

To be inserted by Court

Case Number:

Date Signed:

FDN:

## 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

### Introduction

### Hearing

Hearing Location: [suburb]

[Hearing date]

[Presiding Officer]

### Appearances

[Informant/R Appearance Information]

[Defendant/Youth Appearance Information]

### Remarks

The Court is satisfied that:

- (a) [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].
- (b) 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.

## 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].

**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.

**Authentication**

.....  
Signature of Court Officer  
[title and name]

**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