

# Notice of Child Abuse or Family Violence

## FORM 4 Family Law Rules ~ RULES 2.04B and 2.04D

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any questions.

Filed in:

- Family Court of Australia
- Family Court of Western Australia
- Federal Magistrates Court of Australia
- Other (specify) \_\_\_\_\_

### Filed on behalf of:

Full name \_\_\_\_\_

MARK [X] IN THE BOX THAT APPLIES TO YOU

- Father
- Mother
- Other (specify) \_\_\_\_\_

Applicant's Client ID \_\_\_\_\_

Respondent's Client ID \_\_\_\_\_

File number \_\_\_\_\_

Filed at \_\_\_\_\_

Filed on \_\_\_\_\_

Court location \_\_\_\_\_

Next Court date (if known) \_\_\_\_\_

### This form is to be used:

- a) when allegations of child abuse or risk of child abuse are made and a prescribed child welfare authority must be notified of the allegations (section 67Z of the *Family Law Act 1975*), or
- b) if, in a case where an application is made to the court for a Part VII order in relation to a child, a person alleges that there has been abuse of a child or family violence or there is a risk of abuse of a child or family violence and the allegation of abuse, family violence or risk of abuse or family violence is relevant to whether the court should grant or refuse the application (Rule 2.04A of the *Family Law Rules 2004*).

## Part A About the notice

This notice alleges:

- Child abuse or risk of child abuse
- Family violence or risk of family violence
- Child abuse or risk of child abuse and family violence or risk of family violence

MARK [X] IN THE BOX THAT APPLIES

## Part B About the parties

1 Who is giving this notice?

Family name as used now	Given names

Family name as used now	Given names

- 2 At what address can you be contacted? (THIS NEED NOT BE WHERE YOU LIVE) If you give a lawyer's address, include the name of the law firm.

	State	
	Postcode	
Phone		Fax *
DX		
Email *	Lawyer's code	

- \* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

- 3 What are the names of the other parties?

Family name as used now	Given names
Family name as used now	Given names

## Part C About the independent children's lawyer

- 4 Independent children's lawyer family name

	Given names
Firm name	

## Part D About the children to whom the notice relates

### Child 1

- 5 Child's family name
- |             |
|-------------|
|             |
| Given names |

Male  Female

Child's date of birth      /      /

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Child's address

State      Postcode

Name of the person with whom the child lives


### Child 2

- Child's family name
- |             |
|-------------|
|             |
| Given names |

Male  Female

Child's date of birth      /      /

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Child's address

State      Postcode

Name of the person with whom the child lives


IF THERE ARE MORE CHILDREN ATTACH EXTRA PAGES ANSWERING PART D



9 What is the last known address of the alleged abuser(s) if known?

State	Postcode	Phone

**NOTE:** A copy of this notice must be served on the person identified in Item 6 as the alleged abuser (section 67Z(2) of the *Family Law Act 1975*).

## Part F About the alleged risk of abuse

**Before you complete Part F you should carefully read the definition of 'abuse' in section 4(1) of the *Family Law Act* (set out at Part E of this form for your information)**

10 Describe the facts alleged to constitute any risk of abuse.  
Include the name of any person(s) from whom a child is alleged to be at risk of abuse, if known.

**NUMBER EACH PARAGRAPH AND ATTACH EXTRA PAGE/S IF YOU NEED MORE SPACE**

1.

11 Identify the application/response where you seek orders to which the allegation(s) described in Item 10 are relevant.

Application/response	Date filed

12 Identify the affidavit(s) containing evidence of the allegations described in Item 10.

Name of the person swearing or affirming the affidavit	Date of filing	The paragraphs of the affidavits which relate to each allegation

13 What is the last known address of the person(s) from whom the child is alleged to be at risk of abuse?

State	Postcode	Phone

**NOTE:** A copy of this notice must be served on the person identified in Item 10 as the person from whom a child is alleged to be at risk of abuse (section 67Z(2) of the *Family Law Act 1975*).

## Part G About the alleged family violence

Before you complete Items 14-21 you should carefully read the definition of 'family violence' in section 4(1) of the *Family Law Act* as follows:

**family violence** means conduct, whether actual or threatened, by a person towards, or towards the property of, a member of the person's family that causes that or any other member of the person's family reasonably to fear for, or reasonably to be apprehensive about, his or her personal wellbeing or safety.

NOTE: A person reasonably fears for, or reasonably is apprehensive about, his or her personal wellbeing or safety in particular circumstances if a reasonable person in those circumstances would fear for, or be apprehensive about, his or her personal wellbeing or safety.

- 14** Describe any acts or omissions that you allege constitute family violence. Please include the identity of the alleged perpetrator(s).

**NUMBER EACH PARAGRAPH AND ATTACH EXTRA PAGE/S IF YOU NEED MORE SPACE**

1.

- 15** Identify the application/response where you seek orders to which the allegation(s) described in Item 14 are relevant.

Application/response	Date filed

- 16** Identify the affidavit(s) containing evidence of the allegations described in Item 14.

Name of the person swearing or affirming the affidavit	Date of filing	The paragraphs of the affidavits which relate to each allegation

- 17** What is the last known address of the alleged perpetrator(s), if known?

State	Postcode	Phone

## Part H About the alleged risk of family violence

Before you complete Part H you should carefully read the definition of 'family violence' in section 4(1) of the *Family Law Act* (set out in Part G of this form for your information).

- 18** Describe the facts alleged to constitute any risk of family violence. Include the name of any person(s) from whom there is alleged to be a risk of family violence.

**NUMBER EACH PARAGRAPH AND ATTACH EXTRA PAGE/S IF YOU NEED MORE SPACE**

1.

- 19** Identify the application/response where you seek orders to which the allegation(s) described in Item 18 are relevant.

Application/response	Date filed

- 20** Identify the affidavit(s) containing evidence of the allegations described in Item 18.

Name of the person swearing or affirming the affidavit	Date of filing	The paragraphs of the affidavits which relate to each allegation

- 21** What is the last known address of the person(s) from whom it is alleged there is a risk of family violence?

State	Postcode	Phone

## Part I Signature of person filing notice

Signed

Date

	/ /
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This notice was signed by:  person(s) filing this notice  
 lawyer for person(s) filing this notice

This notice was prepared by:  person(s) filing this notice  
 lawyer


PRINT NAME AND LAWYER'S CODE