**INTERVENTION ORDER**

**Sentencing Act 2017 s 28**

**[*NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER*]**

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**Order Identifier:**

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

**Defendant/Youth**

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| **Person against whom intervention order made (‘the Subject’)** |  |  |
|  | **Full name** | **Date of birth** |

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| **Protected Person(s)** |  |  |
|  | **Full name** | **Date of birth** |

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| **Introduction****Hearing**Hearing Location: [*suburb*][*Hearing date*] [*Presiding Officer*]**Appearances**[*Informant/R* *Appearance Information*][*Defendant/Youth Appearance Information*]**Remarks** (a) **mandatory** The Court having found the [*Defendant/Youth*] [*name*] guilty, considers that it should exercise the power under section 28 of the *Sentencing Act 2017* to issue against the [*Defendant/*Youth] an Intervention Order under the *Intervention Orders (Prevention of Abuse) Act 2009*. (b) **mandatory** The Court having considered whether, if the whereabouts of the person for whose benefit the order would be issued are not known to the [*Defendant/Youth*], the issuing of the order would be counterproductive.* (c) **mandatory if conditions 5 and 6 deselected below** The Court having been satisfied that the [*Defendant/Youth*] has never been found guilty of violent or intimidatory conduct and needs to have a firearm for purposes related to earning a livelihood.
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| **Order****Date of Order**: [*date*]**Terms of Order**It is ordered that:**Orders in separately numbered paragraphs.**1. This order is declared to address a domestic violence concern.
2. A final intervention order be issued against the [*Defendant/Youth*] for the protection of [*protected person(s)*] (‘the protected person[*s*]’).
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| **Conditions of Intervention Order****[*This order is declared to address a domestic violence concern*]** |
| **General** |
|  |  | The Subject must notassault, threaten, harass or intimidate the protected person[*s*]. |
|  |  | The Subject must notdamage or interfere with the premises where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  |  | The Subject must notdamage or take possession of personal property belonging to the protected person[*s*] and the following specified property: [*personal property*].  |
|  |  | The Subject must notbe in possession of the following weapon[*s*] or article[*s*]: [*weapon/article*].  |
| **Firearms** |
|  |  | **default selected** Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Subject and any licence or permit held by the Subject authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms. |
|  |  | **default selected** For so long as this Order remains in force, any licence or permit held by the Subject authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Subject is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Subject is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment. |
| **Contact** |
|  |  | The Subject must notcontact or communicate with the protected person[*s*] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)**BUT contact is permitted:**1. at any court or tribunal hearing where the Subject is a party to the proceeding or a witness;
2. through a solicitor or a police officer;
3. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*
4. at a family dispute resolution conference or family counselling under the *Family Law Act 1975,* a family conference under the *Young Offenders Act 1993,* a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;
5. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;
6. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to their welfare;
7. [*other*].
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|  |  | The Subject must vacate the premises at [*address*] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court. |
|  |  | The Subject is permitted to attend at the protected person[*s*] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order. |
|  |  | The Subject must notpublish on the internet or by any electronic means any material about the protected person[*s*]. |
| **Vicinity** |
|  |  | The Subject must notfollow or keep the protected person[*s*] under surveillance including tracking by GPS or otherwise. |
|  |  | The Subject must notgo or stay within [*number*] metres of the protected person[*s*] unless permitted by other conditions of this Order. |
|  |  | The Subject must notgo or stay within [*number*] metres of any boundary of where the protected person[*s*] stay[*s*], reside[*s*] or work[*s*]. |
|  |  | The Subject must notgo or stay within [*number*] metres of the boundary of the following location[*s*]: [*address*] **provision for multiple** |
|  |  | The Subject must notgo or stay within [*number*] metres of the boundary of any education or care facility attended by the protected person[*s*] including specifically the following: [*address*] **provision for multiple** |
| **Other conditions** |
|  |  | The Subject must notcause, allow or encourage another person to do anything forbidden by this Order. |
|  |  | **only available if jurisdiction ‘Magistrates Court’** The Subject must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the Court. |
|  |  | The Subject must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*]. |
|  |  | The Subject must return [*description of personal property*] to [*name of protected person*] by [*date*]. |
|  |  | The Subject must allow [*name of protected person*] to [*recover/have access to/make use of*] [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so. |
|  |  | **provision for multiple** [*other conditions*]. |

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| **Service of this Order**Service of this order on the [*defendant/youth*] is* not required because this order confirms an interim intervention order (section 23(4))
* deemed to have been made because the respondent was present when this order was made (section 23(5a)(c)
* required to be made.
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| **To the [*Defendant/Youth*]:** **WARNING*** Non compliance with a served order renders you liable to a term of [*imprisonment/detention*].
* If this is a Nationally Recognised Domestic Violence Order, it applies and is enforceable in all Australian States and Territories.
* If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.
* You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered.
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| **Authentication**…………………………………………Signature of Court Officer[*title and name*] |