

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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ORDER OF REMAND OR MANDATE

[SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT] Select one
 COURT OF SOUTH AUSTRALIA
 CRIMINAL JURISDICTION

[FULL NAME]
 Informant/R

v

[FULL NAME]
 [Defendant/Youth]

Subject of Remand or Mandate			
<i>[Defendant/Youth]</i>	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Date of Birth and Licence number	Date of Birth	Driver's Licence No	
Phone Details	Type (eg. home; work; mobile) – Number	Another number	

<p>To: The Sheriff</p> <p>The Commissioner of Police for the State of South Australia and each member of the Police Force for the State</p> <p>The Chief Executive of the Department [for Correctional Services/of Human Services, Youth Justice]</p> <p>Introduction</p> <p><input type="checkbox"/> 1. Only displayed if the Court has committed for trial/sentence The Court has committed the [defendant/youth] for [trial/sentence] in the [Supreme/District] Court at [location] to appear on [date] at [time] and decided that</p>

they should be remanded in custody pursuant to section 120(2) of the *Criminal Procedure Act 1921*.

2. The Court has remanded the [defendant/youth] in custody to await trial, sentence or determination in the [Supreme/District] Court.

[Warrant/Mandate]

The Sheriff and the Commissioner of Police and members of the police force are directed to take the [defendant/youth] to a [correctional institution/training centre].

1. The Chief Executive of the Department [for Correctional Services/of Human Services, Youth Justice] is directed to receive and detain the [defendant/youth] until an order is made by the [Supreme/District] Court to release the [defendant/youth].
2. The Chief Executive of the Department [for Correctional Services/of Human Services, Youth Justice] is directed, in accordance with notifications from the Court from time to time, to transport the [defendant/youth] to the [Supreme/District] Court on a day and at a time notified by the Court, to have them appear before the Court to be further dealt with according to law, and when no longer required at Court to return them to detention unless some other order is made in the meantime.

Next box displayed if warrant issued under *Criminal Law Consolidation Act 1935*

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Minister for Health and Wellbeing

The Chief Executive of the Department [for Correctional Services/of Human Services, Youth Justice]

Introduction

(a) The Court

- is conducting committal proceedings and has reserved the question whether there should be an investigation into the [defendant/youth]'s mental competence to [commit/stand trial for] the [offence/offences] described in the Information dated [date] pursuant to Part 8A of the *Criminal Law Consolidation Act 1935* and considers that the [defendant/youth] should be committed under section 269X(1)(b) of the *Criminal Law Consolidation Act 1935* to custody until the conclusion of the investigation. displayed if section 269X(1)(b) selected if applicable
- is to conduct an investigation into the [defendant/youth]'s mental competence to [commit/stand trial for] the [offence/offences] described in the Information dated [date] pursuant to Part 8A of the *Criminal Law Consolidation Act 1935* and considers that the [defendant/youth] should be committed under section 269X(1)(b) of the *Criminal Law Consolidation Act 1935* to custody until the conclusion of the investigation. displayed if section 269X(1)(b) selected if applicable
- has received an application for review of the [defendant/youth]'s Supervision Order dated [date] alleging that the [defendant/youth] [has contravened/is likely to contravene] a condition of the licence dated [date] on which the [defendant/youth] was released and considers that the [defendant/youth] should be committed under section [269U/269NDA(2)] of the *Criminal Law Consolidation Act 1935* to an appropriate form of custody until the application is determined. displayed if section 269U (1a) or (3) or 269NDA(2) selected

[Warrant/Mandate]

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the [defendant/youth]
 - to a [correctional institution/training centre] or another form of custody determined by the Chief Executive of the Department [of Correctional Services/for Human Services, Youth Justice] or the

Clinical Director, Forensic Mental Health Services, Department of Health and Well-being in accordance with section 269X of the *Criminal Law Consolidation Act 1935*. displayed if first or second option selected at (a) above

- to a secure mental health facility or another appropriate form of custody determined from time to time by the Minister of Health and Wellbeing or the Chief Executive of the Department [*of Correctional Services/for Human Services, Youth Justice*]. displayed if third option selected at (a) above

2. The Chief Executive of the Department [*of Correctional Services/for Human Services, Youth Justice*] and the Minister for Health and Wellbeing, as the case may be, are directed, unless some other order is made in the meantime, to detain the [*defendant/youth*]

- until the conclusion of the investigation. displayed if section 269X(1)(b) selected
- until such time as the Court makes all orders that are required to be made pursuant to section 269U269O of the *Criminal Law Consolidation Act 1935*. displayed if section 269U selected
- until such time as the Court makes all orders that are required to be made pursuant to section 269NDA(3) of the *Criminal Law Consolidation Act 1935*. displayed if section 269NDA(2) selected

Next box displayed if warrant issued under the 'General power of the Court' on input

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]

Introduction

- (a) The [*defendant/youth*] is charged with an offence or offences in the Court.
- (b) The Court has remanded the [*defendant/youth*] in custody.

[Warrant/Mandate]

1. The Sheriff and the Commissioner of Police and members of the police force are directed to take the [*defendant/youth*] to a [*correctional institution/training centre*].
2. The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*] is directed to receive and detain the [*defendant/youth*] until the day and time specified; and on that day and at that time, to have the [*defendant/youth*] appear before the Court to which the [*defendant/youth*] was remanded to be further dealt with according to law, unless some other order is made in the meantime.

Next box displayed if warrant issued under other specific statutory provision

To: The Sheriff

The Commissioner of Police for the State of South Australia and each member of the Police Force for the State

[The Minister for Health and Wellbeing]

[The Chief Executive of the Department [*for Correctional Services/of Human Services, Youth Justice*]]

[Other]

Introduction

- (a) [*list jurisdictional facts and criteria*]. provision for multiple
- (b) The Court has determined that a [*warrant/mandate*] should issue pursuant to [*section/regulation number*] of the [*Act or Regulations*].
- (c) The Court has remanded the [*defendant/youth*] in custody.

[Warrant/Mandate]

1. *[terms of warrant/mandate]*. provision for multiple

.....
Signature of Court Officer
[title and name]

Date signed: *[date]*