**ORDER – INTERIM INTERVENTION ORDER**

**Bail Act 1985 s 23A**

**[*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*]Hearing type:[*Presiding Officer*]**Appearances**[*Prosecution Appearance Information*][*Defendant/Youth Appearance Information*]**Remarks** |
|  |  | The Court has heard or is hearing a bail application, in the course of which the question of whether an intervention order should be made under section 23A of the *Bail Act 1985* has been raised.  |
|  |  | The Court is satisfied that that an Interim Order should be made in the following terms. |
|  |  | [*other matters*] |

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| **Order** **Date of Order**: [*date*]**Terms of Order** It is ordered that:**Orders in separately numbered paragraphs.** |
|  |  | An Interim Intervention Order be issued against the [*Defendant/Youth*] pursuant to section 23A of the *Bail Act 1985* and section 21(3)(a) of the *Intervention Orders (Prevention of Abuse) Act 2009* for the protection of [*name of* *protected person*(*s)*], in the terms set out below. |
|  |  | This order is declared to address a domestic violence concern. |
|  |  | [*other orders*]. |

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| **Conditions of Interim 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* 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*]:** This interim order will operate until further order.Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention. |

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