**ORDER – PLACE RESTRICTION AND/OR NON-ASSOCIATION AND ACKNOWLEDGEMENT**

**Criminal Procedure Act 1921 s 78/Sentencing Act 2017 s 27**

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

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

**Defendant/Youth**

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| **Introduction**  **Hearing**  Hearing Location: [*suburb*]  [*Hearing date*]  [*Presiding Officer*]  **Appearances**  [*Informant/R Appearance Information*]  [*Defendant/Youth Appearance Information*]  **Remarks**  The Court is satisfied that:   1. [*the*] [*Defendant/Youth*] [*number*] [*name*] has, within the period of two years immediately preceding the laying of the Information on [*date*], been convicted of a prescribed offence, namely [*description of offences*]. 2. it is reasonably necessary to make a [*Non-Association Order*] [*and*] [*Place Restriction Order*] to ensure that the [*Defendant/Youth*] does not commit any further indictable offences.  * (c) **provision for multiple, optional if persons specified to whom the Defendant/Youth must not associate include a member of the Defendant/Youth’s close family** the [*Defendant/Youth*] has requested that a close family member, namely [*full name*] (‘the Close Family Member’), be specified in the order. * (d) **provision for multiple, optional if persons specified to whom the Defendant/Youth must not associate include a member of the Defendant/Youth’s close family** there is reasonable cause to believe, having regard to:   + the criminal antecedents of [*name of Defendant/Youth’s close family member*] and the [*Defendant/Youth*], the nature and pattern of criminal activity in which the Close Family Member and the [*Defendant/Youth*] have both participated   + [*other matter the Court thinks fit*]   that there is an appreciable risk that the [*Defendant/Youth*] may be involved in conduct that could involve the commission of a further prescribed offence if the [*Defendant/Youth*] associates with the Close Family Member.   * (e) **provision for multiple, default selected if places or areas specified that include the Defendant/Youth’s place of residence, the place of residence of the Defendant/Youth’s close family, a place of work at which the defendant/youth is regularly employed, an educational institution at which the defendant is enrolled, a place of worship that the Defendant/Youth regularly attends** there is reasonable cause to believe, having regard to the ongoing nature and pattern of participation of the [*Defendant/Youth*] in criminal activity occurring at [*description of area/place*], that there is an appreciable risk that the [*Defendant/Youth*] may be involved in conduct that could involve the commission of a further prescribed offence if the [*Defendant/Youth*] frequents or visits the [*place/area*]described above. * (f) the [*Defendant/Youth*] disputes [*some/all*]of the grounds on which the [*Non-Association Order*] [*and*] [*Place Restriction Order*] is sought, but consents to the making of the order. |

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| **Order**  **Date of Order**: [*date*]  **Terms of Order**  It is ordered that:   * 1. a Place Restriction Order be issued against the [*Defendant/Youth*] under section [*[78(2)/80(1)/80(2)] of the Criminal Procedure Act 1921/ 27 of the Sentencing Act 2017*]in the following terms:   a. **must not be more than 2 years – see Criminal Procedure Act 1921 s 78(3)(a)** The term of the Place Restriction Order is [*no of years*] [*no of months*] [*no of weeks*][*no of days*] commencing at the end of the period of [*imprisonment/detention*] to be served by the [*Defendant/Youth*]  b. **provision for multiple, must not be specified locations except in certain circumstances – see Criminal Procedure Act 1921 s 79(3)-(4)** The [*Defendant/Youth*] must not frequent or visit [*address*]   * except in the following manner [*exceptions, including times or circumstances*] * c. This order replaces the previous Place Restriction Order made against the [*Defendant/Youth*] by [*name of Judicial Officer*] of the [*Court*] of South Australia on [*date*]. * 2. a Non-Association Order against the [*Defendant/Youth*] under section [*[78(2)/80(1)/80(2)] of the Criminal Procedure Act 1921/ 27 of the Sentencing Act 2017*]in the following terms:   a. **must not be more than 2 years – see *Criminal Procedure Act 1921* s 78(3)(a)** The term of the Non-Association Order is [*no of years*] [*no of months*] [*no of weeks*][*no of days*] commencing at the end of the period of [*imprisonment/detention*] to be served by the [*Defendant/Youth*].   * b. **provision for multiple, must not be close family except in certain circumstances – see *Criminal Procedure Act 1921* s 79(1)-(2)** The [*Defendant/Youth*] must not be in the company of [*full name*] * except in the following manner [*exceptions, including times or circumstances*] * c. **provision for multiple, must not be close family except in certain circumstances – see *Criminal Procedure Act 1921* s 79(1)-(2)** The [*Defendant/Youth*] must not communicate with [*full name*] * except in the following manner [*exceptions, including times or circumstances*] * d. This order replaces the previous Non-Association Order made against the [*Defendant/Youth*] by [*name of Judicial Officer*] of the [*Court*] of South Australia on [*date*]. |

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| **To the [*Defendant/Youth*]: WARNING**  Non compliance with this order renders you liable to a term of [*imprisonment/detention*] not exceeding 6 months for a first offence and not exceeding 2 years for a subsequent offence. |

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| **Authentication**  …………………………………………  Signature of Court Officer  [*title and name*] |

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| **Acknowledgement by Defendant/Youth**  I acknowledge that I have received a copy of this order. I understand its conditions and I understand what will happen if I fail to obey these conditions.  …………………………………………  Signature of Defendant/Youth  …………………………………………  Name printed  **Witness**  ………………………………………………  Signature of authorised witness  **witness must be the Judicial Officer making order, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Defendant is in a training centre, the person in charge of a prison if the Defendant is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court**  **next item not displayed if witness is Judicial Officer making order**  ………………………………………….  Printed name and title of witness **stamp here if applicable**  ………………………….  Date |