

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

<p><b>Hearing Date and Time:</b></p> <p><b>Hearing Location:</b></p>
--

**ORIGINATING APPLICATION FOR PERSON HELD IN TRAINING CENTRE TO  
BE TRANSFERRED TO A PRISON**  
Young Offenders Act 1993 s 63

YOUTH COURT OF SOUTH AUSTRALIA  
CRIMINAL JURISDICTION

**[FULL NAME]**  
Applicant

**In the matter of**

Applicant			
Authorising individual <small>If applicant is not an individual and not represented by a law firm/office</small>			
Name of law firm/office <small>If applicable</small>	<small>Law firm/office</small>	<small>Responsible Solicitor</small>	
Address for service	<small>Street Address (including unit or level number and name of property if required)</small>		
	<small>City/town/suburb</small>	<small>State</small>	<small>Postcode</small>
	<small>Country</small>		
	<small>Email address</small>		
Phone Details	<small>Type (eg. home; work; mobile) – Number</small>		
Applicant's References	<small>Reference number - optional</small>	<small>Instant loss of licence number - optional</small>	

Person subject of Application	<small>Full Name (including Also Known as)</small>
Address	<small>Street Address (including unit or level number and name of property if required)</small>

	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type (eg. Home; work; mobile) – Number		Another number (optional)	

**Application details**

This Application is for:

- the original Youth [*full name*] ('the Subject'), being of or above the age of 18 and held in a training centre or other place, to be transferred to a prison.
- the original Youth [*full name*] ('the Subject'), being of or above the age of 17 and held in a training centre or other place, to be transferred to a prison *Only available if the applicant is the Chief Executive.*

This Application is made under section [63(2)/63(4)] *select one* of the *Young Offenders Act 1993*.

The Applicant seeks the following orders:

1. The Subject, be transferred to a prison for the remainder of the period of remand or detention.
2. The Subject be held in custody pursuant to section 63(6) of the *Young Offenders Act 1993* until the Court has determined on application under subsection (4) that the person is likely to be a danger to others.
3. [*other*].

This Application made under section 63(2) is made on the grounds

- set out in the accompanying Affidavit sworn by [*full name*] on [*date*].
- that
1. the Subject is detained in, or remanded to a training centre or another place; and
  2. the Subject is of or above 18 years old and a prison would be an appropriate place for the person to be held for the remainder of the period of remand or detention.

Or

This Application made under section 63(4) is made on the grounds

- set out in the accompanying Affidavit sworn by [*full name*] on [*date*].
- that
1. the Subject has been remanded to, or is being detained in, a training centre or another place; and
  2. the Subject is of or above the age of 17; and
    - cannot be properly controlled in a training centre or other place; or
    - has, within the last 14 days preceding the date of this application, been found guilty of assaulting a person employed or detained in the place where the person is detained; or
    - has persistently incited others in the training centre or other place to cause a disturbance; or
    - has escaped or attempted to escape from the training centre; or
    - has needs for rehabilitation, care, correction and guidance which cannot be met in the training centre or other place and it is in the best interests of the person to be transferred to a prison; or
    - is likely to be a danger to others.
  3. [*other*].

*Complete if applicable otherwise delete* This Application is urgent on the grounds

- set out in the accompanying Affidavit sworn by [*full name*] on [*date*].
- that

*Enter grounds in numbered paragraphs*

1.

**To the Other Parties: WARNING**

This Application will be considered at the hearing at the date and time set out at the top of this document.

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

**To the Subject held in the [Training Centre/Other Place]: WARNING**

You **must** attend the hearing or have a lawyer attend for you to make submissions in [*support of/response to*] select one this Application.

As you are in custody, arrangements can be made for you to appear before the Court in person or via audiovisual link on the day of the hearing. You should inform the Court Registry whether you wish to appear in person or by audiovisual link.

**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 optional
- If other additional document(s) please list them below: