

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

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

ORIGINATING APPLICATION – UNCONTROLLED SEXUAL INSTINCTS - RELEASE ON LICENCE OR DISCHARGE

SUPREME COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

[FULL NAME]
Respondent

Applicant	Full Name		
Name of law firm/solicitor If any	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type (eg. Home; work; mobile) – Number	Another number (optional)	

Respondent	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type (eg. Home; work; mobile) – Number		Another number (optional)

Application Details

Matter type: [matter type]

Case number in which section 57 detention order made: [case number]

- This Application is for a Release on Licence Order.
 This Application is for a Discharge Order.

This Application is made under section [58/59] Select one of the *Sentencing Act 2017*.

The Applicant seeks the following orders:

Enter orders sought in separately numbered paragraphs.

1. The Court direct that at least two legally qualified medical practitioners (to be nominated by a prescribed authority for the purpose) examine the [Applicant/Respondent] select one and report to the Court with an assessment as to the Respondent's mental condition and whether they are incapable of controlling, or unwilling to control, their sexual instincts.

2. The [Applicant/Respondent] select one be released on licence pursuant to section 59 of the *Sentencing Act 2017*.
3. The [Applicant/Respondent] select one be released on discharge pursuant to section 58 of the *Sentencing Act 2017*.
4. [Enter any other orders sought].

This Application is supported by the accompanying Affidavit sworn by [full name] on [date] and made on the grounds that:

Enter grounds in separately numbered paragraphs

1. The [Applicant/Respondent] select one was sentenced in the [Enter Court] on [Enter date] to a period of imprisonment of [Enter no of years] [Enter no of months] with non parole period of [Enter no of years] [Enter no of months] ('the term') commencing on [Enter date] for the offence[s] of:
- provision for multiple [offence(s)] select one listed.
2. The [Applicant/Respondent] select one was placed on an indefinite detention order on [Enter date].
3. The [Applicant/Respondent] select one is both capable of controlling and willing to control their sexual instincts.
4. The [Applicant/Respondent] select one no longer presents an appreciable risk to the safety of the community (whether as individuals or in general) due to their advanced age or permanent infirmity.
5. [Enter any other grounds]

Only complete if applicable otherwise delete

The Application is urgent because

Enter grounds in separately numbered paragraphs where more than one

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.

If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>.

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:

- Multilingual Notice mandatory
- Supporting Affidavit mandatory
- If other additional document(s) please list below: