Form 31B

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | RESTRAINING ORDER (CHILD PROTECTION) and SUMMONS  **Magistrates Court of South Australia**  [www.courts.sa.gov.au](http://www.courts.sa.gov.au)  *Summary Procedure Act 1921*  Sections 99AAC and 99C(2) | | | | | | | | |  |
|  | | | | | | | | | | | |
| **This document must be served on the defendant personally.** | | | | | | | | | | | |
| Registry |  | | | | | | | File No |  | | |
| Address |  | | | | | |  | | |  | |
|  | *Street* | | | | | | *Telephone* | | | *Facsimile* | |
|  |  | |  | |  | | |  | | | |
|  | *City/Town/Suburb* | | *State* | | *Postcode* | | | *Email Address* | | | |
| **Defendant** | | | | | | | | | | | |
| Name |  | | |  | | | | | | DOB | |
|  | *Surname* | | | *Given name/s* | | | | | | *dd/mm/yyyy* | |
| Address |  | | | | |  | | | | | |
|  | *Street* | | | | | *Telephone* | | | | | |
|  |  | |  | |  | | |  | | | |
|  | *City/Town/Suburb* | | *State* | | *Postcode* | | | *Email Address* | | | |
| **Informant** | | | | | | | | | | | |
| Name |  | | |  | | | | | |  | |
|  | *Surname* | | | *Given name/s* | | | | | | *Informant’s reference / relationship to child* | |
| Rank |  | | | | ID No | | |  | | | |
| Address |  | | | | | | | | | | |
|  | *Street* | | | | | | | | | | |
|  |  | |  | |  | | |  | | | |
|  | *City/Town/Suburb* | | *State* | | *Postcode* | | | *Email Address* | | | |
| **Date order made:**  **The Court was satisfied that:**  the defendant is an adult who is, or has been, residing with the above-named child who is under the age of 17 years of whom the defendant is not a guardian;  AND  the defendant and the above-named child are, or have been, residing at premises other than premises in which a guardian of the child resides;  AND  the defendant or another person who resides at, or frequents, premises at which the defendant and the above-named child reside or have resided –  has, within the preceding 10 years, been convicted of the prescribed offence(s) of    or  is, or has at any time been, subject to a restraining order under section 99AAC;  OR  as a consequence of the above-mentioned child’s contact or residence with the defendant, the child is at risk of –  sexual, physical, psychological, or emotional abuse or neglect;  or  engaging in, or being exposed to, conduct that is an offence under Part 5 of the *Controlled Substances Act 1984*;  AND  that the making of the order is appropriate in the circumstances. | | | | | | | | | | | |

(Details of the hearing are on the next page)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Order:** | | | | |
| **Hearing details** | Registry | | | Date |
| Address | | | Time       am/pm |
| Telephone | Facsimile | Email Address | |
| Date MAGISTRATES COURT | | | | |
| **IMPORTANT NOTICES TO THE DEFENDANT**   * Non-compliance with a served order renders you liable to a term of imprisonment not exceeding 2 years. * This order will expire when the above-named child reaches the age of 17 years or, if an earlier time is specified in the order, at that earlier time. * If you do not appear, the order will be confirmed. * Upon registration, this order is also enforceable in other States and Territories. * A copy of any evidence that was relied on to make the order may be obtained from the Registry. | | | | |

|  |
| --- |
| **Proof of Service** |
| Name of person serving: |
| Address of person serving: |
| Name of person served: |
| Address at which service effected: |
| Date service effected: |
| Time of day: Between       am/pm and       am/pm |
| I certify that I served the attached document upon the defendant personally. |
| Certified this       day of       20 |