Form 28

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|  | POLICE/THIRD PARTY APPLICATION(INTERVENTION ORDER)**Magistrates Court of South Australia**[www.courts.sa.gov.au](http://www.courts.sa.gov.au) *Intervention Orders (Prevention of Abuse) Act 2009*Section 20 | Court UseDate Filed: |
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| **Applicant** (Police applicant state rank and number) |
| Name |       |       |       |
|  | *Surname* | *Given name/s* | *AP Number* |
| Address |       |       |       |
|  | *Street* | *Telephone* | *Facsimile* |
|  |       |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| **Defendant** (Police may provide details separately) |
| Name |       |       |       | DOB  |       |
|  | *Surname* | *Given name/s* | *Gender* |  | *dd/mm/yyyy* |
| Address |       |
|  | *Street* |
|  |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* |
| **Other address at which defendant may be found** |
| Address |       |
|  | *Street* |
|  |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* |
| **Proposed Protected Person(s)** (provide contact details on Annexure attached) |
| Names  |       |       |       | DOB  |       |
|  | *Surname* | *Given name/s* | *Gender* |  | *dd/mm/yyyy* |
|  |       |       |       | DOB  |       |
|  | *Surname* | *Given name/s* | *Gender* |  | *dd/mm/yyyy* |
|  |       |       |       | DOB  |       |
|  | *Surname* | *Given name/s* | *Gender* |  | *dd/mm/yyyy* |
|  |       |       |       | DOB  |       |
|  | *Surname* | *Given name/s* | *Gender* |  | *dd/mm/yyyy* |
| **The applicant says that the defendant may commit the following act of abuse:** |
| [ ]  domestic abuse |
| [ ]  non-domestic abuse |
| **The applicant seeks the intervention order terms on the attached sheet.** |
| **Is there currently a Domestic Violence Order in place anywhere in Australia between any of the proposed protected person(s) and the defendant?** Yes [ ]  No: [ ]  (If yes, please attach a copy of the order) |
| **COURT USE ONLY:** Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes [ ]  No: [ ] (not required if police are the applicant)(only to be completed if the applicant attaches a current Domestic Violence Order) |
| **The applicant will seek a tenancy order:**  Yes [ ]  No: [ ]  (If yes, please give this information)Address of premises:       Term of lease:      The present tenant(s):       The proposed tenant:       Present rent:       How much is the bond:       Name of landlord or agent:       Phone number:       Email:       |
| **The applicant will seek a problem gambling order:**  Yes [ ]  No [ ]  |

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| **You must provide details of the following:**Any children who will not be protected persons but who may be affected by the order:Name       Age       Name       Age       Name       Age       Name       Age       Are you aware of any relevant orders or pending applications under the *Family Law Act 1975* (Cth), between a person or persons proposed to be protected by the order and the defendant? Yes [ ]  No [ ] Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*? Yes [ ]  No [ ] Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction, between a person or persons proposed to be protected by the order and the defendant, or any pending application for such an order? Yes [ ]  No [ ] Are you aware of any other legal proceedings between a person or persons proposed to be protected by the order and the defendant? Yes [ ]  No [ ] If you answered ‘yes’ to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings. |
|   Date APPLICANT |
| **Hearing details**  | Registry       | Date       |
| Address       | Time       am/pm |
| Telephone       | Facsimile       | Email Address       |
|   Date Justice of the Peace / Registrar |

**INTERIM INTERVENTION ORDER TERMS REQUESTED**

[ ]  This order is declared to address a domestic violence concern.

The defendant must **not**:

1 [ ]  assault, threaten, harass or intimidate the protected person(s);

2 [ ]  follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;

3 [ ]  approach within       metres of the protected person(s) unless permitted by other conditions of this order;

4 [ ]  contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).

**But contact is permitted;** (Tick as applicable)

a) [ ]  at any court or tribunal hearing where the defendant is a party to proceedings or a witness;

b) [ ]  through a solicitor or police;

c) [ ]  in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;

d) [ ]  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 under the *Children and Young People (Safety) Act 2017****,*** or at a mediation;

e) [ ]  in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;

33. [ ]  Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or       to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);

(OTH) [ ]  Other orders (regarding communication:

5 [ ]  enter or remain within       metres of any boundary where the protected person(s) stays, resides or works;

6 [ ]  damage or interfere with the premises where the protected person(s) stays, resides or works;

7 [ ]  damage or take possession of personal property belonging to the protected person(s) and the following specified property:

8 [ ]  enter or be within       metres of the boundary of the following locations:

9 [ ]  enter or be within       metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:

10 [ ]  be in possession of the following weapon(s) or article(s):

11 [ ]  publish on the internet or by any other electronic means any material about the protected person(s);

12 [ ]  cause, allow or encourage another person to do anything forbidden by this order.

**The defendant must/must not:**

(OTH) [ ]  Other orders:

**The defendant is:**

13 [ ]  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 defendant must:**

14 [ ]  vacate the premises at

forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court;

15 [ ]  contact the Intervention Program Manager at ph. 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;

(OTH) [ ]  **Section 68R *Family Law Act 1975* Orders/s:** (Tick as applicable)

The [ ]  Family Court / [ ]  Federal Circuit Court order,

[ ]  Parenting Order

[ ]  Recovery Order

[ ]  Injunction

[ ]  Undertaking

[ ]  Registered Parenting Plan

[ ]  Recognisance

made on the       is [ ]  Revived / [ ]  Varied / [ ]  Discharged / [ ]  Suspended as follows:

and is [ ]  ongoing OR [ ]  valid until      .

**Firearms orders (see s 14):**

16 [ ]  any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.

17 [ ]  for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.

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|  | FORM 28 ANNEXUREPROTECTED PERSON(S) DETAILS(INTERVENTION ORDER)**Magistrates Court of South Australia**[www.courts.sa.gov.au](http://www.courts.sa.gov.au) *Intervention Orders (Prevention of Abuse) Act 2009*Section 20 | Court UseDate Filed: |

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| This annexure should be kept separately from Form 28. It must not be served on the defendant with Form 28. Pursuant to r 18.04C it must be stored electronically, separately from the hard file and any hardcopy of the document must be subsequently destroyed. |
| **Protected Person(s) Details**  |
| 1. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |
| 2. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |
| 3. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |
| 4. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |
| 5. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |
| 6. | Name |       |       |       |
| *Surname* | *Given name/s* | *Gender* |
| Address |       |       |       |
| *Street* | *Telephone* | *Facsimile* |
|       |       |       |       |
| *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| Preferred method of contact: [ ]  Post [ ]  Telephone [ ]  Fax [ ]  Email  |