



PD570

# INTERIM INTERVENTION ORDER

Intervention Orders (Prevention of Abuse) Act 2009  
Division 2 – Police Orders

SAPOL

Doc 4  
/ 000000

Apprehension  
Report No.: /

Domestic  Non Domestic

Date: / /

DEFENDANT DETAILS	Family Name	Given Name(s)	<input type="checkbox"/>	Age	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
	1. Relationship to Protected Person	2. Relationship to Protected Person	3. Relationship to Protected Person		
	Family Name	Given Name(s)	<input type="checkbox"/>	Age	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
PROTECTED PERSON(S) DETAILS	Family Name	Given Name(s)	<input type="checkbox"/>	Age	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
	Family Name	Given Name(s)	<input type="checkbox"/>	Age	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
	Family Name	Given Name(s)	<input type="checkbox"/>	Age	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
<input type="checkbox"/> This Order protects not only the protected persons listed above but also protected person(s) listed on PD570B.					

**The DEFENDANT must NOT:**

- assault, threaten, harass or intimidate the protected person(s).
- follow or keep the protected person(s) under surveillance.
- be within \_\_\_\_\_ metres of the protected person(s).
- contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS messages, E-mail, Facsimile etc.) except pursuant to any Order or direction of the Family Law Court or other Courts exercising jurisdiction under the Family Law Act.
- enter or remain in the vicinity of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.
- damage or interfere with the premises where the protected person(s) is staying, residing or is employed.
- damage or take possession of personal property belonging to the protected person(s) and the following specified property:  
\_\_\_\_\_
- enter or be in the vicinity of the following location(s):  
\_\_\_\_\_
- enter or be in the vicinity of any education and care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at:  
\_\_\_\_\_
- be in possession of the following weapon(s) or article(s):  
\_\_\_\_\_
- publish on the internet, by E-mail, SMS or other electronic means any material about the protected person(s).
- cause, allow or encourage another person to do anything forbidden by this Order.

**The DEFENDANT:**

13.  (Other) Must / Must Not: \_\_\_\_\_

**The DEFENDANT is:**

14.  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.

**The DEFENDANT must:**

15.  vacate the premises at \_\_\_\_\_ forthwith upon service of this Order and not return to those premises unless this term is varied or dismissed by the Court. **(OFFICER OF POLICE APPROVAL REQUIRED)**

**The DEFENDANT is PROHIBITED from:**

16.  being in possession of a **firearm**, including possession of a firearm in the course of his / her employment **and** holding or obtaining a licence or permit authorising the possession of a firearm **and** any firearm, licence or permit in the possession of the **DEFENDANT** must be surrendered to the **REGISTRAR OF FIREARMS**.

PART A – TERMS OF THE ORDER



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## Important Information for the DEFENDANT

PART B – GROUNDS FOR ISSUING THE ORDER

It is reasonable to suspect the **DEFENDANT** will without intervention commit an act of abuse against the **PROTECTED PERSON(S)**, the issuing of this Order is appropriate in the circumstances and authorised by an **AUTHORISING OFFICER** and these are the **FACTS** I rely upon:  
*(if additional space is required use PD570B - SUPPLEMENTARY INFORMATION page)*

PART C – ISSUING OFFICER

Time and Date Issued

Time: \_\_\_\_\_ am / pm Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Issuing Officer

Signature Name Rank ID No. Station

PART D – AUTHORISING OFFICER

Time and Date Authorised

Time: \_\_\_\_\_ am / pm Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Authorising Officer

Name Rank ID No. Station

PART E – SUMMONS FOR DEFENDANT

Where You Must Go

The Magistrates Court of South Australia / Youth Court sitting at:

Address

Address – Street / Road Suburb / Town Postcode

When

Time: \_\_\_\_\_ am / pm Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

PART F – PROOF OF SERVICE ON DEFENDANT

I certify that I served personally on the **DEFENDANT** a true and accurate copy of this Interim Intervention Order.

Time and Date Service Effected

Time: \_\_\_\_\_ am / pm Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Location Service Effected

Address – Street / Road Suburb / Town Postcode

Service Effected By

Signature Name Rank ID No. Station

**THIS ORDER PROHIBITS THE DEFENDANT FROM COMMITTING AN ACT OF ABUSE AGAINST THE PROTECTED PERSON(S) NAMED IN THE ORDER**  
**IT IS AN OFFENCE TO DISOBEY ANY TERM OF THIS INTERIM INTERVENTION ORDER**  
**THE MAXIMUM PENALTY FOR DISOBEYING THIS ORDER IS IMPRISONMENT FOR 2 YEARS**  
**A PROTECTED PERSON CANNOT GIVE PERMISSION FOR ANYONE TO DISOBEY THIS ORDER**

# INFORMATION

## ABOUT THE POLICE INTERIM INTERVENTION ORDER

### PURPOSE OF THE POLICE INTERIM INTERVENTION ORDER

The Police Interim Intervention Order prohibits the defendant from undertaking the behaviours set out in **PART A** of the Order, such as prohibiting the defendant from committing violence, ensuring a protected person's safety, protecting children named in the Order that have been subjected to or witnessed the alleged abuse or preserving any property listed in the Order which is at risk of being damaged.

### FEATURES OF THE POLICE INTERIM INTERVENTION ORDER

The Police Interim Intervention Order is treated by the Court as an application for an Intervention Order, and is a summons for the defendant to attend a Magistrates Court or a Youth Court at the time, date and place set out in **PART E** of the Order.

### DURATION OF THE POLICE INTERIM INTERVENTION ORDER

The Police Interim Intervention Order will remain in force from the time it is served on the defendant and until the Court determines the application. The Court may confirm the Police Interim Intervention Order to become an Intervention Order, substitute the terms of the Police Interim Intervention Order, adjourn the application or dismiss the Police Interim Intervention Order.

### CONSEQUENCES OF CONTRAVENING THE POLICE INTERIM INTERVENTION ORDER

If the defendant disobeys the Police Interim Intervention Order, the police may arrest the defendant. The maximum penalty for disobeying the Order is imprisonment for up to **2 years**.

A protected person **cannot** give the defendant permission to disobey the Order. Even if a protected person agrees to the defendant disobeying the Order, the defendant can still commit a criminal offence.

### CONSEQUENCES OF NOT ATTENDING COURT

If the defendant does not attend Court at the time and date set out in **PART E** of the Police Interim Intervention Order, the Magistrate may still make an Intervention Order against the defendant even if neither the defendant nor the protected person(s) is at the Court.

### FAMILY LAW ACT OR CHILDREN'S PROTECTION ACT ORDERS

Police will need to sight any relevant Family Law Court Order and if applicable, any other Order with respect to children. The police will want this information to help determine if the Police Interim Intervention Order should include the child(ren) and if the child(ren) is/are included on the Order, it is not inconsistent with the Family Law Court Order.

### LEGAL ADVICE

The defendant has the right to obtain legal advice and it is advisable to seek this advice before the Court date set out in **PART E** of the Police Interim Intervention Order. The **Legal Services Commission of South Australia** can provide legal advice to defendants and protected persons on the **Legal Help Line: 1300 366 424** between 9.00am – 4.30pm weekdays Monday to Friday.

# FREQUENTLY ASKED QUESTIONS ABOUT THE POLICE INTERIM INTERVENTION ORDER

## WHY DO POLICE ISSUE AN INTERIM INTERVENTION ORDER?

People have the right to feel safe. Police will act to reassure and protect those they believe are at risk of harm from violence. Today, police have formed the belief that the safety and well-being of others is at risk and have therefore issued a Police Interim Intervention Order. The decision to issue the Police Interim Intervention Order was made by the police.

## WHY ARE CHILDREN INCLUDED ON THE ORDER?

Violence is often directed towards children, but even when violence is not directed toward children, it can have major and long lasting damaging effects on their development and well-being. The Police Interim Intervention Order will apply to children if police believe they are at risk of harm. This doesn't mean the police think people do not care for their children, but police act to ensure that they are safe. Where police believe that children are not safe, they will notify the Department of Families and Communities, Families SA.

Any conditions on the Police Interim Intervention Order relating to children will only apply while the Police Interim Intervention Order is current. These conditions can be reviewed at Court. The Magistrate will then decide whether an Intervention Order should apply, and if so, whether children should be included on the Intervention Order.

## THE POLICE INTERIM INTERVENTION ORDER SAYS I AM EXCLUDED FROM MY HOUSE – WHAT DOES THIS MEAN?

People have the right to be safe in their home. Police may exclude a defendant from a residence if they believe the safety of others is at risk because of the defendant's behaviour and exclusion of the defendant from the residence will help keep people safe. Where police have nominated exclusion from the residence as a term of the Order, the defendant must leave and not return whilst the Order is current. However, police may include a term in the Order to allow the defendant to attend in the company of police and at a time organised by police to retrieve specific personal property.

Remember, this decision will be considered by a Magistrate on the date the defendant has been summonsed to appear at Court, as set out in **PART E** of the Order.

## WHAT IF I DON'T WANT TO LEAVE?

The defendant must leave the residence if it is a term imposed on the Police Interim Intervention Order. If the defendant refuses to leave or returns they disobey a term of the Order, and he / she will be committing a criminal offence and the police can arrest them.

## WHERE WILL I SLEEP UNTIL COURT?

If the defendant has nowhere to stay, police will provide contact details for agencies which may be able to assist with emergency accommodation.

## WHAT HAPPENS NEXT?

**PART E** of the Police Interim Intervention Order is a summons for the defendant to appear at Court at a particular time and date. The defendant is required to attend Court as set out in **PART E** of the Order. At Court, the Magistrate will decide whether or not to grant an Intervention Order. The Magistrate may order that you contact the Intervention Program Manager on phone (08) 8204 8815 for assessment and eligibility to participate in an Intervention Program. If an Intervention Order is granted by the Court, the Magistrate will specify the conditions to be imposed or that will continue in the Intervention Order. The defendant will then be bound by the terms of the Intervention Order.

## WHAT IF I LATER WANT TO VARY THE TERMS OF THE ORDER?

Once the Intervention Order has been made by the Court, the defendant will not be able to apply to have any of the terms of the Order changed until after **12 months** from the date of confirmation of the Intervention Order. The Court can fix a date 12 months after the date of confirmation for a variation to the Order.

## WHAT IF I WANT TO DISAGREE WITH THE INTERVENTION ORDER?

The **Legal Services Commission of South Australia** can provide legal advice to defendants and protected persons on the **Legal Help Line: 1300 366 424** between 9.00am – 4.30pm weekdays Monday to Friday.