

To be inserted by Court

Case Number:

Date Filed:

FDN:

Hearing Date and Time:

Hearing Location:

ORDER (INTERIM) – STREET GANG CONTROL ORDER

s 83GT, s 83GU, s 83GX *Criminal Law Consolidation Act 1935*

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

[*FULL NAME*]
Applicant

[*FULL NAME*]
Respondent

Introduction

Remarks

The Court is satisfied that:

- (a) the Respondent is a participant in a street gang; or
- (b) the Respondent—
 - (i) has been a participant in a group that is, at the time of the application, a declared street gang; and
 - (ii) associates with 1 or more participants in a street gang and that the making of the order is appropriate in the circumstances; or
- (c) the Respondent has engaged in serious criminal activity with 1 or more participants in a street gang, and that the making of the order is appropriate in the circumstances.

Order

Date of Order: [*date*]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

- 1. The Respondent is prohibited from associating with [*names of persons/persons of a certain class*] under section 83GT(5) of the *Criminal Law Consolidation Act 1935*.
- 2. The Respondent is prohibited from holding an authorisation to [*carry out a prescribed activity (as defined by the Regulations)*] while the street gang control order remains in force.
- 3. The Respondent is prohibited from being present at, or being within a specified distance of, [*a specified place or premises or a place or premises of a specified class*].
- 4. The Respondent is prohibited from possessing [*a specified article or weapon, or articles or weapons of a specified class*].
- 5. The Respondent is prohibited from carrying on [*his/her/their*] person more than a [*specified amount*] in cash.
- 6. The Respondent is prohibited from, using for communication purposes, or being in possession of, a telephone, mobile phone, computer or other communication device except for [*record exceptions*].
- 7. The Respondent is prohibited from engaging in [*other conduct of a specified kind that the Court considers could be relevant to the commission of serious offences*].
- 8. If the Court prohibits a respondent from holding an authorisation to carry on a prescribed activity [*further prohibition in relation to the conduct of the activity to which the authorisation relates*].
- 9. The interim control order remains in force until [*date / it is revoked*]. Period cannot exceed 6 months
- 10. The interim control order made on [*date*] is substituted by this order.
- 11. [*other*]

To the Respondent: WARNING**Right to object:** section 83GX of the *Criminal Law Consolidation Act 1935*

If you are the Respondent in this matter and you were not served with the Originating Application, you may lodge a Notice of Objection with the Court within 14 days of being served with this order. A form of Notice of Objection may be obtained from the Registry of the Court. You must serve a copy of the Notice on the Commissioner of Police by registered post.

The grounds of the objection must be stated fully and in detail in the Notice of Objection.

Contravention of order: section 83GZB of the *Criminal Law Consolidation Act 1935*

If you disobey this order, you will be liable to a term of [**imprisonment / detention**] not exceeding 5 years.

Accompanying Documents (*if applicable*)

Only required if interim order made without notice to Respondent / subject of order.

Accompanying this Interim Order is a:

- Multilingual Notice mandatory if Interim Order made without notice to Respondent
- Originating Application and Supporting Affidavit mandatory if Interim Order made without notice to Respondent
- if applicable [*identify additional documents*]

Authentication

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Signature of Court Officer

[title and name]