

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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<p>Hearing Date and Time:</p> <p>Hearing Location:</p>
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ORIGINATING APPLICATION – CHILD PROTECTION RESTRAINING ORDER (INTERIM ORDER SOUGHT)

MAGISTRATES COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

[FULL NAME]
Respondent

Duplicate panel if multiple Applicants

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)	

Duplicate panel if multiple Respondents

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

Application Details

Matter type:

This Application is by [*the Commissioner of Police/a Child/a Guardian of a Child*] select one for the protection of whom an Interim Child Protection Restraining Order is sought.

This Application is made under section 99AAC of the *Criminal Procedure Act 1921*.

The Applicant seeks the following orders:

Enter orders sought in separately numbered paragraphs.

1.

This Application is made on the grounds:

- set out in the accompanying Affidavit sworn by [*name*] on [*date*].
- that the Respondent is an adult who [*is/has been*] select one residing with the child specified in this Application who is under the age of 17 years of whom the Respondent is not a guardian.
- that the Respondent and the child specified in this Application [*are/have been*] select one residing at premises other premises in which a guardian of the child resides.
- that the [*Respondent/another person who resides at, or frequents, the premises at which the Respondent and the child specified in this Application*] select one [*reside/have resided*] select one:
- has within the preceding 10 years, been convicted of the prescribed offence[s] of:
 - provision for multiple [*Enter name of the offence*] under section [*Enter number*] of the [*Enter Act/Regulation/Other*] as recorded by [*Enter Court where the conviction recorded*] on [*Enter date*].
 - [*is/has at any time been*] select one subject to a Restraining Order under section 99AAC of the *Criminal Procedure Act 1921* as recorded by the Magistrates Court on [*date*].
 - that the Respondent may, unless restrained, again so use the internet.

OR:

- As a consequence of the child's contact or residence with the Respondent, the child is at risk of -
- sexual abuse or 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*,
- the making of an order is appropriate in the circumstances.

Only complete if applicable otherwise delete

The Applicant seeks an interim order restraining the Respondent from:

Enter interim orders in numbered paragraphs

1.

The Application is urgent because

Enter grounds in separately numbered paragraphs where more than one

1.

Child for whose benefit order is sought

Name: [full name]

Date of birth: [Enter date of birth]

Gender: [Enter gender]

Service

The party filing this document is not required to serve it until the Court has heard the application for an interim order.

Accompanying Documents

Accompanying this Application is a:

Supporting Affidavit mandatory