

(insert proceeding heading)

ORDER REQUIRING NOTIFICATION WHETHER DEFENCE DISPENSES WITH CALLING PROSECUTION WITNESSES

Criminal Procedure Act 1921 s 134(4)

TO THE DEFENDANT: (insert name of defendant)

Order

The Court requires you to notify the Director of Public Prosecutions whether you consent to dispensing with calling the following prosecution witnesses (names of witnesses).....

.....
to establish the admissibility of evidence of the following: (description of evidence).....

.....
.....
.....

Action required

YOU ARE REQUIRED to give a written reply to this Notice in form 19 of the *Criminal Supplementary Rules 2014* within days of the service of this Order on you or your solicitor.

Warning

If you fail to reply within this time, your consent to the tender of the evidence specified in this Notice for the purposes specified in this Notice will be conclusively presumed.

Date:

(signed)

Judge (insert name)

(insert front sheet)

NOTIFICATION WHETHER DEFENCE CONSENTS TO DISPENSING WITH CALLING PROSECUTION WITNESSES

Criminal Procedure Act 1921 s 134(4)

TO THE DIRECTOR OF PUBLIC PROSECUTIONS

Response

In response to the order datedof Judge,
the defendant (*insert name of defendant*)

- consents to the prosecution dispensing with the need to call witnesses to establish the admissibility of the following evidence (*description of evidence*)

.....
.....
.....

- does not consent to the prosecution dispensing with the need to call witnesses to establish the admissibility of the evidence/other evidence (*delete whichever is inapplicable*) identified in the order.

(*delete whichever is inapplicable*)

Date:

(*signed*)

Defendant/Solicitor for the defendant (*delete whichever is inapplicable*)

Form 20 – There is no Form 20 (deleted by Amendment No. 5 effective 1 June 2018)

Form 21 – There is no Form 21 (deleted by Amendment No. 5 effective 1 June 2018)

(insert proceeding heading)

ORDER REQUIRING DEFENCE TO GIVE PROSECUTION NOTICE OF INTENTION TO ADDUCE EVIDENCE
Criminal Procedure Act 1921 s 134(1)

TO THE DEFENDANT: *(insert name of defendant)*.....

Order

The Court requires you to give to the Director of Public Prosecutions notice of an intention to introduce at trial evidence of the following kind: *(description of the kind of evidence)*

.....
.....

Action required

YOU MUST give written notice in form 23 of the *Criminal Supplementary Rules 2014* of your intention to call evidence of the kind set out above within days of service of this Order on you or your solicitor.

Warning

Non-compliance with this order does not render evidence inadmissible, but the prosecutor or the Judge (or both) may comment on the non-compliance to the jury.

Date:

(signed)

Judge *(insert name)*

(insert front sheet)

NOTICE OF INTENTION TO ADDUCE EVIDENCE
Criminal Procedure Act 1921 s 134(1)

TO THE DIRECTOR OF PUBLIC PROSECUTIONS

Response

In response to the order datedof Judge,
the defendant (*name of defendant*)
intends to introduce at the trial evidence of the following kind:

.....
.....
.....
.....
.....

Date:

(signed)

Solicitor for the defendant/Defendant (*delete whichever is inapplicable*)

(insert front sheet)

NOTICE OF INTENTION TO INTRODUCE EXPERT OR ALIBI EVIDENCE
Criminal Procedure Act 1921 s 124

TO THE DIRECTOR OF PUBLIC PROSECUTIONS

Written statement – Expert evidence

The defendant (*name of defendant*)
intends to introduce expert evidence
at trial/during submissions on sentence (*delete whichever is inapplicable*)
from (*insert name and field of expertise of expert*)
.....
.....

The witness will give the following evidence: (*set out concisely the general nature of the evidence and what it tends to establish*)
.....
.....
.....

Written statement – Alibi evidence

The defendant (*name of defendant*)
intends to introduce alibi evidence at trial from (*insert name*)
.....
.....

The address of the person to give alibi evidence is (*delete if inapplicable*)
.....
.....

The witness will give the following evidence: (*set out concisely the general nature of the evidence and what it tends to establish*)
.....

.....
.....

Declaration

I verify and declare that the statements contained in this notice are true to best of my knowledge and belief.

Date:

(signed)
Defendant (*where the defendant is unrepresented*)

(signed)
Solicitor for the defendant in the presence of the defendant (*where the defendant is represented by a legal practitioner*)

Warning

The Court determining proceedings for an indictable offence may refuse to admit evidence in the proceedings that is sought to be adduced by a party who has failed to comply with section 124 of the *Criminal Procedure Act 1921*.

Note

Section 124 of the *Criminal Procedure Act 1921* requires that this notice be signed by the defendant personally or be signed, in the presence of the defendant, by a legal practitioner representing the defendant or, in the case of a body corporate, by a legal practitioner representing the body corporate.

Note

If the Director of Public Prosecutions is not provided with notice of intention to introduce expert evidence within the timeframe provided for in section 124 of the *Criminal Procedure Act 1921*, the Court may, on application by the prosecutor, adjourn the case to allow the prosecution a reasonable opportunity to obtain expert advice on the proposed evidence if the defendant is to be permitted to adduce the evidence.

(insert proceeding heading)

LETTER OF REQUEST
Evidence Act 1929 s 59E(1)(c)

TO THE COMPETENT JUDICIAL AUTHORITY OF (insert place).....
..... in (insert country).....

Background

An action has been commenced in the District Court of South Australia, in which
(insert name of party)of (insert address).....
is the (insert role of party)

and (insert name of party).....of (insert address).....
is the (insert role of party)

It is necessary, for the determination of the matters in dispute, that the following person, resident within
your jurisdiction, be examined as a witness upon oath or affirmation concerning those matters: (insert
name, address of proposed witness and state concisely the matters to which the witness is required to
testify)

.....
.....

Request

I (name)....., the Registrar of the District Court of South Australia,
request pursuant to section 59E of the *Evidence Act 1929* that, for the assistance of the Court, you
summon the witness to attend, at a time and place you appoint, before a person who according to your
procedure is competent to take examinations of witnesses, and that you cause the witness to be
examined orally with regard to the matters in question, in the presence of the agents of the parties, or
such of them as, on due notice given, attend the examination.

I request that you permit the agents of the (*insert name of party seeking that witness be called*)..... to examine the witness, and permit any other party to cross examine the witness and the party producing the witness for examination to re-examine the witness orally.

I request that the evidence of the witness be reduced into writing and all documents and things produced upon the examination be duly marked for identification, and that you authenticate the examination by the seal of your Court or in another way in accordance with your procedure, and return them to me together with a note of the charges and expenses payable in respect of this request through the Attorney-General of South Australia from whom this request was received for transmission to the District Court of South Australia.

I request that you cause me, and the agents of the parties if appointed, to be informed of the date and time when and place where the examination is to take place.

Date:

(*signed*)

Registrar

Form 26 – There is no Form 26 (deleted by Amendment No. 1 effective 1 May 2016)

(insert proceeding heading)

SUBPOENA

TO: *(name of addressee)*

(address)

You are ordered to attend to give evidence – see below for details.

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

Please read Notes 1 to 8 at the end of this subpoena.

The last date for service of this subpoena is *(date)*. *(see Note 1)*

(if applicable) The last date for service was fixed by order made by Judge *(name)* dated *(date)*.

FILED:

(Registry to place seal)

Issued at the request of *(role of party)*, *(name)* whose address for service is:

Place:

Email:

Details of subpoena

Date, time and place at which you must attend to give evidence, unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place: District Court, Sir Samuel Way Building, 241-259 Victoria Square Adelaide

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

NOTES

Last day for service

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

Applications in relation to subpoena

5. You have the right to apply to the Court:
 - (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

6. You may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court – arrest

7. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
8. Note 7 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

For more information regarding attending Court, Court services and translation services visit

www.courts.sa.gov.au

(insert proceeding heading)

SUBPOENA

TO: *(name of addressee)*

(address)

You are ordered to produce this subpoena or a copy of it and the documents or things specified in the Schedule – see below for details.

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

Please read Notes 1 to 15 at the end of this subpoena.

The last date for service of this subpoena is *(date)*. *(see Note 1)*

(if applicable) The last date for service was fixed by order made by Judge *(name)* dated *(date)*.

FILED:

(Registry to place seal)

Issued at the request of *(role of party)*, *(name)* whose address for service is:

Place:

Email:

Details of subpoena

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents below at the date, time and place specified for attendance and production;
- or

- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule of documents below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear business days before the date specified for attendance and production. (see Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place: District Court, Sir Samuel Way Building, 241-259 Victoria Square Adelaide

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

District Court Criminal Registry
Lower Ground Floor
Sir Samuel Way Building
241- 259 Victoria Square
Adelaide, South Australia, 5000

Schedule of documents

The documents and things you must produce are as follows:

(list the documents or things. if insufficient space attach list)

NOTES

Last day for service

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.
4. Deleted by Amendment No. 4.

Production of subpoena or copy of it and documents or things by delivery or post

5. In so far as this subpoena requires production of the subpoena (or a copy of it) and a document or thing, instead of attending to produce the subpoena (or a copy of it) and the document or thing, you may comply with the subpoena by delivering or sending the subpoena (or a copy of it) and the document or thing to the Registrar:
 - (a) at the address specified in the subpoena for the purpose; or
 - (b) if more than one address is so specified, at any one of those addresses;so that they are received not less than 2 clear business days before the date specified in the subpoena for attendance and production or, if you receive notice of a later date or time from the issuing party, before that later date or time.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. Unless the subpoena specifically requires you to produce an original, you may produce a copy of any document that the subpoena requires you to produce. If you are producing copies, you are encouraged to produce them in electronic form.
- 9AA. Electronic copies of documents can be provided on a memory card or stick in any of the formats referred to in paragraph 9A below.

- 9A. A copy of a document may be:
- (a) a photocopy; or
 - (b) in any of the following electronic formats:
 - .doc and .docx – Microsoft Word documents
 - .pdf – Adobe Acrobat documents
 - .xls and .xlsx – Microsoft Excel spreadsheets
 - .jpg – image files
 - .rtf – rich text format
 - .gif – graphics interchange format
 - .tif – tagged image format.

10. Deleted by Amendment No. 4.

11. Deleted by Amendment No. 4.

Applications in relation to subpoena

12. You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

13. You may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court – arrest

14. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
15. Note 14 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

For more information regarding attending Court, Court services and translation services visit www.courts.sa.gov.au

(insert proceeding heading)

SUBPOENA

TO: *(name)* of *(address)*

You are ordered to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule – see below for details.

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

Please read Notes 1 to 15 at the end of this subpoena.

The last date for service of this subpoena is *(date)*. *(see Note 1)*

(if applicable) The last date for service was fixed by order made by Justice *(name)* dated *(date)*.

FILED:

(Registry to place seal)

Issued at the request of *(role of party)*, *(name)* whose address for service is:

Place:

Email:

Details of subpoena

Insofar as you are required by this subpoena to attend to give evidence, you must attend as follows, unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place: District Court, Sir Samuel Way Building, 241-259 Victoria Square Adelaide

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

Insofar as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule of documents below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear business days before the date specified for attendance and production. (see Notes 5-11)

Date, time and place at which you must attend to produce the subpoena or a copy of it and the documents or things unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place: District Court, Sir Samuel Way Building, 241-259 Victoria Square Adelaide

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

District Court Civil Registry
Lower Ground Floor
Sir Samuel Way Building
241- 259 Victoria Square
Adelaide, South Australia, 5000

Schedule of documents

The documents and things you must produce are as follows:

(list the documents or things. if insufficient space attach list)

NOTES

Last day for service

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

5. In so far as this subpoena requires production of the subpoena (or a copy of it) and a document or thing, instead of attending to produce the subpoena (or a copy of it) and the document or thing, you may comply with the subpoena by delivering or sending the subpoena (or a copy of it) and the document or thing to the Registrar:

- (a) at the address specified in the subpoena for the purpose; or
- (b) if more than one address is so specified, at any one of those addresses;

so that they are received not less than 2 clear business days before the date specified in the subpoena for attendance and production or, if you receive notice of a later date or time from the issuing party, before that later date or time.

6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. Unless the subpoena specifically requires you to produce an original, you may produce a copy of any document that the subpoena requires you to produce. If you are producing copies, you are

encouraged to produce them in electronic form.

9AA. Electronic copies of documents can be provided on a memory card or stick in any of the formats referred to in paragraph 9A below.

9A. A copy of a document may be:

- (a) a photocopy; or
- (b) in any of the following electronic formats:
 - .doc and .docx – Microsoft Word documents
 - .pdf – Adobe Acrobat documents
 - .xls and .xlsx – Microsoft Excel spreadsheets
 - .jpg – image files
 - .rtf – rich text format
 - .gif – graphics interchange format
 - .tif – tagged image format.

10. Deleted by Amendment No. 4.

11. Deleted by Amendment No. 4.

Applications in relation to subpoena

12. You have the right to apply to the Court:

- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
- (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

13. You may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court – arrest

14. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.

15. Note 14 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

For more information regarding attending Court, Court services and translation services visit

www.courts.sa.gov.au

(insert proceeding heading)

NOTICE AND DECLARATION BY ADDRESSEE OF SUBPOENA

TO: *(name of addressee)*

(address)

Notice to Addressee

The ***Addressee*** is the person to whom the subpoena is addressed and who will be the recipient of the subpoena.

You may produce copies of any subpoenaed documents, unless the subpoena specifically requires you to produce originals. A copy of a document may be:

- (a) a photocopy; or
- (b) in any of the following electronic formats:

- .doc and .docx – Microsoft Word documents
- .pdf – Adobe Acrobat documents
- .xls and .xlsx – Microsoft Excel spreadsheets
- .jpg – image files
- .rtf – rich text format
- .gif – graphics interchange format
- .tif – tagged image format

You must complete the Declaration below, attach it to the subpoena or a copy of the subpoena, and return them with the documents or things you provide to the Court under the subpoena.

If you declare that the material you produce are copies of documents, the Registrar may, without further notice to you, destroy the copies after the expiry of 4 months from the conclusion of the

proceeding or, if the documents become exhibits in the proceeding, when they are no longer required in connection with the proceeding, including on any appeal.

If the material you produce to the Court is or includes an original document, the Court will return all of the material to you at the address specified by you in the Declaration below.

DECLARATION BY ADDRESSEE (SUBPOENA RECIPIENT)

(tick the relevant option below, provide your address as appropriate, sign and date)

All of the material I am providing to the Court in compliance with the attached subpoena are **copies of documents**. I acknowledge that the Court will destroy the copies once they are no longer required, without further notice to me.

Some or all of the material I am providing to the Court in compliance with the attached subpoena is an **original** document. Once the material is no longer required, all of the material should be returned to me at the following address:

.....
.....

(signature of addressee)

(name of addressee)

(date)

(insert proceeding heading)

ORIGINATING APPLICATION TO FIX NON-PAROLE PERIOD

Sentencing Act 2017 s 47(3)

TO THE PAROLE BOARD

TO THE PRISONER: *(insert name)*

.....

(delete whichever is inapplicable)

AND THE DIRECTOR OF PUBLIC PROSECUTIONS

Application

(name of applicant)

applies under section 47(3) of the *Sentencing Act 2017* for an order fixing a non-parole period in respect of a sentence imposed in the *(insert Court)* on *(insert date)*.....

of imprisonment for *(insert sentence imposed)*

.....

with a non-parole period of *(insert non-parole period imposed)*.....

(delete if inapplicable)

- On *(insert date)*.....the Parole Board of South Australia cancelled the applicant’s release on parole and directed that the applicant serve the balance of the sentence being *(insert period)*.....which commenced on *(insert date)*.
- The applicant is serving a term of imprisonment of one year or more, and has not had a non-parole period fixed in respect of that sentence
(delete whichever is inapplicable)

The applicant’s sentence will expire on *(insert date)*.....

Relevant matters

The applicant would like the sentencing Court to consider the following facts when it fixes the non-parole period:

.....
.....
.....

Applicant’s address

The applicant’s address for service is:

Place:

.....

Email:

The applicant’s address is (*place of residence or business*):

.....
.....

Date:

(*signed*)

Prisoner/Solicitor for the prisoner/Parole Board of South Australia (*delete whichever is inapplicable*)

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

This application will be heard before in the District Court at on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it sees fit.

Date:

(signed)
Registrar

(insert front sheet)

ORIGINATING APPLICATION

TO THE (INSERT ROLE): (insert name of other party).....

AND TO (insert names of others to whom notice of the application is to be given).....

Application

The Director of Public Prosecutions/Parole Board/Public Advocate/Attorney-General/Defendant/ Applicant (delete whichever is inapplicable) (insert name and address where application made by or on behalf of the defendant or another individual) seeks the following orders:

- 1. (state briefly but specifically the orders sought)

Grounds

The grounds relied upon by the applicant are as follows: (set out sufficient particulars to give proper notice of the basis of the orders sought)

.....
.....

Applicant's address

The applicant's address for service is:

Place:
.....

Email:

The applicant's address is (place of residence or business):

.....
.....

Date:

(signed)

Director of Public Prosecutions/Parole Board/Public Advocate/Attorney-
General/Defendant/Applicant (*delete whichever is inapplicable*)

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

This application will be heard before.....in the District Court
at.....on at or so soon afterwards as the
business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(signed)

Registrar

(insert proceeding heading)

WARRANT FOR DETENTION
Criminal Law Consolidation Act 1935 s 269O/269P/269U

Particulars of Defendant

Name:
Date of Birth:
Address:
.....

Particulars of supervision order

Offence charged:
Section and Act under which offence charged:
Court which made supervision order:
Terms of Supervision Order:
Date of Supervision Order:
Period of limiting term:
Date Warrant issued:

Warrant

TO THE SHERIFF
AND TO THE COMMISSIONER OF POLICE AND MEMBERS OF THE POLICE FORCE
AND THE MINISTER OF HEALTH.

- The defendant named in this warrant has been dealt with by the Court and, having been declared liable to supervision, committed to detention with a limiting term pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*.
- The defendant named in this warrant was committed to detention with a limiting term pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*. The defendant was subsequently released on licence but on (date) the Court cancelled the release.

(delete whichever is inapplicable)

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to James Nash House and you, the Minister of Health are directed to detain the defendant in accordance with the supervision order.

Date:

(signed)

.....

Judge (*name*)

(insert proceeding heading)

WARRANT OF REMAND IN CUSTODY PENDING INVESTIGATION

Criminal Law Consolidation Act 1935 s 269X(1)

Particulars of Defendant

Name:

Date of Birth:

Address:

Particulars of investigation and institution

Offence charged:

Section and Act under which offence/s charged:

Investigation into the mental fitness of the defendant to stand trial on the offence charged/the mental competence of the defendant to commit the offence charged (*delete whichever is inapplicable*)

Institution defendant is to be taken to:

Warrant

TO THE SHERIFF

AND TO THE COMMISSIONER OF POLICE AND MEMBERS OF THE POLICE FORCE

AND TO THE MINISTER OF HEALTH/THE CHIEF EXECUTIVE OF THE DEPARTMENT OF CORRECTIONAL SERVICES (*delete whichever is inapplicable*)

The defendant named in this warrant is subject of an investigation into his/her (*delete whichever is inapplicable*) fitness to stand trial/mental competence (*delete whichever is inapplicable*) pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to the institution referred to above.

The defendant is to be taken to the institution referred to above until a placement at a secure mental

health facility is available and then the defendant is to be transferred to the care of the Minister of Health.

You, the/the Chief Executive of the Department of Correctional Services/Minister of Health (*delete whichever is inapplicable*) are directed to detain the defendant until the conclusion of the investigation.

Date:

(*signed*)

Judge (*name*)

(insert proceeding heading)

WARRANT OF REMAND IN CUSTODY AFTER DECLARED LIABLE TO SUPERVISION

Criminal Law Consolidation Act 1935 s 269X(2), 269U(3)

Particulars of Defendant

Name:

Date of Birth:

Address:

Particulars of declaration and institution

Offence charged:

Section and Act under which offence charged:

Court which made declaration liable to supervision:

Date declared liable to supervision:

Institution defendant is to be taken to:

Date and time to which remanded:

Warrant

TO THE SHERIFF

AND TO THE COMMISSIONER OF POLICE AND MEMBERS OF THE POLICE FORCE

AND TO THE CHIEF EXECUTIVE OF THE DEPARTMENT OF CORRECTIONAL SERVICES

The defendant named in this warrant has been declared liable to supervision under Part 8A of the *Criminal Law Consolidation Act 1935*.

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to the correctional institution referred to above.

- The defendant is to be taken to the institution referred to above until a placement at a secure mental health facility is available and then the defendant is to be transferred to the care of the Minister of Health.
- You, the Chief Executive, Department of Correctional Services/ Minister of Health, are directed to detain the defendant until such time as the Court makes all orders which are required to be made pursuant to s 269O of the Act.
- The defendant named in this warrant was committed to detention with a limiting term pursuant to Part 8A of the *Criminal Law Consolidation Act 1935*. The defendant was subsequently released on licence but on..... the Court on an application for review of the supervision order under section 269U made an order that the defendant be detained until the application is determined.

(delete whichever is inapplicable)

Date:

(signed)

.....

Judge (*name*)

History of Amendment

Rules	Amendments	Date of Operation
am = amended; del = deleted; ins = inserted; ren = renumbered; sub = substituted		
Form 3	am am 5	1 June 2018
Form 3A	ins am 3	1 December 2016
Form 3B	ins am 3	1 December 2016
Form 4	am am 5	1 June 2018
Form 11A	ins am 3 am am 5	1 December 2016 1 June 2018
Form 13A	ins am 2 am am 5	27 June 2016 1 June 2018
Form 13B	ins am 2	27 June 2016
Form 13C	ins am 2	27 June 2016
Form 13D	ins am 2 sub am 3	27 June 2016 1 December 2016
Form 18	am am 5	1 June 2018
Form 19	am am 5	1 June 2018
Form 20	del am 5	1 June 2018
Form 21	del am 5	1 June 2018
Form 22	am am 5	1 June 2018
Form 23	am am 5	1 June 2018
Form 24	sub am 5	1 June 2018
Form 26	del am 1	1 May 2016
Form 26A	ins am 1	1 May 2016
Form 26B	ins am 1 am am 4	1 May 2016 1 December 2017
Form 26C	ins am 1 am am 4	1 May 2016 1 December 2017
Form 27	sub am 1	1 May 2016
Form 28	am am 5	1 June 2018