

Form 3 Application and summons— forensic procedure

Crimes (Forensic Procedures) Act 2000

(see s 35 (Application for order), s 37 (1) (a) (Securing the presence of suspects at hearings—suspect not in custody), s 42 (Applications for interim orders) and s 77 (Court order for carrying out of forensic procedure on serious offender))

Crimes Act 1914 (Cwlth)

(see s 23WU (Application for order), s 23WW (Securing the presence of suspect at hearing—suspect not in custody), s 23XB (Application for interim order), s 23XWO (Judge or magistrate order for carrying out forensic procedure on offender) and s 23XWOB (Securing the presence of offender at hearing—offender not in custody))

In the *[Magistrates/Childrens] Court of the Australian Capital Territory
Criminal jurisdiction

No *[KP/CP] of (year)
*(provision number of *Crimes (Forensic Procedures) Act 2000* or
Crimes Act 1914 (Cwlth) under which application is made)

(name)

Applicant

(name)

Respondent

Filed for the applicant by: AFP
 City Station
 16/18 London Circuit
 Canberra ACT 2601
 Ph: (02) 6256 7777
(or the applicant's address for service and telephone number, if different)

To: *(name of suspect/serious offender)* of *(address)*

Take notice that the Court will hear an application by *(name and capacity of person making application)* on *(date)* at *(time)* (or as soon after that as this application can be heard) to make the following orders:

- 1 *that the following *[non-intimate] forensic procedure be carried out on *(name of suspect/serious offender)*:

 *that *(name of serious offender)* must consent to the following intimate forensic procedure being carried out on *[him/her]:

 (state briefly the type of forensic procedure sought to be carried out)
- 2 any other orders that the Court considers appropriate.

Supporting affidavit

This application is supported by the affidavit of *(name)* *[sworn/affirmed] on *(date)*.

(the affidavit must be filed with the application and a sealed copy of the affidavit served on the suspect/serious offender with the application (see r 4809).)

Date:

(signature of person making application)

(name and capacity of person making application)

**omit if, or whichever is, inapplicable*

(do not complete the summons if the suspect/offender is in the custody of a police officer or is otherwise detained under law, or if a warrant for the arrest of the suspect/offender is sought under the Crimes (Forensic Procedures) Act 2000, s 37 (1) (b) or the Crimes Act 1914 (Cwlth), s 23WW (1) (b) or s 23XWOB (1) (d))

*** Summons**

To the *[suspect/offender]:

You are directed to appear before the Court at ACT Magistrates Court Building, Knowles Place, Canberra on *(insert date)* at *(insert time)* for the hearing of an application for an order under the *[Crimes (Forensic Procedures) Act 2000, part 2.5 (Forensic procedures on suspect by order of magistrate) / Crimes Act 1914 (Cwlth), part ID, *[division 5 (Forensic procedures on suspect by order of a magistrate) / division 6A (Carrying out of certain forensic procedures after conviction of serious and prescribed offenders)]] authorising the following forensic procedure to be carried out on you:

(state briefly the forensic procedure sought under the application)

Details of *[suspect/offender]

Name:

Address:

Date of birth (if known):

This summons is issued under the *[Crimes (Forensic Procedures) Act 2000, section 37 (1) (a) / Crimes Act 1914 (Cwlth), *[section 23WW (1) (a) / section 23XWOB (1) (c)].

Date:

Registrar:

**omit if, or whichever is, inapplicable*