



Family Violence Evidentiary Report

(Section 4 Road Traffic (Administration) Act 2008)

This report of the prevalence of family violence is to be regarded as a family violence evidentiary document for the purposes of sections 34(3B), 35(4), 94(3) and 100(1B) of the *Road Traffic (Administration) Act 2008* and must be accompanied by statutory declaration.

Section 1 – Responsible Person Information

Given Name(s)		Surname (Family Name)	
Address	Suburb	Postcode	
Telephone Number		Email Address	

Section 2 – Responsible Person Declaration

I declare the information about family violence I have provided to the authorised person listed below is true and accurate to the best of my knowledge and was provided in good faith.

I understand it is an offence to make a fraudulent declaration and I may be liable for a penalty if found guilty of this offence.

Name

Date

Signature

Section 3 – Authorised Person information

Name of Authorised Person	Agency Name or Stamp (if applicable)
Occupation / Position	
Business Address	
Suburb	
Postcode	

Section 4 – Authorised Person Declaration

By signing below, I declare that I am authorised to complete this form (see reverse of form for list of authorised persons).

I declare that I have considered the circumstances of the responsible person and, based on the information available to me, have determined that *he / she would be at risk of being subjected to family violence if *he / she identified, or were to identify, the responsible driver.

I make this declaration based upon information established in the course of my employment and my understanding of family violence.

Name

Date

Signature

An authorised person should sign the above declaration only after considering the responsible person's circumstances and making a determination based upon relevant knowledge and their professional judgment.

*Delete as appropriate

Guidance notes for completing this form

PURPOSE

This form constitutes a family violence evidentiary document for the purposes of sections 34(3B), 35(4), 94(3) and 100(1B) of the *Road Traffic (Administration) Act 2008* and must be accompanied by a [statutory declaration](#).

The form is provided in support of a statutory declaration which details the risk of the responsible person being subjected to family violence if they were to identify the responsible driver.

WHO IS THE RESPONSIBLE PERSON

For the purposes of this process, **responsible person** means the person who would be penalised if they did not identify the responsible driver.

WHO IS THE RESPONSIBLE DRIVER

Responsible driver means the person who was driving the vehicle at the time penalty was incurred.

WHO IS AN AUTHORISED PERSON

The following authorised persons who have worked with the responsible person can complete this form:

- A person registered under the *Health Practitioner Regulation National Law (Western Australia) Act 2010* in the medical profession;
- A person registered under the *Health Practitioner Regulation National Law (Western Australia) Act 2010* in the psychology profession;
- A social worker as defined in the *Mental Health Act 2014*;
- A police officer; or
- A person in charge of a women's refuge.

MEANING OF FAMILY VIOLENCE

Family violence means a reference to –

- a) violence or a threat of violence, by a person towards a family member of the person; or
- b) any other behaviour by the person that coerces or controls the family member or causes the member to be fearful.

Examples of behaviour that may constitute family violence include (but are not limited to) the following –

- ▽ an assault against the family member;
- ▽ a sexual assault or other sexually abusive behaviour against the family member;
- ▽ stalking or cyber-stalking the family member;
- ▽ repeated derogatory remarks against the family member;
- ▽ damaging or destroying property of the family member;
- ▽ causing death or injury to an animal that is the property of the family member;

▽ unreasonably denying the family member the financial autonomy that the member would otherwise have had;

▽ unreasonably withholding financial support needed to meet the reasonable living expenses of the family member, or a child of the member, at a time when the member is entirely or predominantly dependent on the person for financial support;

▽ preventing the family member from making or keeping connections with the member's family, friends or culture;

▽ kidnapping, or depriving the liberty of, the family member, or any other person with whom the member has a family relationship;

▽ distributing or publishing, or threatening to distribute or publish, intimate personal images of the family member; or

▽ causing any family member who is a child to be exposed to behaviour referred to in this section.

WHERE DO I SEND THE FORM ONCE COMPLETE

This form and the accompanying statutory declaration should be sent to:

Infringement Management and Operations
Locked Bag 40, Perth Business Centre
PERTH WA 6849

or delivered in person to 2 Clayton Street, Midland.

For enquiries, please telephone 08 9374 4555 or email fines@police.wa.gov.au.