

<b>To be inserted by Court</b>  Case Number:  Date Filed:  FDN:
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<b>Hearing Date and Time:</b>  <b>Hearing Location:</b>
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## ORDER – CHILD PROTECTION RESTRAINING ORDER (SHOW CAUSE)

MAGISTRATES COURT OF SOUTH AUSTRALIA  
SPECIAL STATUTORY JURISDICTION

**[FULL NAME]**  
Applicant

v

**[FULL NAME]**  
Respondent

<b>Person against whom order made ('the Respondent')</b>		
	Full name	Date of birth

<b>Introduction</b> <b>Hearing</b> Hearing Location: [ <i>suburb</i> ] [ <i>Hearing date</i> ] [ <i>Presiding Officer</i> ] <b>Appearances</b> [ <i>Applicant Appearance Information</i> ] [ <i>Respondent Appearance Information</i> ] <b>Remarks</b> (a) The Court is satisfied on an interim basis that: i. the Respondent is an adult who is, or has been, residing with [ <i>name</i> ] ("the Child") who is under the age of 17 years of whom the Respondent is not a guardian;
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- ii. the Respondent and the Child [*are/have been*] residing at premises other than premises in which a guardian of the Child resides;
- iii. [*the Respondent/another person who resides at, or frequents, premises at which the Respondent and the Child reside or have resided*]:
- has within the preceding 10 years been convicted of a prescribed offence[s]
  - [*is/has in the past been*] subject to a Restraining Order under section 99AAC of the *Criminal Procedure Act 1921*.
- iv. as a consequence of the Child's contact or residence with the Respondent, the Child is at risk of:
- sexual, physical, psychological or emotional abuse or neglect
  - engaging in, or being exposed to, conduct that is an offence under Part 5 of the *Controlled Substances Act 1984*.
- (b) The Court is satisfied that a Restraining Order should be made under section 99AAC(27) of the *Criminal Procedure Act 1921*.

### Order

**Date of Order:** [*date*]

#### Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

1. The Respondent be restrained on an interim basis until [*date/further order of the Court*] from [*insert restraint*].
2. [*other orders*].

### Service of this Order

Service of this order on the Respondent is

- deemed to have been made because the Respondent was present when this order was made (section 99E(3)(c) *Criminal Procedure Act 1921*).
- required to be made.

### To the Respondent: WARNING

The Court has adjourned to the date and time set out at the top of this document the question whether the interim order set out above should not be confirmed.

The Court will hear the Application, or make orders for the hearing of the Application, at the hearing.

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 within 14 days after service of this order and summons.

If you do not appear at the hearing or on any day to which this matter is adjourned:

- you may be in contempt of court and liable to **imprisonment and/or a fine** or other punishment
- you may be in contempt of court and liable to **imprisonment and/or a fine** or other punishment.
- the Court may proceed in your absence and orders may be made against you **finally determining** this proceeding without further warning.

If you disobey this interim order, you will commit an offence and will be liable to **a term of imprisonment not exceeding 2 years**.

**Authentication**

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