

To be inserted by Court

Case Number:

Date Filed:

FDN:

## ORDER – NON-ASSOCIATION AND/OR PLACE RESTRICTION ORDER AND ACKNOWLEDGMENT

[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]  
[Respondent Appearance Information]

### Remarks

The Court is satisfied that:

- (a) the Respondent has, within the period of two years immediately preceding the laying of the Information on [date], been convicted of a prescribed offence, namely [description of offences].
- (b) it is reasonably necessary to make a [[Non Association]/[and]/[Place Restriction]] Order to ensure that the Respondent does not commit any further indictable offences.
- (c) **provision for multiple**  
optional if persons specified to whom the Respondent must not associate include a member of the Respondent's close family the Respondent has requested that the close family member, namely [full name], be specified in the order.
- (d) **provision for multiple**  
optional if persons specified to whom the Respondent must not associate include a member of the Respondent's close family there is reasonable cause to believe, having regard to
  - the criminal antecedents of the close family member, namely [full name], and the Respondent, the nature and pattern of criminal activity in which the close family member and the Respondent have both participated;

[other matter the Court thinks fit];

that there is an appreciable risk that the Respondent may be involved in conduct that could involve the commission of a further prescribed offence if the Respondent associates with the close family member.

- (e) provision for multiple default selected if places or areas specified include the Respondent's place of residence, the place of residence of the Respondent's close family, a place of work at which the Respondent is regularly employed, an educational institution at which the Respondent is enrolled, or a place of worship that the Respondent regularly attends there is reasonable cause to believe, having regard to the ongoing nature and pattern of participation of the Respondent in criminal activity occurring at [description of area/place], that there is an appreciable risk that the Respondent may be involved in conduct that could involve the commission of a further prescribed offence if the Respondent frequents or visits [area/place].
- (f) the Respondent disputes [some/all] of the grounds on which the [[Non Association]/[and]/[Place Restriction]] Order is sought, but consents to the making of the order.

## Order

**Date of Order:** [date]

### Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

1. A Place Restriction Order be issued against the Respondent under section [78(2)/80(1)/80(2)] of the *Criminal Procedure Act 1921* in the following terms:
- (a) must not be more than 2 years – see *Criminal Procedure Act 1921* s 78(3)(a) The term of the Place Restriction Order is [number of years] [number of months] [number of weeks] [number of days] commencing at the end of the period of [imprisonment/detention] to be served by the Respondent.
- provision for multiple
- (b) must not be specified locations except in certain circumstances – see *Criminal Procedure Act 1921* s 79(3)-(4) The Respondent must not frequent or visit [address].
- except in the following manner [exceptions, including times or circumstances].
- (c) This order replaces the previous Place Restriction Order made against the Respondent by [name of Judicial Officer] of the [Court] of South Australia on [date].
2. A Non-Association Order be issued against the Respondent under section [78(2)/80(1)/80(2)] of the *Criminal Procedure Act 1921* in the following terms:
- (a) must not be more than 2 years – see *Criminal Procedure Act 1921* s 78(3)(a) The term of the Non-Association Order is [number of years] [number of months] [number of weeks] [number of days] commencing at the end of the period of [imprisonment/detention] to be served by the Respondent.
- provision for multiple
- (b) must not be close family except in certain circumstances – see *Criminal Procedure Act 1921* s 79(1)-(2) The Respondent must not be in the company of [full name].
- except in the following manner [exceptions, including times or circumstances].
- provision for multiple
- (c) must not be close family except in certain circumstances – see *Criminal Procedure Act 1921* s 79(1)-(2) The Respondent must not communicate with [full name].
- except in the following manner [exceptions, including times or circumstances].
- (d) This order replaces the previous Non-Association Order made against the Respondent by [name of Judicial Officer] of the [Court] of South Australia on [date].

**To the Respondent: WARNING**

Non compliance with this order renders you liable to a term of *[imprisonment/detention]* not exceeding 6 months for a first offence and not exceeding 2 years for a subsequent offence.

**Authentication**

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

**Acknowledgement by Respondent**

I acknowledge that I have received a copy of this order. I understand its conditions and I understand what will happen if I fail to obey these conditions.

.....  
Signature of Respondent

.....  
Name printed

**Witness**

.....  
Signature of authorised witness

witness must be the Judicial Officer making order, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Defendant is in a training centre, the person in charge of a prison if the Defendant is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court

next item not displayed if witness is Judicial Officer making order

.....  
Printed name and title of witness stamp here if applicable

.....  
Date