

Use this form to apply to Fines Victoria for a review of your infringement fine(s) under the Family Violence Scheme.

PLEASE CALL 000 IF YOU ARE EXPERIENCING FAMILY VIOLENCE AND IT IS AN EMERGENCY

You can find information about other support services for family violence at

<https://services.dhhs.vic.gov.au/family-violence>

Who can apply?

You can apply under the Family Violence Scheme if you were a victim of family violence and the family violence substantially contributed to:

- your offending, or
- you not being able to name the person who is responsible for the offending.

You will be the 'applicant' if you make an application in relation to fine(s) issued to you. You can permit another person (an 'authorised person') to submit an application on your behalf.

What happens if my application is successful?

If your application is successful, and you committed the offence(s), Fines Victoria will direct each relevant enforcement agency to withdraw the fine(s) and take no further action.

For offences where your vehicle was used in the offence but you were not the driver, you will be asked whether you want to:

- have the fines withdrawn immediately, because you will not be nominating the driver, or
- nominate the driver at a later date. If you choose this option, but do not nominate the driver within 6 months, Fines Victoria will direct each relevant enforcement agency to withdraw the fine(s) and take no further action. You may want to get advice before deciding to nominate the driver.

What happens if my application is refused?

If your application is refused by Fines Victoria, you will be given 21 days to deal with your outstanding fine(s).

For more information call the Family Violence Scheme, Fines Victoria on 1300 019 983, between 9:00am and 5:00pm Monday-Friday.

Important Notice

Some fines cannot be included in a Family Violence Scheme application. These include:

- fines issued by a court
- fines incurred by companies
- fines for offences against local council laws (other than parking fines)
- fines for drink-driving, drug-driving, drink-boating, drug-boating and similar rail safety offences, and
- fines for excessive speed offences where a person was alleged to be driving more than 25 km/h over the speed limit or over 130 km/h.

Submitting your application



In person:

Fines Victoria
Ground Floor, 277 William Street
Melbourne, Victoria
Opening hours: 9am to 5pm
Monday to Friday (except public holidays)



Email

Fines Victoria
fvs@justice.vic.gov.au



By mail:

Fines Victoria
PO Box 14487
Melbourne Victoria 8001

Do you require legal assistance?

You may be able to obtain assistance from one of the following organisations:
Victoria Legal Aid | www.legalaid.vic.gov.au
Victorian Community Legal Centres | www.communitylaw.org.au
Victorian Aboriginal Legal Service | www.vals.org.au

Privacy Statement

The Department of Justice and Regulation collects personal information for the purposes of dealing with and enforcing your outstanding infringements. Personal information may also be disclosed to third parties as authorised by the *Privacy and Data Protection Act 2014* and *Health Records Act 2001*.

Factsheet: Preparing an application

1 How to make an application

Complete this application form. You may fill in the form by pen or electronically. If completing it electronically, first fill in all the details, then print the form and get the required signatures done by pen.

Attach the following evidence:

- a statutory declaration by the applicant, and
- at least one other piece of evidence.

2 What needs to be included in a statutory declaration?

The statutory declaration must describe the relevant family violence the applicant experienced and how that family violence either contributed to the applicant being unable to control the offending conduct, or to nominate the person in control of the vehicle at the time of the offending conduct.

The statutory declaration must be witnessed. A list of who can witness statutory declarations can be found on the back of the statutory declaration form.

3 What other evidence must be provided?

You must provide at least one other piece of evidence, which can include:

- a family violence intervention order (FVIO), or
- a family violence safety notice (FVSN), or
- a report (which can be in the form of a letter, an email, report, formal statement or statutory declaration) from:
 - a case worker or social worker
 - a financial counsellor
 - a medical practitioner or other health practitioner (e.g. general practitioner, psychologist, psychiatrist, nurse, registered occupational therapists)
 - a manager or coordinator of a women's refuge, crisis or counselling service
 - a school principal or school welfare coordinator
 - an officer of a child welfare authority or child protection authority
 - a police officer
 - a witness statement that is made by someone other than the applicant to a police officer during the course of a police investigation.

What needs to be included in a report?

- full name, title and qualifications of the person giving the report
- the name of the agency or service provider that employs the person (if applicable)
- the applicant's relationship to the person, including the period of engagement
- a summary of the applicant's circumstances
- how long the applicant has been affected by family violence, and
- an opinion as to how the applicant's experience of family violence substantially contributed to their inability to control the offending behaviour or to nominate the actual offender.

Generally, the report should have been completed within the 12 months prior to the application being made.

4 Submitting your application

Once you have completed the application form, please attach the statutory declaration and the other evidence you seek to rely on in support of your application. You can submit your application by post, email or in person.

[Requests for more information](#)

If Fines Victoria asks you for more information, you must give it to us within 14 days.

FAMILY VIOLENCE SCHEME APPLICATION FORM

Who is lodging the application? (confirm who is submitting the application)

Person affected by family violence

Advocate, lawyer or other authorised third party

Details of the person affected by family violence (the 'applicant')

1. Details

Family name (Surname)

First name

Date of birth

D	D	/	M	M	/	Y	Y	Y	Y
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Driver licence number/Permit number

State of issue

2. Optional question

Do you identify as Aboriginal and/or Torres Strait Islander?

Aboriginal

Torres Strait Islander

Aboriginal and Torres Strait Islander

Neither Aboriginal nor Torres Strait Islander

3. Current residential address

If you have no fixed address, leave this section blank.

Street address (include house, unit or apartment number)

Suburb/Town/City

State

Postcode

Country (if not Australia)

3. Postal address (if same as residential address, write 'AS ABOVE')

Street address (include house, unit or apartment number) or PO Box

Suburb/Town/City

State

Postcode

Country (if not Australia)

5. Contact details

Mobile phone number

Home phone number

Work phone number

Email address

Preferred contact method details

6a. Safest contact method

Please indicate your safest contact method if we need to contact you about your application. You can choose several of these options:

Mail

Email

Telephone

Can we leave a phone message? Yes No

What is the safest day and time for us to call (between 9am - 5pm, Monday - Friday)?

Through my authorised person (see question 7)

6b. Safest contact method for correspondence

Please note we have to send you some information in writing. How would you prefer to receive it?

Email

Mail

Through my authorised person (see question 7)

Authorised person details (if applicable)

7. Authorised person contact details

If you are submitting this application on behalf of the applicant, complete this section.

Family name (Surname)

First name

Organisation/Company name (if applicable)

Position in organisation/company (if applicable)

Postal address (include house, unit or apartment number)

Suburb/Town/City

State

Postcode

Country (if not Australia)

Work number

Mobile number

Email address

Relationship to person affected by family violence (if applicable)

11. Checklist



All required fields completed



Obligation number(s) or details of infringement fines provided (as applicable)



Applicant has signed and dated the application



Statutory declaration by the applicant attached



Authorised person has signed and dated the form (if applicable)

At least one of the following attached:



a family violence intervention order (FVIO), or



a family violence safety notice (FVSN), or



a report

12. Applicant declaration

I declare that:

- I authorise Fines Victoria to disclose my personal information to the enforcement agencies that issued the fine(s), the Magistrates' Court of Victoria and any person whose evidence I rely on in support of this application, and
- I have authorised the authorised person named in this form to act on my behalf (if applicable), and
- the information supplied in this form is true and correct to the best of my knowledge, and
- I understand that by making a false or misleading statement in support of this application, I may be prosecuted.

Signature of applicant (must be signed by pen)

Date

D	D	/	M	M	/	Y	Y	Y	Y
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13. Authorised person declaration (if applicable)

I declare that:

- I have informed the applicant that their personal information may be disclosed to the enforcement agencies that issued the fine(s), the Magistrates' Court of Victoria and any person whose evidence the applicant relies on in support of this application, and
- the information supplied on this form is true and correct to the best of my knowledge, and
- I understand that by making a false or misleading statement in support of this application, I may be prosecuted.

The applicant is aware that I am making this application on their behalf.



Yes



No

Signature of authorised agent/representative (must be signed by pen)

Date

D	D	/	M	M	/	Y	Y	Y	Y
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Statutory Declaration Evidence (Miscellaneous Provisions) Act 1958

Details of the person making the declaration (the 'applicant')

Family name (Surname)

First name

Date of birth

D	D	/	M	M	/	Y	Y	Y	Y
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Current residential address

Street address (include house, unit or apartment number)

Suburb/Town/City

State

Postcode

Country (if not Australia)

Details of the family violence experienced

Please describe the relevant family violence you have experienced. If you need more room, please attach a separate sheet. Please ensure that you give any additional sheets to the person who witnesses your declaration.

Please describe how that family violence contributed to you being unable to control your offending conduct, or to nominate the person in control of the vehicle at the time of the offending conduct.

Statutory Declaration Evidence (Miscellaneous Provisions) Act 1958

Details of the person witnessing the declaration

Family name (Surname)

First name

Date of birth

D	D	/	M	M	/	Y	Y	Y	Y
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Current address

Street address (include house, unit or apartment number)

Suburb/Town/City

State

Postcode

Country (if not Australia)

Authority to witness the declaration

Declaration

I acknowledge that this declaration is true and correct and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

Declared at

on

D	D	/	M	M	/	Y	Y	Y	Y
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Signature of person making declaration (must be signed by pen)

Before me

Signature of authorised witness (must be signed by pen)

Date

D	D	/	M	M	/	Y	Y	Y	Y
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Who can act as a witness?

Under Section 107A of the *Evidence (Miscellaneous Provisions) Act 1958*, the list of persons who may witness statutory declarations includes:

- a justice of the peace or a bail justice
- a public notary
- an Australian lawyer
- a clerk to an Australian lawyer
- the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar or a registrar or deputy registrar of the Magistrates' Court or the principal registrar or a registrar or deputy registrar of the Children's Court
- the registrar of probates or an assistant registrar of probates
- the associate to a judge of the Supreme Court or of the County Court
- the associate of an Association Judge of the Supreme Court or of an associate judge of the County Court
- a person registered as a patent attorney under Chapter 20 of the *Patents Act 1990* of the Commonwealth
- a police officer
- the sheriff or a deputy sheriff
- a member or former member of either House of the Parliament of Victoria
- a member or former member of either House of the Parliament of the Commonwealth
- a councillor of a municipality
- a senior officer of a Council as defined in the *Local Government Act 1989*
- a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student)
- a person registered under the Health Practitioner Regulation National Law to practise in the dental profession as a dentist (other than as a student), and in the dentists division of that profession
- a registered veterinary practitioner within the meaning of the *Veterinary Practice Act 1997*
- a person registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student)
- a principal within the meaning of the *Education and Training Reform Act 2006*
- the manager of an authorised deposit-taking institution
- a person who holds a prescribed membership of a prescribed accounting body or association
- the secretary of a building society
- a minister of religion authorised to celebrate marriages
- a Victorian Inspectorate Officer within the meaning of the *Victorian Inspectorate Act 2011*
- a person employed under Part 3 of the *Public Administration Act 2004* with a classification that is prescribed as a classification to which this section applies
- an Independent Broad-based Anti-corruption Commission officer
- a fellow of the Institute of Legal Executives (Victoria).