**INTERLOCUTORY APPLICATION FOR DISCLOSURE OF OPERATIVE’S IDENTITY**

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

**if applicable** COURT OF APPEAL

CRIMINAL JURISDICTION

[***FULL NAME*]**

**Informant/R/Appellant**

**v**

**[*FULL NAME*]**

**Defendant/Youth/Respondent**

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| **Lodging party** |  |  |
|  | **Party title** | **Full Name of party** |
| Name of law firm/office |  |  |
| **If applicable** | **Law firm/office** | **Responsible Solicitor** |
| Name of authorised officer |  |
| **If body corporate and no law firm/office** | **Full Name** |

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| **Application Details**This Application is for * permission to ask a question of a witness that may lead to the disclosure of an operative’s identity or where the operative lives. **section 40(1)(a)(i) of the *Criminal Investigation (Covert Operations) Act 2009***
* permission to ask a person involved in the proceeding to make a statement that discloses, or may lead to the disclosure of, an operative’s identity or where an operative lives. **section 40(1)(a)(ii) of the *Criminal Investigation (Covert Operations) Act 2009***
* an order requiring a witness to answer a question, give evidence, or provide information that discloses, or may lead to the disclosure of, an operative’s identity or where the operative lives. **section 40(1)(b) of the *Criminal Investigation (Covert Operations) Act 2009***

This Application is made under section [*40(1)(a)(i)/40(1)(a)(ii)/40(1)(b)*] **select one** of the *Criminal Investigation (Covert Operations) Act 2009* The Applicant seeks the following orders: **Enter orders sought in separately numbered paragraphs.** * 1. **Compete if section 40(1)(a)(i) selected above** That the Applicant be permitted to ask a witness, namely [*full name*], [*description of questions*] that may lead to the disclosure of the operative’s identity or where the operative lives.
* 2. **Complete if section 40(1)(a)(ii) selected above** That a person involved in the proceeding, namely [*full name*], be permitted to make a statement about [*description of subject matter*] that discloses or may lead to the disclosure of, the operative’s identity or where the operative lives.
* 3. **Complete if section 40(1)(b) selected above** That a witness, namely [*full name*], be required [*to answer a question/give evidence/provide information*] **Select one** about [*description of subject matter*] that discloses, or may lead to the disclosure of, the operative’s identity or where the operative lives.
* 4. **provision for multiple** [*Enter other orders*].

This Application is made on the grounds set out in the accompanying Affidavit sworn by [*full* *name*] on [*date*] that:1. that there is evidence that, if accepted would substantially call into question the operative’s credibility, namely [*Enter description of evidence*].2. that it would be impractical to test properly the credibility of the operative without [*risking the disclosure of/disclosing*] **Select one** the operative’s identity or where the operative lives because [*Enter* *reasons*].3. that it is in the interests of justice that the operative’s credibility be tested.**Complete if applicable otherwise delete**This application is urgent on the grounds set out in the accompanying affidavit sworn by [*full name*] on [*date*]. |

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| **To Other Parties: WARNING**This Application will be considered at a hearing to be convened by the Court. You will receive a notice of hearing with details of the location, date and time of the hearing.If you wish to oppose the Application or make submissions about it:* **you must attend the hearing** and
* if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** file and serve on all parties an affidavit before the hearing date.

If you do not do so, the Court **may proceed in your absence** and orders may be made **finally determining** this application without further warning. |

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| **Service**The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

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| **Accompanying documents**Accompanying this Application is a:* Supporting Affidavit **mandatory**
* If other additional document(s) please list them below:
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