

Child Protection (Offender Reporting and Registration) Act
PRACTICE DIRECTION

APPLICATIONS FOR INTERIM ORDERS

The following practice direction is made pursuant to section 201A of the *Justices Act*.

Background

Section 76 of the *Child Protection (Offender Reporting and Registration) Act* ("the Act") allows a police officer to apply to a Magistrate for an interim protection order. The application can be made in person or by the phone.

The Act and regulations do not provide for a procedure to apply in relation to such applications. The following procedure will apply.

Procedure

1. When a police officer requires to make an application under section 76 they shall call or attend upon:
 - (a) a magistrate in the nearest courthouse (if during business hours),
 - (b) by phone upon a magistrate on call (if outside business hours).
2. The police officer shall produce to the court information in writing if possible or orally if necessary of the grounds for the application. A form of information is attached.
3. The magistrate shall record the information provided by the applicant.
4. If the magistrate makes the interim order as requested that order shall be recorded in the form as attached to this practice direction.
5. The order shall also be endorsed with a date and time for the application to be reviewed by the court at the earliest possible date before the most convenient venue of the court in relation to the location of the person subject to the order.
6. Upon making the order the police officer shall forward a copy of the order and any supporting information to the registrar of the Court of Summary Jurisdiction on the next business day to enable a file to be created.

JENNY BLOKLAND
CHIEF MAGISTRATE

Dated: 15th day of August 2006

Child Protection (Offender Reporting and Registration) Act

INTERIM CHILD PROTECTION
(OFFENDER REPORTING AND REGISTRATION) ORDER

(upon application made personally)

Upon application made by a member of the Police Force (the applicant) pursuant to Section 76 of the *Child Protection (Offender Reporting and Registration) Act* in respect of(name) of(address) a reportable offender (the respondent) I.....a Magistrate am satisfied¹ it is necessary to make an interim order to prevent an immediate risk to the life or sexual safety of:

*.....(names of child/children)

*children generally.

It is ordered that the respondent be prohibited from conduct of the following kinds²:

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¹ Refer to section 72 for matters to be considered.

² Refer to section 73 for types of orders

*Delete that which is not applicable

I further direct a copy of this order and summons be served upon the respondent.

This application is adjourned too'clock onday
of.....20.. for a further hearing.

SUMMONS TO RESPONDENT

And the defendant is summoned to appear at the above mentioned time and place for
a further hearing and to be dealt with according to law.

.....

Magistrate