

Our Ref: ALR:OS:13629
Your Ref:

18 December 2024

Mr D Cowen
The Relationspace
601/67 Castlereagh Street
SYDNEY NSW 2000

By Email only: reception@therelationspace.com.au

Dear Colleague

Re: Cooke & Cooke NCC3896/2023

We refer to the above matter. We act on behalf of the Respondent Mother, Ms Heather Anne Cooke. The Applicant Father, Mr Stephen Christopher Cooke, is self-represented.

There are two subject children:

1. Christian Finn Cooke, born 20 August 2024 and aged 10, and
2. Joshua Finn Cooke, born 27 January 2017 and aged 7.

The children are represented by Independent Children's Lawyer, Jo Markham of JLM Family Lawyers. All parties are copied into this correspondence.

The matter is in Division 2 of the Federal Circuit and Family Court of Australia in Newcastle. Orders made on 15 October 2024 appoint you as the Single Expert to prepare a Family Report in relation to the children pursuant to Part 7.1 of the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021* ("**the Family Law Rules**"). Order 2 particularises the matters to be addressed in the Report.

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Documents

Pursuant to Orders 3 and 5, we **enclose** the following documents:

1. Applicant Father:
 - (a) Initiating Application sealed 5 December 2023,
 - (b) Affidavit sealed 5 December 2023,
 - (c) Genuine Steps Certificate sealed 5 December 2023,
 - (d) Notice of Risk sealed 5 December 2023,
 - (e) Parenting Questionnaire sealed 6 December 2023,
 - (f) Affidavit sealed 2 April 2024,
 - (g) Amended Initiating Application sealed 2 April 2024,
 - (h) Case Outline sealed 10 April 2024,
 - (i) Certificate of Dispute Resolution sealed 27 September 2024,
 - (j) Affidavit sealed 29 October 2024,
2. Respondent Mother:
 - (a) Response to Initiating Application sealed 5 February 2024,
 - (b) Affidavit sealed 5 February 2024,
 - (c) Genuine Steps Certificate sealed 5 February 2024,
 - (d) Notice of Risk sealed 5 February 2024,
 - (e) Affidavit sealed 3 April 2024,
 - (f) Amended Response to Initiating Application sealed 8 April 2024,
 - (g) Case Outline sealed 11 April 2024,
 - (h) Affidavit sealed 30 October 2024,
3. Child Impact Report sealed 8 March 2024,
4. Final Property Orders sealed 13 September 2024,
5. Orders sealed 15 October 2024, and
6. Orders sealed 18 December 2024.

Further, we **enclose** copies of the sealed Subpoenas to the following entities:

1. Lab Learning sealed 19 December 2023,
2. Newcastle General Practice sealed 19 December 2023,
3. Oracle Psychology sealed 19 December 2023,
4. Merewether Heights Public School sealed 19 December 2023,

5. Newcastle Pediatric Clinic sealed 19 December 2023,
6. Atune Health Centre sealed 16 February 2024,
7. Merewether Heights OOSH sealed 14 March 2024,
8. Atune Health Centre sealed 11 October 2024,
9. Merewether Heights OOSH sealed 11 October 2024,
10. Merewether Heights Public School sealed 11 October 2024,
11. Pillar Allied Health sealed 11 October 2024,
12. Atune Health Centre sealed 22 October 2024, and
13. Chromis Occupational Medicine sealed 22 October 2024.

Order 12 states, if requested to do so by you, the Solicitor for the Respondent Mother is granted leave to photocopy any or all documents produced under Subpoenas and to provide a copy to you directly. Please advise if you wish to make such a request. Order 13 provides you liberty to inspect any Court material, including documents produced under Subpoenas, at the Newcastle Registry or electronically.

Requirements

We **enclose** Divisions 7.1.4, 7.1.5 and 7.1.6 of the Family Law Rules. Rule 7.13 requires you to read the enclosed Divisions.

Rule 7.21(1) provides the Report must be addressed to the Court and the instructing parties, attach a copy of this letter and any other correspondence between you and the parties, include a list of any documents relied upon in preparing the Report and be verified by an Affidavit.

Rule 7.21(2) provides the Affidavit verifying the Report must state:

"I have made all the inquiries I believe are necessary and appropriate and to my knowledge there have not been any relevant matters omitted from this report, except as otherwise specifically stated in this report.

I believe that the facts within my knowledge that have been stated in this report are true.

The opinions I have expressed in this report are independent and impartial.

I have read and understand Divisions 7.1.4, 7.1.5 and 7.1.6 of the Federal Circuit and Family Court of Australia (Family Law) Rules 2021 and have used my best endeavours to comply with them.

I have complied with the requirements of the following professional codes of conduct or protocol, being [state the name of the code or protocol].

I understand my duty to the court and I have complied with it and will continue to do so.”

Rule 7.22 states the required contents of the Report.

Please note all parties must be included in any correspondence with you and all instructions to you must be in writing and countersigned by the parties. Please forward the Report to each of the parties. Please direct correspondence to the parties' Solicitors (where applicable).

The Applicant Father and the Respondent Mother will each pay equal shares of your fees. Please issue two (2) Tax Invoices accordingly.

We understand it is your firm's practice for all Court materials to be uploaded to a portal. Upon receipt of the links to the portal, the Applicant Father and the Respondent Mother will upload their respective filed documents enclosed herein.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours faithfully

Anna Roberts
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Solicitor for the Respondent Mother

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