

Form 4 Application to amend or cancel registration of corresponding prohibition order

Crimes (Child Sex Offenders) Act 2005

(see s 132R (Application to amend or cancel registration of registered corresponding prohibition order))

In the Magistrates Court of the Australian Capital Territory

AP/.....(*Court to complete*)

Applicant (*applicant's full name*)

Respondent (*respondent's full name*)

*To: (respondent's full name) of (respondent's address)

*And to: (name and address of anyone else the Court directs to be served)

Take notice that the Court will hear an application by (*applicant's full name*) on (*date*) at (*time*) (or as soon after that as this application can be heard) to make the following orders:

- 1 (set out briefly orders sought and each party affected by the orders);
- 2 any other orders that the Court considers appropriate.

Filed for the applicant by:

(the applicant's address for service and telephone number (if any) or, if the applicant is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)

Registered corresponding prohibition order

- 3 This application relates to the corresponding prohibition order registered on (*date*).

Application for leave

- 4 Is leave required to bring this application?

no

Note A person does not need leave to apply if the prohibition order, or interim prohibition order, was made in the person's absence—see the *Crimes (Child Sex Offenders) Act 2005*, s 132R (2).

yes

- 5 *I, (*applicant's full name*), the *[person to whom the registered corresponding prohibition order applies/chief police officer] apply for leave to apply for an order to *[amend/cancel] the registration of the corresponding prohibition order.

- 6 *Leave is sought on the following grounds:

- (a) *it is in the interests of justice that leave is granted because the following changes to *[my circumstances/the person's circumstances] have happened since the order was made or last amended by the Court:

(insert details of the changed circumstances that are relevant including the date when the circumstances changed)

- (b) *it is appropriate on the following compassionate grounds including;

(insert details of the compassionate grounds including any culturally specific needs of the person)

Grounds for application

7 *(If leave is not required) I, (*applicant's full name*), the *[person to whom the registered corresponding prohibition order applies/chief police officer] apply for an order to *[amend/cancel] the registration of the corresponding prohibition order.

*(If leave is required) I apply for an order to *[amend/cancel] the registration of the corresponding prohibition order.

8 The order is sought on the following grounds:

(a) because the following changes to *[my circumstances/the person's circumstances] have happened since the registered corresponding prohibition order was made or last amended by the Court:

(insert details of matters that are relevant to the Court's decision, including changed circumstances and the date when the circumstances changed)

Note 1 The *Crimes (Child Sex Offenders) Act 2005*, s 132S sets out matters that the Court must have regard to in amending or cancelling the registration of a corresponding prohibition order for a person including—

- the matters mentioned in s 132D; and
- changes to the person's circumstances since the registered corresponding prohibition order was made or last amended by the Court

Note 2 The *Crimes (Child Sex Offenders) Act 2005*, s 132D provides that the Court may make an order for a person if satisfied that—

- the person is a registrable offender; and
- the person has engaged in conduct stated in the application for the order; and
- having regard to the nature or pattern of the conduct engaged in—
 - (i) the person poses a risk to the lives or sexual safety of 1 or more children or of children generally; and

(ii) the making of the order will reduce the risk; and

- the order is appropriate having regard to the matters mentioned in s 132E.

Note 3 The *Crimes (Child Sex Offenders) Act 2005*, s 132E sets out the matters that the Court must consider before making a prohibition order for a person.

- (b) **(for an applicant who is required to seek leave to apply) the matters mentioned in paragraph 6.*

Date:

**[signature of applicant/representative]*

**omit if, or whichever is, inapplicable*