



HOME DETENTION ORDER

Magistrates Court of South Australia

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Sentencing Act 2017

Section 71(1)

Court of Origin					
Sitting at				File No	
Registry Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	

Defendant

Name	Surname	Given name/s	DOB dd/mm/yyyy
	Address		

Details of the offence(s) to which the home detention order relates:

Date	Offence	Section and Act

Details of the sentence that the Court has imposed:

Total sentence of imprisonment to be served:

Non-parole period:

Details of the Home Detention Order:

The Court has recorded a conviction against you for the offence(s) listed above and has imposed the sentence(s) shown for each matter. It has, however, ordered that the sentence(s) of imprisonment be served on home detention with the following conditions:

- 1 ☐ That you be of good behaviour and comply with all of the conditions of this order.
- 2 ☐ That you be under the supervision of a Home Detention Officer for the period of this order and obey the lawful directions given to you by the Home Detention Officer to whom you are assigned.
- 3 ☐ That you reside at the residence specified by the Court, namely _____, throughout the period of the Home Detention Order and will not be absent from that address except for the purposes of:
 - a. remunerated employment, but only if confirmed and approved by the Home Detention Officer to whom you are assigned;
 - b. your urgent medical or dental treatment;
 - c. averting or minimising risk of serious injury or death to yourself or to any other person;
 - d. attending any of the following, if approved or directed to do so by the Home Detention Officer to whom you are assigned:
 - i. a place for the purpose of undergoing assessment or treatment (or both) relating to your mental or physical health; or
 - ii. an intervention program; or
 - iii. a course of education, training, instruction or any other activity; or
 - e. any other purpose approved by the Home Detention Officer to whom you are assigned.

- 4 ☐ That you travel to the specified address immediately upon release and upon arrival you contact the Home Detention Unit of the Department for Correctional Services by telephoning 1300 796 199.
- 5 ☐ If, in the case of an emergency, you obtain permission from the Home Detention Officer to whom you are assigned to reside at a new address you must make an application to the Court for a variation of your Home Detention Order conditions within two working days, but you can reside at that address until that application for variation is considered by the Court.
- 6 ☐ That you not leave the State without the prior written permission of the Home Detention Officer to whom you are assigned.
- 7 ☐ That you wear an electronic transmitter and comply with the rules of electronic monitoring, including the requirement to fully charge the transmitter daily, for the term of the Home Detention Order.
- 8 ☐ That you provide and maintain in operating condition an active mobile telephone service with an appropriate mobile communication device and give the contact details to the Department for Correctional Services (DCS) so that they may use it to communicate with you at all times while on electronic monitored home detention.
- 9 ☐ That you present yourself at the front door of your nominated address at the request of the Home Detention Officer to whom you are assigned, and respond to any telephone call at that address at any time, unless absent in accordance with these conditions.
- 10 ☐ That you surrender any passport you possess to the Registrar of the Court at the Court Registry, and not apply for a passport, nor attend within the boundary of the terminal building at any international airport whilst subject to a Home Detention Order.
- 11 ☐ That you do not possess a firearm, or ammunition or any part of a firearm.
- 12 ☐ That you submit to tests (including testing without prior notice) for gunshot residue as may be reasonably required.
- 13 ☐ That you not consume alcohol or any other drug which is not medically prescribed or otherwise legally available and then only at the prescribed or recommended dosage. You will submit to any drug and alcohol testing as directed by the Home Detention Officer to whom you are assigned and sign all required forms and comply with the requirements of the testing procedures.
- 14 ☐ That you attend and complete any assessment, counselling, treatment and therapeutic programs as may be deemed appropriate to effectively case manage your individual needs as directed by the Home Detention Officer to whom you are assigned.
- 15 ☐ That you not approach or communicate with, either directly or indirectly, _____, nor be within _____ metres of _____.
- 16 ☐ That you perform _____ hours of community service within _____ months from the date of this order and obey the lawful directions of the Home Detention Officer to whom you are assigned for the purposes of community service.
- 17 ☐ That you authorise the Department for Correctional Services to reveal that you are subject to a Home Detention Order to any person it believes reasonably necessary for the purposes of confirming employment and compliance with the conditions of this order.
- 18 ☐ Other:

What will happen if you comply with the conditions of this order:

If, at the end of the designated period of imprisonment (or non-parole period as the case may be), you have complied with all of the above conditions, the sentence(s) of imprisonment ordered by the Court will not have to be served in an institution and your sentence will have been served or you will be released on parole.

What can happen if you fail to comply with the conditions of this order:

If you fail to comply with any part of the order set out above, this order may be revoked and the sentence of imprisonment which you were to serve on home detention can be carried into effect to be served in an institution. In the case of a breach of a community service condition, you may be ordered to serve further time in prison on the basis of 1 day for every 7.5 hours of community service (or part thereof) not performed.

Acknowledgment by Defendant

I acknowledge that I have received a copy of the Home Detention Order. I understand its conditions and I understand what will happen if I fail to comply with these conditions.

.....
Date

.....
DEFENDANT

Witness

I have witnessed the Defendant's signature and provided the Defendant with a copy of this Home Detention Order

.....
Date

.....
MAGISTRATE / REGISTRAR / JUSTICE OF THE PEACE