

"LK6"

10. OCT. 2011 13:39 PARRA CJP NO1
 TO: DV BANK
 10.10.11 14:51:15 NSW Police Force

NO. 181 P. 1

NSW Police Force Page 2/8

**PROVISIONAL ORDER (EX PARTE)
 APPREHENDED DOMESTIC VIOLENCE ORDER
 Crimes (Domestic and Personal Violence) Act 2007**

Applicant Details

First Name: SENCON LEANNE Surname: KELLY Serial No: 35729
 Address: JIRT KOGARAH LAC, NSW POLICE FORCE, Suite 2, Level 2, 22 Belgrave Street, Kogarah NSW, 2217
 Telephone: [REDACTED] **APPLICATION Ref No: 1538355** Police Event: 47882589

Protected Persons

First Name: AF Surname: [REDACTED]
 Address: Not Disclosed
 Date of Birth: [REDACTED] CNI: 731013925 Gender: Male
 Relationship to Defendant: Care-giver

Defendant Details

First Name: JONATHAN Surname: LORD
 Address: [REDACTED]
 Date of Birth: 04 November 1985 CNI: 732089103 Gender: Male

NOTICE TO DEFENDANT

You are directed to attend the Kogarah Local Court.

Date: Thursday 13 October 2011

Time: 09:30 AM

Location: Kogarah Local Court, 17 Montgomery Street, Kogarah, NSW, 2217

This Provisional Apprehended Violence Order (AVO) has been listed before the Court. The Court may vary or revoke the Provisional Order or make an Interim or Final Order.

If you fail to attend, the court may make orders against you or issue a warrant for your arrest to bring you before the Court.

If you fail to comply with any condition of the AVO, you may be immediately arrested and charged. The maximum penalty for failure to comply with an AVO is a fine of \$5,500 and/or 2 years in gaol.

Application No: 1538355 Date: 10 October 2011 Court: Kogarah Local Court

2 of 8

10. OCT. 2011 13:39

PARRA CJP NOI

NO. 181 P. 2

10.10.11 14:51:30 NSW Police Force

NSW Police Force Page 3/8

TERMS OF PROVISIONAL ORDER

Name of Authorised Officer: B. COADY Date of order: 10/10/11 Time of Order: 2:40PM

To the defendant

The Authorised Officer has made an Apprehended Violence Order against you in the following terms:
This order remains in force until midnight on Monday 07 November 2011 (being 28 days after it is made) unless it is varied or revoked or a further order made by the Court becomes effective.

MANDATORY ORDERS:

- 1. a) The defendant must not assault, molest, harass, threaten or otherwise interfere with the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.
- b) The defendant must not engage in any other conduct that intimidate the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.
- c) The defendant must not stalk the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.

ADDITIONAL ORDERS:

- 2. The defendant must not reside at the premises at which the protected person(s) may from time to time reside, or other time specified premises.
- 3. The defendant must not enter the premises at which the protected person(s) may from time to time reside or work, or other premises.
- 4. The defendant must not go within _____ of the premises at which the protected person(s) may from time to time reside or work or other specified premises.
- 5. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative or as agreed in writing or as permitted by an order or directions under the Family Law Act 1975 for the purpose of counselling, conciliation, or mediation.
- 6. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative or as authorised by a parenting order under the Family Law Act 1975 unless the parenting order has been varied, suspended or discharged under section 68B of the Family Law Act 1975.
- 7. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative.
- 8. The defendant must surrender all firearms and related licences to Police.
- 9. The defendant must not approach the school or other premises at which the protected person(s) may from time to time attend for the purpose of education or child care or other specified premises.
- 10. The defendant must not approach the protected person(s) or any such premises or place at which the protected person(s) from time to time reside or work within (12) hours of consuming intoxicating liquor or illicit drugs.
- 11. The defendant must not destroy or deliberately damage or interfere with the property of the protected person(s).
- 12. Other Orders:

10. OCT. 2011 13:40 PARRA CJP NO1

NO. 181 P. 3

10.10.11 14:51:55 NSW Police Force

NSW Police Force Page 4/8

Ancillary Property Recovery Order

The terms of this order are subject to an Ancillary Property Recovery Order. The terms of the Ancillary Property Recovery Order are attached.

N/A

AUTHORISATION OF PROVISIONAL ORDER

Signature of
Authorised Officer:

[Redacted Signature]

Name

B. COADY, Parramatta Local Court

Date

10/10/11

You can get further information about this document from:

- The court registry
- A legal practitioner
- LawAccess NSW on 1800 888 529 or www.lawaccess.nsw.gov.au

10. OCT. 2011 13:40 PARRA CJP NO1

NO. 181 P. 4

10.10.11 14:52:03 NSW Police Force

NSW Police Force Page 5/8

APPLICATION (to be heard at court)**Grounds of Application:** The applicant relies on the following grounds:

The PINOP in this matter is AF The PINOP is an 8 year old child who resides at home with his parents and younger brother.

The DEFENDANT in this matter is Jonathon LORD. LORD is employed by the YMCA as a child care co-ordinator.

On the 10th October 2011, the PINOP was electronically interviewed by JIRT police and disclosed an Aggravated Indecent Assault that occurred on Friday the 30th September 2011 whilst the PINOP was on a bus trip organised by the YMCA with the DEFENDANT. The PINOP disclosed the DEFENDANT has rubbed his penis and genital area with his hand.

This matter is in the early stages of the investigation and specific details have been withheld until JIRT police have the opportunity to interview the POI.

Police seek exclusion orders to protect the PINOP from the DEFENDANT. The PINOP stated he is fearful of the DEFENDANT.

The DEFENDANT has been currently stood down from his job at the YMCA.

Police investigations are continuing.

The PINOP stated he was frightened of the PINOP and was scared he might see him again.

The police hold fears for the safety of the PINOP.

Police investigations are continuing.

Family Court Orders: Details of any existing parenting order or pending parenting application under the Family Law Act 1975:

The applicant requests that the court exercise the powers conferred under s68R of the Family Law Act to vary, discharge or suspend an existing Family Law order, injunction or arrangement on the grounds that it has exposed, or is likely to expose the protected person(s) to family violence. (FLA s68R(5)(c))

10. OCT. 2011 13:41 PARRA CJP NO1

NO. 181 P. 5

20.10.11 14:52:22 NSW Police Force

NSW Police Force Page 6/8

Sought for the protected of the following persons:**Protected Persons:**

First Name: AF Surname: [REDACTED]
Address: Not Disclosed
Date of Birth: [REDACTED] CNI: 731013825 Gender: Male
Relationship to Defendant: Care-giver

10. OCT. 2011 13:41

PARRA CJP NO1

NO. 181 P. 6

10.10.11 14:52:29 NSW Police Force

NSW Police Force Page 7/8

APPLICATION (ORDERS SOUGHT AT COURT)

The applicant requests that the court make the following orders against the defendant for a period of 2 years

MANDATORY ORDERS SOUGHT:

1. a) The defendant must not assault, molest, harass, threaten or otherwise interfere with the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.
- b) The defendant must not engage in any other conduct that intimidates the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.
- c) The defendant must not stalk the protected person(s) or a person with whom the protected person(s) has/have a domestic relationship.

ADDITIONAL ORDERS SOUGHT:

2. The defendant must not reside at the premises at which the protected person(s) may from time to time reside, or other specified premises:
3. The defendant must not enter the premises at which the protected person(s) may from time to time reside or work, or other specified premises:
4. The defendant must not go within _____ of the premises at which the protected person(s) may from time to time reside or work, or other specified premises:
5. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative or as agreed in writing or as permitted by an order or directions under the Family Law Act 1975, for the purpose of counselling, conciliation, or mediation.
6. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative or as authorised by a parenting order under the Family Law Act 1975 unless the parenting order has been varied, suspended or discharged under section 68R of the Family Law Act 1975.
7. The defendant must not approach or contact the protected person(s) by any means whatsoever, except through the defendant's legal representative.
8. The defendant must surrender all firearms and related licences to Police.
9. The defendant must not approach the school or other premises at which the protected person(s) may from time to time attend for the purposes of education or child care or other specified premises:
10. The defendant must not approach the protected person(s) or any such premises or place at which the protected person(s) from time to time reside or work within twelve (12) hours of consuming intoxicating liquor or illicit drugs.
11. The defendant must not destroy or deliberately damage or interfere with the property of the protected person(s).
12. Other orders:

Ancillary Property Recovery Order

- A request for an Ancillary Property Recovery Order is to be made by the applicant.

Application No: 1538355

Date: 10 October 2011

Court: Kogarah Local Court

7 of 8