

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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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

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

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. Complete 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].

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.

Service

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

Accompanying documents

Accompanying this Application is a:

- Supporting Affidavit mandatory
- If other additional document(s) please list them below: