specific terms of the order sought are justified in order to reduce the risk to one or more children or children generally.
17. Child protection prohibition orders are not intended to be punitive. They are preventative in nature, being directed at risk reduction. This is further supported by the long title of the Act which inter alia indicates that the purpose of the legislation is to reduce the likelihood of re-offending. Orders prohibiting specified conduct are directed at this objective.
18. In *Commissioner of Police v Tak* [No 2] [2011] WADC 219 Martino CJDC at [19] dealt with s 90 of the *Community Protection (Offender and Reporting) Act* [WA] which is drafted in very similar terms to s 71 of the Northern Territory Act. In that case His Honour applied the reasoning in *Commissioner of Police v ABC* [2010] WADC 161 at [16]-[17] that the relevant risk must be more than “fanciful, minimal or theoretical”.²
19. In *Commissioner of Police v ND* Ms Fong Lim SM adopted the reasoning of Martino CJDC and concluded that the risk to the lives or sexual safety of one or more children or children generally as referred to in s 71 of the Act must also meet that test. With due respect that is a correct analysis of the relevant test.
20. As pointed out by Ms Fong Lim SM in *Commissioner of Police v ND* “the assessment of the level of risk” must be evidence- based having regard to the “nature and pattern of the conduct” of the reportable offender. I would add that the level of risk is also be assessed by reference to the other considerations mentioned in s 72(1)

² See *Commissioner of Police v ND* unreported decision of the Youth Justice Court of the Northern Territory per Ms Fong Lim SM delivered on 17 April 2015 at [19].

of the Act. Those considerations are also relevant to the nature and extent of any child protection prohibition order that the court considers is necessary to address the identified risk. The specific terms of an order should be no more than are necessary to reduce the relevant risk, given the potential of a child protection prohibition order to curtail one's personal liberty.³

CONSIDERATION OF THE LEVEL OF RISK AND THE AMBIT OF THE CHILD PROHIBITION ORDER

21. The evidence relied upon by the applicant is to be found in the affidavit of Kate Alison MacMichael declared 7 August 2018 and her further affidavit declared 26 April 2019.
22. In support of the application for a child protection prohibition order the applicant relies upon the seriousness of the respondent's reportable offences.
23. On 17 November 2010 the respondent committed the offence of having sexual intercourse with a child under the age of 16 years, namely 13 years of age, contrary to s 127(1)(a) of the Criminal Code (the first reportable offence). The respondent was convicted of that offence on 24 July 2012 and sentenced to a term of imprisonment of 58 days which was backdated to 28 May 2012.
24. Between 1 July and 13 July 2013 the respondent committed a further offence contrary to s 127 (1) (a) of the Code – namely having sexual intercourse with a child under the age of 16 years, namely 13 years of age, contrary to s 127(1)(a) of the *Criminal Code* (the second reportable offence). The respondent was convicted of that offence on 22 September 2016 and sentenced to a term of imprisonment of 2 and a half years backdated to 5 March 2016, with a non-parole period of 21 months, backdated to commence on 5 March 2016.

³ See *Commissioner of Police v ND* at [17].

25. It in relation to these two reportable offences the respondent received a total sentence of 2 years 2 months, having been released from prison on 4 September 2018.
26. An assessment of the seriousness of the respondent's reportable offences must begin with the facts and circumstances of the offences and reasons for sentence of the sentencing judge.
27. Justice Barr was the sentencing judge in relation to the first reportable offence.
28. In his sentencing remarks His Honour referred to the facts relating to the offending as set out in Exhibit P1. It is agreed between the parties that facts contained in Exhibit P1 are along the lines of the precis annexed to the affidavit of Kate McMichael declared on 7 August 2018.
29. Although His Honour remarked that there was a need to protect young persons from entering into sexual relations before they are mature enough to do so and to have weighed up the possible consequences, this was not a case of "older male predatory conduct". Moreover, the offending was consensual.
30. His Honour also took into account the following sentencing considerations: full admissions to the police, early guilty plea, remorse, lack of relevant offending and good prospects of rehabilitation.
31. The sentencing judge in relation to the second reportable offence was Justice Hiley.
32. During sentencing remarks his Honour said:

What you did was particularly bad for a number of reasons. Firstly, it seems that you just took advantage of NR for no particular reason, other than she was and you wanted to have sex with her, and apparently, she agree to have sex with you. It was more serious because you knew that it was illegal to have sex with somebody as young as NR because you had previously been convicted for a similar offence not

very long ago. The judge on that occasion made it very plain to you that you are not to have sex with girls under the age of 16. But, even though you had been told that by the judge and were sentenced to some term of imprisonment for that, you still went and committed this offence. So, that makes you[r] offending more serious.

His Honour went on to observe that the offending was “towards the middle level of seriousness for this kind of offence”, having accepted that there was “no particular grooming of [the] girl or exploitation of her”.

33. His Honour concluded that the respondent had not learnt from the punishment that he had received on account of having sexual intercourse with an underage child on a previous occasion and stated:

It also gives me concern about the safety of the community and, in particular young girls, if you are released from prison too early.

34. His Honour said that he had some difficulty in assessing the respondent’s prospects of rehabilitation:

When Barr J sentenced you in July 2012 he said that he believed that your prospects for rehabilitation were good. He said to you “...as you grow old and continue to mature, there is less and less risk that you will commit further offences of the kind charged or similar. Well, unfortunately, Barr J was wrong about that because a year later, you committed this offence. ... This leads me to conclude that your prospects of rehabilitation are poor at this stage. I think that can only be done by the people that have day to day dealings with you in the prison.

So, as you are aware, this is serious offending for the type of reasons that Barr J stated to you. You need to be punished for what you have done and you need to realise that you must not do this kind of thing again. Your punishment also needs to be strong enough to show other people who might read about your sentence in the newspaper or hear about it, that they too must have sex with children, even if the children are willing. The community, in particular, need to be protected from people who do the kinds of things that you have done twice.

35. The seriousness of the respondent’s offending can be gauged from the sentencing remarks of Justices Barr and Hiley. The respondent committed two separate

reportable offences involving two different victims. The second reportable offence, which was strikingly similar to the first reportable offence, was committed after the respondent had served a term of imprisonment for the first reportable offence. The fact that the respondent was a convicted reportable offender at the time of the second reportable offence was committed “demonstrates, prima facie, an increased animus and culpability for the [second reportable offence].... quite apart from any question of a general propensity to reoffend after the time of sentencing”.⁴ Furthermore, the commission of the second reportable offence “demonstrates an added disregard for the law, an added disregard for society in general and a further disregard for a particular member of society (the new victim) in particular”.⁵ Finally, “a propensity to re-offend in like manner yet again, attracts different considerations apropos the protection of the public”.⁶ In my opinion, the risk to children generally is increased because of the respondent’s past offending which reveals a pattern of sexual offending.

36. The respondent’s criminal history is not the only factor that increases the significant risk that the respondent poses to the community, in particular children.
37. The respondent was released from prison on 4 September 2018. At that time the respondent had served his sentence in full, not being subject to either a parole order or any ongoing supervision or control by a probation and parole officer under a suspended sentence order.
38. A risk assessment conducted on the respondent on 19 June 2018 prior to release from prison is annexed to the affidavit of Kate MacMichael and marked KM—008. According to that assessment the final risk category of the respondent was identified

⁴ See *R v Mulholland* (1991) 1 NTLR 1 at 13 per Angel J.

⁵ See *R v Mulholland* (1991) 1 NTLR 1 at 13 per Angel J.

⁶ See *R v Mulholland* (1991) 1 NTLR 1 at 14 per Angel J.

as “High”: see “The Responsibility, Safety, Victims and Plans (RSVP) Completion Report” dated 11 October 2017 (annexure KM -009). One of the purposes of this report was to make an assessment about the likelihood of the respondent committing another sexual offence.

39. The report included the following summary of risk factors:

[The respondent] was assessed on historical factors (Static 99-R) and deemed to be “above average risk” which is a categorisation used to describe offenders who have significant treatment needs across a number of domains and require structured programming to address those needs: Phenix et al. Factors that increased ‘[the respondent’s] long term risk were his young age, that he has a prior non-sexual violent convictions (FDV), a previous sex offence and his lack of an intimate relationship. Please note that the use of the Static 99-R on Aboriginal sex offenders is limited and results should not be interpreted with any degree of certainty.

[The respondent] was assessed using the Risk of Sexual Violence Protocol (RSVP...) {The respondent has some problems with his Psychological Adjustment. Without intervention or management these issues may lead him into risk situations in the future. Specifically, he has problems with attitudes that support or condone physical violence, problems with stress and coping and problems resulting from his experience of child abuse. {The respondent’s greatest risk factor for mental disorder is his chronic history of cannabis and alcohol use. Consideration of [the respondent’s] social adjustment indicates that while he desires an intimate relationship he has problems with his capacity to form, manage and maintain intimate and non –intimate relationships.

40. The report went on to state that the respondent is “most likely to reoffend both sexually and non-sexually if he continues to substance abuse and engage in his itinerant lifestyle”.

41. Although the respondent participated in and completed the Responsibility, Safety, Victims and Plan Group Program in 2017 and the Safe Sober Strong program earlier in 2015 he has not participated in the Sex Offender Treatment Program.

42. As deposed to in the affidavit of Kate MacMichael declared on 7 August 2018 the respondent “is a risk to the lives and sexual safety of any child under 16 years of age and the cognitive and behavioural difficulties he experiences combined with lack of supervision is indicative of the likelihood that he will reoffend”. With respect I agree with the following submission made by the applicant:

It is noted in the recommendations of the RSVP Treatment Report that the respondent should be given the opportunity to participate in a residential Alcohol and other Drugs Program (FORWAARD). Even though the respondent appears committed to live at Jilkington Community (Duck Creek), without sufficient support from family and Government/non-government agencies, it is likely he will revert to an itinerant lifestyle and the associated high risk factors including use of drugs and alcohol.

43. In my opinion, that submission continues to carry significant weight as the respondent is not subject to a parole order, and therefore remains unsupervised in the community without the benefit of appropriate support to address high risk factors, including substance abuse.

44. The applicant also relies upon the affidavit of Kate Alison MacMichael declared on 26 April 2019. In that affidavit the police officer deposed as to the following:

1. On 4 September 2018 the respondent was served with the interim Child Protection Prohibition Order made on 2018.
2. On 3 December 2018 the respondent was involved in an incident involving his female partner, as a result of which there was an alleged assault involving the consumption of alcohol by the respondent.
3. Information was also received revealing that the respondent had failed to comply with his reporting conditions under the *Child Protection Offender (Reporting and Registration) Act*.
4. The respondent was subsequently charged with one count of aggravated assault, four counts of failing to comply with reporting conditions and one count of failing to comply with the interim Child Protection Prohibition order.

45. The charge of assault and the four counts of failing to comply with reporting conditions were withdrawn. The respondent was convicted of the charge of failing to comply with the Child Protection Prohibition order and was sentenced to 3 months imprisonment.
46. Although the respondent did not breach the first two conditions of the interim child protection prohibition order (prohibiting contact with any female child under the age of 16 years) he breached the condition prohibiting the consumption of alcohol. As noted above, substance abuse has been identified as a high risk factor in relation to the likelihood that the respondent will re-offend. The respondent does not appear to have taken any steps to address to his problem with alcohol. The high risk factor involving the use of alcohol persists.
47. It is clear that the reportable offending is of a serious nature and discloses a pattern of conduct in the not too distant past. Between 4 September 2014 and 4 September 2018 he was serving a term of imprisonment. Due to his incarceration during that period he did not have “the ability to commit further offences”, as pointed out by the applicant. The respondent has only been back in the community for a relatively short period – and during that time has breached a condition of the interim child protection prohibition order. The risk of re-offending is significantly high, particularly as the associated high risk factors including unaddressed substance abuse remain.
48. The respondent is currently aged 26 years and, in my opinion, his relative youth coupled with his lack of sexual maturity and untreated or unmanaged substance abuse exposes him to a high risk of sexual re-offending.
49. Although the respondent’s total criminal history is not in the “worst category” it includes a substantial history of property offending and a serious traffic offence

(driving causing harm or death) which resulted in a substantial term of imprisonment. However, it is the pattern of conduct constituted by the two reportable offences that raises the most concern.

50. In determining whether to make a child protection order the Court is required to take into account the effect of the order sought to be imposed on the reportable offender with the level of risk that a further reportable offence, or an offence that may give rise to an offender reporting order, may be committed by the reportable offender. There is no doubt, in the present case, that the overall risk of sexual re-offending warrants a child protection prohibition order being made. That is conceded by the respondent's legal representative. As submitted by the applicant, "in the absence of supervision, the overall risk of sexual re-offending could be significantly reduced with the implementation and compliance of a child protection prohibition order". The need to make an order to minimise the risk of sexual re-offending greatly outweighs the effect of any order on the respondent.
51. However, what remains to be considered is whether the specific orders sought by the applicant are necessary. The effect of such an order on the respondent must be weighed against the level of risk that is intended to address.
52. In my opinion the serious nature of the reportable offending, the associated high risk factors (including the use of alcohol and drugs) and the respondent's lack of sexual maturity and poor psychosocial adjustment coupled with his unstable and itinerant lifestyle, the absence of supervision and lack of support of external agencies whilst in the community warrant a child protection prohibition order being made in the terms sought by the applicant. The specific orders sought by the applicant are necessary to adequately address the risk that the respondent poses to the lives or sexual safety of one or more children or children generally. The specific prohibitions

will, as submitted by the applicant, “provide the appropriate restrictions and conditions which may reduce the risk of re-offending”.

53. In coming to that conclusion I have taken into account the circumstances of the respondent, including his accommodation, employment and educational needs and integration into the community. In my opinion, an order in the terms sought by the applicant would not affect – or adversely affect - his accommodation, employment and educational needs nor prevent him re-integrating into the community.
54. I have considered the less restrictive orders proposed by the respondent’s legal representative, but do not believe that they would adequately address the level of the risk posed by the respondent.
55. In my opinion, the first proposed order that the respondent be prohibited from remaining in the company of, or residing in any residence occupied by a female child under the age of 16 years, other than direct family, except in the presence of a responsible adult who is aware of the respondent’s sexual history would be unsatisfactory in that it begs the question of who is “direct family”. In order to adequately address the level of risk that the respondent poses there needs to be certainty in relation to the terms of the prohibition.
56. In my opinion, the second proposed order that the respondent be prohibited from approaching, contacting or remaining in the company of any female under the age of 16 years when consuming alcohol or under the influence of alcohol or within 12 hours of consuming alcohol and must submit to a breath analysis when requested by police in relation to this order would be equally unsatisfactory. The respondent’s substance abuse is a high risk factor in relation to the likelihood of sexual re-offending. As his substance abuse remains unaddressed it also remains a high risk factor. As the respondent has a chronic history of substance abuse, I have serious

doubts as to the capacity of the respondent to control and manage his consumption of alcohol in such a way as to ensure compliance with the terms of the proposed order.

57. I am not satisfied that the less restrictive orders suggested by the respondent's legal representative would be effective in reducing the risk of sexual re-offending. In my opinion the order sought by the applicant in relation to the consumption of alcohol and/drugs is necessary in order to reduce the risk of sexual re-offending.
58. The final matter to be considered is the duration of the orders.
59. A child protection prohibition order should remain in force no longer than is necessary to reduce the risk that the respondent poses to the lives or sexual safety of one or more children or children generally. The question in the present case is whether a 5 year order (being the maximum order permitted under s 73 of the Act) is necessary to reduce the relevant risk.
60. In my opinion, the level of risk that a reportable offender poses will dictate the duration of the order. The maximum of 5 years should be reserved for those reportable offenders who pose the most serious of level risk to the lives or sexual safety of one or more children or children generally. The level of risk is to be assessed by reference to the specific nature of the sexual offending and the frequency of the offending. It follows that the term of the order should be shorter for those offenders who pose a lower level of risk of re-offending by reference to those considerations,
61. The respondent's level of re-offending has been assessed as "above average". However, that assessment must be considered in the context of the precise nature of the sexual offending and its frequency.

62. Grading the respondent's level of risk, I consider that it would be appropriate to make a child protection prohibition order for a period of 3 years from today.

FINAL ORDERS

63. The Court orders that for a period of 3 years from the making of this order the respondent is:

1. Prohibited from approaching, contacting or remaining in the company of any female child under the age of 16 years (contact includes by mail, phone, text messages, facsimile, email or other forms of communication) except in the presence of a responsible adult who is aware of the respondent's sexual criminal history;
2. Prohibited from residing at any residence occupied by a child under the age of 16 years unless with the consent of that child's adult parent or adult guardian who is aware of the respondent's sexual offending;
3. Prohibited from purchasing, possessing or consuming alcohol and must submit to a breath test and/or breath analysis when requested by a police officer in relation to this order, including accompanying the police officer to an appropriate location for such testing;
4. Prohibited from purchasing, possessing or consuming any drugs and/or volatile substances that have not been prescribed by a medical practitioner and must submit to a saliva, urinalysis buccal swab and/or blood test when requested by a police officer in relation to this order, including accompanying the police officer to an appropriate location for such testing.

Dated 12 July 2019

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Dr John Lowndes
Chief Judge of the Local Court of the Northern Territory