

To be inserted by Court

Case Number:

Date Filed:

FDN:

Hearing Date and Time:

Hearing Location:

ORDER – PAEDOPHILE RESTRAINING ORDER AND SUMMONS (SHOW CAUSE)

[MAGISTRATES/ YOUTH] Select one COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

[FULL NAME]
Respondent

Introduction

Hearing

Hearing Location: [suburb]

[Hearing date]

[Presiding Officer]

Appearances

[Applicant Appearance Information]

Remarks

1. The Court is satisfied on an interim basis that:

- i. the Respondent is required to comply with reporting obligations imposed by Part 3 of the *Child Sex Offenders Registration Act 2006*.
- ii. the Respondent has been found loitering near children on at least 2 occasions and there is good reason to think that the Respondent may, unless restrained, again so loiter.
- iii. the Respondent has been found using the internet to communicate with children or persons whom the Respondent believed to be children on at least 2 occasions and there are reasons to believe that the Respondent may, unless restrained, again so use the internet.

2. The Court is satisfied that an Interim Restraining Order should be made under section 99C(2) of the *Criminal Procedure Act 1921* in the terms below.

Order

Date of Order: [date]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

1. the Respondent be restrained until the conclusion of the hearing to which the Respondent is summoned from:
 - a. loitering near children
 - at or in the vicinity of [specified place or class of places/specified circumstances]
 - in any circumstances.
 - b. using the internet [in a specified manner]
 - c. owning, possessing or using a computer or other device that is capable of being used to gain access to the internet.
2. [other orders].

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
- 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]