

To be inserted by Court

Case Number:

Date Filed:

FDN:

INTERVENTION ORDER (INTERIM VARIED)

Intervention Orders (Prevention of Abuse) Act 2009 s 21(7)

[NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER]

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

Order Identifier:

[FULL NAME]

Applicant

[FULL NAME]

Respondent

Person against whom intervention order made ('the Respondent)		
	Full name	Date of birth

Protected Person(s)		
	Full name	Date of birth

Introduction

Hearing

[Hearing date]

[Presiding Officer]

Appearances

[Applicant Appearance Information]

[Respondent Appearance Information]

Remarks

The Court is satisfied that:

- (a) there are grounds for varying the existing interim order;
- (b) [other matters]

Order

Date of Order: [date]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

1. The Interim Intervention Order issued against the Respondent pursuant to section 21(3)(a) of the *Intervention Orders (Prevention of Abuse) Act 2009* for the protection of [name of protected person(s)], be varied so that it is now in the terms set out below.
- ☐ 2. This order is declared to address a domestic violence concern.
- ☐ 3. provision for multiple – the Court is not able to discharge an order, injunction or arrangements to make an interim intervention order *Family Law Act 1975* s 68R(4) Pursuant to section 68R of the *Family Law Act 1975* (Cth), the:
 - ☐ Parenting Order made on [date] by [title and name of Judicial Officer]
 - ☐ Recovery Order made on [date] by [title and name of Judicial Officer]
 - ☐ Injunction granted on [date] by [title and name of Judicial Officer]
 - ☐ Undertaking given on [date] by [name]
 - ☐ Registered Parenting Plan registered on [date] by [title and name of Judicial Officer]
 - ☐ Recognisance entered into on [date] by [name]

in the [Family Court/Federal Circuit Court] in [proceeding no] is:

- ☐ revived with effect [*forthwith/from [date]*]
 - ☐ suspended with effect [*forthwith/from [date]*] until [*further order/[date]*]
 - ☐ varied with effect [*forthwith/from [date]*] as follows: [*details*]
- ☐ 4. [*other orders*]

Intervention Order

[This order is declared to address a domestic violence concern]

General

- ☐ 1. The Respondent must not assault, threaten, harass or intimidate the protected person[s].
- ☐ 2. The Respondent must not damage or interfere with property belonging to the protected person or the premises where the protected person[s] stay[s], reside[s] or work[s].
- ☐ 3. The Respondent must not take possession of personal property belonging to the protected person[s] or the following specified property reasonably needed by the protected person: [*specified property*].
- ☐ 4. The Respondent must not be in possession of the following weapon[s] or article[s]: [*weapon/article*].

Firearms

- ☐ 5. default selected Any firearm (e.g. guns), ammunition or part of a firearm in the possession of the Respondent and any licence or permit held by the Respondent authorising possession of a firearm, ammunition or part of a firearm must be surrendered (handed in) immediately to the Registrar of Firearms.
- ☐ 6. default selected For so long as this Order remains in force, any licence or permit held by the Respondent authorising possession of a firearm (e.g. guns), ammunition or part of a firearm is suspended and the Respondent is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The Respondent is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.

Contact

- ☐ 7. The Respondent must not contact or communicate with the protected person[s] either directly or in any way (including telephone, SMS messages, in writing, email or any other social media etc)

BUT contact is permitted:

- a. at any court or tribunal hearing where the Respondent is a party to the proceeding or a witness;
- b. through a solicitor or police;

- c. in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*
- d. at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference convened under section 22 of the *Children and Young People (Safety) Act 2017* or at a mediation;
- e. in accordance with a Parenting Plan under section 63C of the *Family Law Act 1975* consented to by the protected person after this Order;
- f. by SMS [*and email*] [*and other means of communication*] to facilitate access to child[ren] and to exchange information as to the welfare of the child[ren];
- g. [*other*].

- ☐ 8. The Respondent must vacate the premises at [address] forthwith upon service of this Order and not return to those premises unless this term is varied or removed by the Court.
- ☐ 9. The Respondent is permitted to attend at the protected person[s] residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this Order.
- ☐ 10. The Respondent must not publish on the internet or by any electronic means any material about the protected person[s].

Vicinity

- ☐ 11. The Respondent must not follow or keep the protected person[s] under surveillance including tracking by GPS or otherwise.
- ☐ 12. The Respondent must not go or stay within [number] metres of the protected person[s] unless permitted by other conditions of this Order.
- ☐ 13. The Respondent must not go or stay within [number] metres of any boundary of where the protected person[s] stay[s], reside[s] or work[s].
- ☐ 14. The Respondent must not go or stay within [number] metres of the boundary of the following location[s]: [address] provision for multiple
- ☐ 15. The Respondent must not go or stay within [number] metres of the boundary of any education or care facility attended by the protected person[s] including specifically the following: [address] provision for multiple

Other conditions

- ☐ 16. The Respondent must not cause, allow or encourage another person to do anything forbidden by this Order.
- ☐ 17. only available if jurisdiction 'Magistrates Court' The Respondent must contact the Intervention Program Manager at 8204 8815 within 2 business days and make and attend an appointment for

assessment, and if assessed as suitable undertake any intervention program as ordered by the Court.

- ☐ 18. The Respondent must surrender [*description of weapons or articles*] to [*person or authority*] by [*date*].
- ☐ 19. The Respondent must return [*description of personal property*] to [*name of protected person*] by [*date*].
- ☐ 20. The Respondent must allow [*name of protected person*] to [*recover/have access to/make use of*] personal property, namely [*description of personal property*] and allow the person to be accompanied by [*a police officer/other specified person*] while doing so.
- ☐ 21. provision for multiple [*other conditions*]

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 21(8a)(c)).
- ☐ required to be made.

To the Respondent: WARNING

Contravention of an intervention order is a criminal offence which can be punished by a term of imprisonment or detention.

If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.

If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.

Authentication

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Signature of Court Officer

[*title and name*]