

Part B About the independent children's lawyer (if appointed)

Independent children's lawyer family name Markham	Given names Jo
Firm name JLM Family Lawyers	

Part C About you (the deponent)

Family name (as used now) Cooke	Given names Heather Anne
Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> X	Usual occupation (if applicable) Cardiologist

What is your address?

You do not have to give your residential address if you are concerned about your safety. You may give another address at which you are satisfied that you will receive documents.


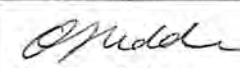
C/- Delaney Roberts Family Lawyers		
Telstra Civic, Suite 1 Level 2, 317 Hunter Street		
NEWCASTLE	State NSW	Postcode 2300

Part D Evidence

- Set out the facts divided into consecutively numbered paragraphs. Each paragraph should be confined to a distinct part of the subject matter.
- Attach extra page(s) if you need more space. Make sure that the page containing the signature (Part E or F) is always the last page of the form. You and the witness to your affidavit must sign the bottom of each additional page.

Short history

- I am the Applicant in these proceedings and the Respondent in the substantive proceedings.
- I was born on 31 July 1978 and I am currently 46 years of age.
- The Respondent in these proceedings is my estranged husband, Stephen Christopher Cooke ("**Stephen**") born 27 October 1981 and currently 43 years of age.
- In or about May 2012, Stephen and I began living together. We were married on 26 September 2012 and separated on a final basis on 17 November 2023. A Divorce Order was made on 4 February 2025 and came into effect on 5 March 2025.
- There are two (2) children of our relationship:
 - Christian Finn Cooke ("**Christian**") born 20 August 2014 and currently 10 years of age, and

 Signature of person making this affidavit (deponent)	 Signature of witness
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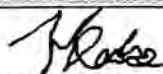
- (b) Joshua Finn Cooke ("**Joshua**") born 27 January 2017 and currently 8 years of age.
6. I am a Cardiologist and work on a full-time basis. I am employed by the John Hunter Hospital as a staff specialist and I also work on a contract basis for a private practice, Newcastle Heart.

Interim parenting orders

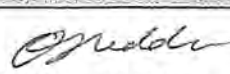
7. On 23 April 2024, interim parenting orders were made by Her Honour Judge Carty of this Honourable Court, which provide for the children to live with me and spend time with Stephen as follows:
- (a) During school term, on a fortnightly basis as follows:
- (i) Week 1, from the conclusion of school or 3:00pm on Thursday until the commencement of school or 9:00am on Monday,
- (ii) Week 2, from the conclusion of school or 3:00pm on Thursday until the commencement of school or 9:00am on Friday, and
- (b) Half of school holidays.
- ("the **Interim Orders**").
8. Since 23 April 2024, the children have spent time with Stephen and myself pursuant to the Interim Orders, save for the odd occasion where we reached agreement to alternative arrangements.

Incident on 7-8 March 2025

9. At around 3:30pm on Friday 7 March 2025, I received a phone call from teacher Amy Hannah at the children's school, Merewether Heights Primary School, and we had a conversation to the following effect:
- Amy Hannah: *Stephen has not arrived to pick up the kids. I can send the children to OOSH until you can arrive. What do you want me to do?*
- Me: *Yes, please send the children to OOSH and I will get there as soon as I can.*
10. At approximately 3:51pm, I sent a message to Stephen on Our Family Wizard ("**OFW**") stating, "*Kids are in oosh*".
11. At approximately 5:00pm, I finished work and called Stephen. He did not answer my call.
12. At approximately 5:03pm, I received a message from Stephen on OFW stating:
- Hi Heather,*
- I'm terribly sorry... I've been very distracted.*
- Please help me in continuing to care for them while I continue to do the lords work and please remind them both that they are forever loved by me the only way I know.*



Signature of person making this affidavit (deponent)



Signature of witness



Please teach them to put the needs of others before their own.

You alone are not responsible for this.

Stephen Christopher Cooke

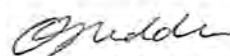
13. At approximately 5:05pm, I sent a message to Stephen on OFW stating, "I'm concerned for your and their safety and will have the police check in you".
Annexed hereto and marked "A" is a true copy of the messages exchanged between Stephen and I dated 7 March 2025.
14. I immediately called the NSW Police, told them about the message I received from Stephen and asked them to check in on him. I then collected the children from OOSH.
15. At around 6:30pm, I had another phone call with the NSW Police and we had a conversation to the following effect: they attended upon Stephen's residential address (7A Bakeri Circuit, Warabrook, NSW) and could not locate him. The NSW Police spoke to some of Stephen's neighbours who said they had not seen his car in a few days. The NSW Police were tracking Stephen's mobile phone and Apple watch and believed he was in Goondiwindi, Queensland.
16. At around 9:00pm, I had a phone call with the Queensland Police and we had a conversation to the following effect: they found Stephen and were taking him to Goondiwindi Hospital where they intended to schedule him.
17. On Saturday 8 March 2025, I had another phone call with the Queensland Police and we had a conversation to the following effect: Stephen had absconded from Goondiwindi Hospital leaving his mobile phone and Apple watch behind, possibly so he could not be tracked. The Queensland Police located him walking along a riverbank where he had been approaching nearby houses and asking for water. The Queensland Police admitted him to Toowoomba Hospital on Friday and he remained there on Saturday.

Current circumstances

18. On the evening of Monday 10 March 2025, I had a phone call with the NSW Police and we had a conversation to the following effect: they located Stephen's car on the side of the road in Bogabilla in northern NSW. The NSW Police sent me the coordinates of the location of the car and I arranged for the car to be towed and stored in Goondiwindi until Stephen is able to pick it up.
19. On the morning of Tuesday 11 March 2025, I had a phone call with a staff member of the mental health ward at Toowoomba Hospital and we had a conversation to the following effect: Stephen remains admitted, has his phone and laptop with him and it is unlikely he will be discharged by this Thursday 14 March 2025.
20. The children are to spend time with Stephen pursuant to the Interim Orders from school pick up this Thursday 14 March 2025. They have not seen or had any contact with Stephen since



Signature of person making this affidavit (deponent)



Signature of witness



Monday 3 March 2025 when he would have returned them to school at the conclusion of their last period of spending time with him.


21. I am extremely concerned about the children's safety and welfare in Stephen's care, particularly following the incident on 7-8 March 2025 and seek that this Honourable Court suspend Orders 2, 6 and 9 of the Interim Orders for the children to spend time and communicate with Stephen pending further Order.

 Signature of person making this affidavit (deponent)	 Signature of witness
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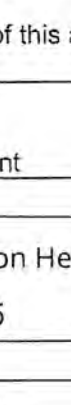


Part E Signature

I swear the contents of this affidavit are true


Signature of Deponent

Place New Lambton Heights
Date 11 / 03 / 2025


Before me (signature of witness)

Olivia Jade Shedden
Full name of witness (please print)

- Justice of the Peace
- Notary public
- Lawyer
- Other authorised person (specify)

This affidavit was executed in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW).

This affidavit was prepared / settled by deponent/s
 lawyer

Olivia Jade Shedden
ROB5334090
PRINT NAME AND LAWYER'S CODE



Part F

Alternative jurat for non-English speaking affidavit

Use this alternative jurat for the swearing/affirming of the affidavit and the translator's certificate. See Rule 8.17 of the Family Law Rules.

Interpreter/translator's certification

I certify that I understand the English language and the language, and that I have truly interpreted to the deponent (named in Part C) the contents of this affidavit and the oath or affirmation which was administered.

Signature of interpreter

Date / /

Sworn*/affirmed* by the deponent through the interpretation of:

Interpreter's full name

Address

Language

Signature of Deponent

Place

Date / /

Before me (signature of witness)

Full name of witness (please print)

- Justice of the Peace
- Notary public
- Lawyer
- Other authorised person (specify)

This affidavit was prepared / settled by deponent/s
 lawyer

Olivia Shedden

PRINT NAME AND LAWYER'S CODE



"A"

Message Report

OurFamilyWizard

Generated: 03/11/2025 at 10:18 AM by Heather Cooke

Number of messages: 1

Timezone: Antarctica/Macquarie

Parents: Heather Cooke, Stephen Cooke

Child(ren): Christian Cooke, Joshua Cooke

Third Party:

OurFamilyWizard
ourfamilywizard.com
info@ourfamilywizard.com
(866) 755-9991

Message 1 of 1

Sent: 03/06/2025 at 05:05 PM
From: Heather Cooke
To: Stephen Cooke (First Viewed: 03/06/2025 at 05:07 PM)
Subject: Re: Kids

I'm concerned for your and their safety and will have the police check in you

On 03/06/2025 at 05:03 PM, Stephen Cooke wrote:

To: Heather Cooke (First Viewed: 03/06/2025 at 05:03 PM)
Subject: Re: Kids

Hi Heather,

I'm terribly sorry... I've been very distracted.

Please help me in continuing to care for them while I continue to do the lords work and please remind them both that they are forever loved by me the only way I know.

Please teach them to put the needs of others before their own.

You alone are not responsible for this.

Stephen Christopher Cooke

On 03/06/2025 at 03:51 PM, Heather Cooke wrote:

To: Stephen Cooke (First Viewed: 03/06/2025 at 03:56 PM)
Subject: Kids

Kids are in oosh

This page and the following _____ page/s are is
Annexure " A " in the Affidavit/Statutory
Declaration of Heather Anne Cooke
sworn/affirmed: 11 March 2025
Before me: Olivia Jade Shedden
Solicitor/Justice of the Peace



OurFamilyWizard