

Affidavit – Family law and child support proceedings

Federal Circuit and Family Court of Australia (Family Law) Rules 2021 – RULE 8.15

COURT USE ONLY

Filed in:

- Federal Circuit and Family Court of Australia (Division 1)
- Federal Circuit and Family Court of Australia (Division 2)
- Other (specify) _____

Type of proceedings:

- Family law proceedings
- Other (specify) _____

Filed on behalf of:

Full name: Heather Anne Cooke

Client ID _____

File number NCC3896/2023

Filed at _____

Filed on _____

Court location 61 Bolton Street, Newcastle, NSW 2300

Court date _____

Name of person swearing this affidavit:

Heather Anne Cooke

Date of swearing 20/10/2025

Part A About the parties

APPLICANT 1

Family name (as used now)

Cooke

Given names (as required)

Stephen Christopher

APPLICANT 2

Family name (as used now)

Given names (as required)

RESPONDENT 1

Family name (as used now)

Cooke

Given names (as required)

Heather Anne

RESPONDENT 2

Family name (as used now)

Given names (as required)

What is the contact address (address for service) in Australia for the party filing this affidavit?

You do not have to give your residential address. You may give another address at which you are satisfied that you will receive documents. If you give a lawyer's address, include the name of the law firm. You must also give an email address.

C/- Delaney Roberts Family Lawyers, Telstra Civic, Suite 1, Level 2, 317 Hunter Street

NEWCASTLE

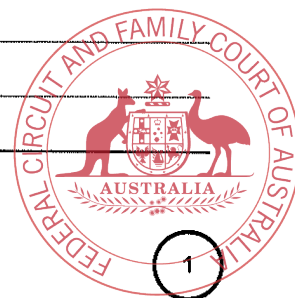
State NSW

Postcode 2300

Phone 02 4952 3901

Lawyer's code ROB5334090

Email oshedden@delaneyroberts.com.au



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

Independent children's lawyer family name

Given names

Markham

Jo Anne

Firm name

JLM Family Lawyers

Part C About you (the deponent)

Family name (as used now)

Given names

Cooke

Heather Anne

Gender

 Male Female 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.

1. I am the Respondent Mother in these proceedings.
2. I was born on 31 July 1978 and I am currently 47 years of age.
3. The Applicant Father is my estranged former husband, Stephen Christopher Cooke ("**Stephen**") born 27 October 1981 and currently 43 years of age.

Short history

4. In or about August 2011, Stephen and I commenced a relationship.
5. In or about May 2012, Stephen and I began living together.
6. On 26 September 2012, Stephen and I were married.
7. There are two (2) children of our relationship:
 - (a) Christian Finn Cooke ("**Christian**") born 20 August 2014 and currently 11 years of age, and

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Signature of witness



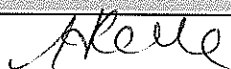

(b) Joshua Finn Cooke ("**Joshua**") born 27 January 2017 and currently 8 years of age ("**the children**").

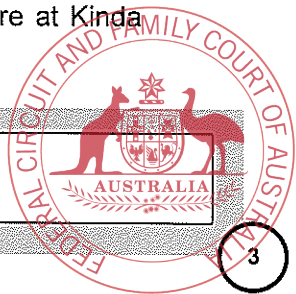
- 8. For reasons set out below under the heading "*Events since March 2025*", the children have not spent time or had any contact with Stephen since 3 March 2025.
- 9. I have always been the primary carer of the children.
- 10. On or around 17 November 2023, Stephen and I separated on a final basis.
- 11. I understand a Divorce Order was made on 4 February 2025 and came into effect on 5 March 2025.
- 12. 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.

Historical family violence, children’s needs and parenting capacity

Cohabitation and early relationship

- 14. In December 2003, I completed a Bachelor of Medicine at the University of Sydney and interned in 2004. By 2007, I had decided to pursue a speciality in Cardiology and in or around July 2011, I obtained a work Visa for a Fellowship position in Canada.
- 15. In August 2011, while I was living in Canada, I met Stephen, a Canadian citizen, and we commenced a relationship. In May 2012, we started living together and on 26 September 2012, Stephen and I were married.
- 16. On 20 August 2014, Christian was born. Due to my Visa requirements, I was unable to obtain parental leave and took leave without pay after Christian was born.
- 17. At this time, Stephen had been working for several years as an insurance broker on a full-time basis.
- 18. When Christian was eight (8) weeks old, I returned to full-time work due to the possibility of the Fellowship position being unrecognised if I did not continue to work and my Visa requirements allowing me to remain in the country. Upon returning to work, a nanny cared for Christian and performed household duties.
- 19. In July 2015, we moved to Australia from Canada.
- 20. In October 2015, Stephen obtained Australian residency and obtained a tax file number for the purposes of studying computing at university. During this time, I commenced part-time work in private practice.
- 21. In or around February 2016, Stephen enrolled in an IT course run through RMIT in Melbourne. At this time, Christian attended two (2) days a week of daycare at Kinda Kapers Charlestown.

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22. On 27 January 2017, Joshua was born. I took parental leave from January to August 2017.

Parenting arrangements during the relationship

23. I consider myself to be the children's primary attachment figure. From their births, I was the first to respond to their immediate needs when they were infants and their connection to me and reliance on me continued as they grew. Stephen was uncomfortable caring for the children before they could hold their heads up (for example, he would not bath the children within the first 12 months of their lives) and I therefore attended to the vast majority of caring duties throughout this period for both children. Although Stephen performed day-to-day household and parenting tasks and was involved in their care, I believe the children have a primary attachment relationship with me.

24. From January 2017, Christian began attending daycare for three (3) days a week and a nanny was hired to care for Joshua and support with household duties. Due to Joshua's age and immunity, I was reluctant to expose him to daycare.

25. In or around 2018, the children attended Kinda Kapers in Adamstown for two (2) to three (3) days per week.

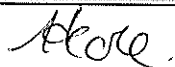

26. In 2019, Christian also began preschool at KU Merewether two (2) days per week and he and Joshua continued at Kinda Kapers three (3) days per week. In 2020, Christian began primary school.


27. From 2020 when Christian was in Kindergarten, he started exhibiting concerning behaviours; he was unable to sit and concentrate and his speech was not developing typically.

28. By March 2022, these concerns were not resolved so I arranged a psychological assessment from Mr Kane Becker at Oracle Psychology. The assessment pointed to a diagnosis of ADHD and we consulted with a paediatrician Dr Angus Elder ("**Dr Elder**") in June 2022 who diagnosed Christian with ADHD.

29. In June 2022, Christian was prescribed ^{short} long-acting Vyvanse for Terms 2, 3 and 4 of 2022. He would take a dose twice a day, the second being at school. By Term 1 2023, his prescription changed to ^{long} short-acting Ritalin which he continues to take once a day in the morning. It assists him with concentration so that his other behaviours can be worked with. However, Christian continues with behavioural issues – he can become extremely dysregulated to the point of screaming and meltdown. He has dyslexia and dyscalculia and requires continuing learning assistance for these issues.

30. Despite the time pressures and responsibilities of my role as a Cardiologist, I remained responsible for the children. For instance:

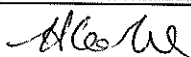
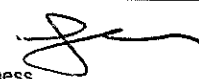
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- (a) Stephen did not know how to or could not arrange Christian's paediatrician check ups and counselling. I would book all appointments for Christian and then tell Stephen when and where he needed to drive Christian for the appointments while I was at work.
- (b) I also arranged all medical appointments, counselling and supported learning for Christian. I assisted the children with their homework and packed their bags for school.
- (c) Stephen never organised dental appointments or haircut appointments for the children, which require a booking. I also organised all routine immunisations for the children.
- (d) In 2022, Joshua was admitted to hospital, and I stayed with him overnight. Christian needed to attend the emergency department in 2020 and again in 2021 when he required a short course of Prednisone to control Asthma exacerbations. I stayed with him on both occasions. Stephen was unable to attend as he was under the influence of alcohol on both occasions.
- (e) I primarily contacted the children's sporting and leisure organisers and was responsible for insurances and uniform requirements. Stephen did not organise sporting or leisure activity for the children. Stephen took the children to the activities, but I attended to picking them up if the activity finished at 5:00pm or later.
- (f) Stephen did not sign the children's school permission slips, nor paid for excursions on the online parenting app. Stephen is rarely aware of changes to the routine school schedule such as dress up days, excursions, sporting carnivals, bring a donation of food or money or school discos. When these events occur, I organise and shop for these events.
- (g) Stephen did prepare breakfast and dinner for the children most of the time however he would rarely pack lunches for the children.
- (h) Throughout the relationship I routinely helped the children to complete their homework in 10 to 15 minute sessions each morning before school. Christian attends "Lab Learning" for additional support with his Dyslexia and Dyscalculia and has weekly home-based activities to reinforce the learning goal for each session. I supervised Christian whilst he completed these extra lessons. I updated our family calendar each school term to keep up with the children's learning. Stephen had access to this calendar and continually ignored the children's schoolwork, homework and library borrowing days.

31. In approximately June 2023, Stephen was diagnosed by his GP with anxiety and prescribed some medication but he refused to take the medication. In around September

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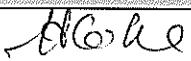




2023, Stephen was diagnosed with ADHD by Dr Suraiya Moisey, Psychiatrist and was prescribed another medication.

32. During the relationship, Stephen often became irritable, irrational, impulsive, paranoid and entirely focused on his own needs and objectives. This made him inattentive to me and the children. He has very ritualistic behaviours such as when he is leaving the house he will walk around checking that the doors are locked saying repeatedly words to the effect of, "*Lock, lock, can open, can open. Lock, lock, can open, can open.*". Often the children and I would be sitting in the car for up to 30 minutes while he would complete these rituals. If he was feeling stressed, he would become more ritualistic and repetitive about these behaviours.
33. Stephen drank excessively during the relationship. He and I would typically share a bottle of wine in the evening for dinner. I would have approximately one (1) to two (2) glasses of wine but rarely drank any more due to the nature of my work as a Cardiologist. When I entered the kitchen each morning, I would see that Stephen had finished the bottle of wine (approximately six (6) standard drinks) and there were empty cans of additional drinks he had finished being on average 1.2 to 1.5 units of alcohol per drink.
34. In or about January 2024, I underwent a blood test in respect of my liver function to counter Stephen's allegations that I consume excessive quantities of alcohol. I understand that the results of the test are in the normal range.
Exhibited hereto and marked "HC1" is a true copy of the said blood test results dated 16 January 2024.

Sexual harassment and assault during the relationship



35. Stephen was very demanding and needy throughout the relationship. He frequently played the victim, accusing me of having affairs and withholding sex from him. I found these demands very wearing and I continue to be triggered by his demands and odd communications and behaviours post separation.
36. Throughout the relationship and particularly leading up to separation, Stephen continually harassed me to have sex with him. If I did not have sex with him, he would continue to ask me every 20 minutes to have sex with him, including throughout the night so that I could not sleep, until I agreed.
37. I very frequently felt that I was pressured into having sex with Stephen. If I did not have sex with him he would threaten to leave me. Eventually I would just give in because he would not take "*no*" for an answer.
38. His harassing me for sex was so frequent and open during the relationship that the children would say words to the effect of, "*Dad wants Mum to have sex, but Mum doesn't*"

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want to." I have never discussed Stephen's requests for sex with the children. The children have made these comments as a result of having directly witnessed Stephen's frequent, repeated demands for sex from me.

Separation

39. In or about June 2023, Stephen was repeatedly pressuring me to have sex with him. He said to me words to the effect of, "*If you don't have sex with me, I'll leave you.*" For the first time, and rather than giving in to him, I said words to the effect of, "*Fine, let's separate.*" I was sick of the poor treatment, harassment and abuse from him.
40. However I agreed to stay with him as I was concerned about the impact of a marriage breakdown on the children. Once I had agreed to stay in the relationship, Stephen's behaviours and need to control me escalated; he refused to make any financial decisions that involved him as he refused to sign anything, saying that he did not trust me as he thought I was having an affair. He constantly demanded sex and shouted at me including in front of the children so that both children said words to the effect of, "*Stop asking Mum for sex*" (despite the fact that they do not know what sex is) and Christian said words to the effect of, "*You need to talk nicely to Mum. It's not ok to shout "fuck you Heather"*."
41. By November 2023, due to Stephen's behaviour, I felt that I had no option but to separate and I informed Stephen. For the next week until I had found somewhere else to live, Stephen repeatedly and uncontrollably cried in front of the children to the extent where I directed my solicitors Delaney Roberts Family Lawyers ("**my Solicitors**") to correspond with Stephen's solicitors at the time Clarity Lawyers in an effort to stop this. Clarity Lawyers responded with an accusation that I showed the children that I had an image of Stephen crying on my phone as his caller ID when he called. Mr Cowen also reports in the Child Impact Report that Stephen told him the same thing. This is not true; the image for Stephen's caller ID is an image of him laughing, which has been the caller ID for Stephen on my phone since the photo was taken in May 2020.
- Exhibited hereto and marked "HC2" is a true copy of the said image of Stephen laughing used as the caller ID for his number on my phone.
42. At the time of separation, I applied for a rental property and moved without Stephen's knowledge as I had significant concerns for my privacy and safety. Having witnessed Stephen's impulsivity and odd behaviour during the relationship, I feared Stephen and his impulsivity may pose a serious risk of harm to myself and the children and I therefore did not want him to know my address.
43. After I had arranged the rental property, in around late November 2023, I packed mine and the children's things to move out of the former matrimonial home. As I was packing

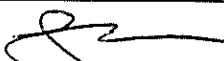
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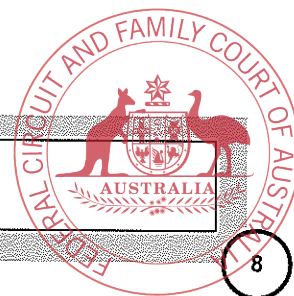


up and putting things in my car, Stephen was taking the boxes out of my car and putting them into a locked space under the house from which I could not access them. These boxes included all my clothes, the children's clothes and pillows and linen. For the first week after separation, I had to wear activewear to the hospital for work as Stephen had taken all my scrubs and I had to buy new clothes for the children.

44. After I had left with the children, Stephen went to the pharmacy and filled Christian's prescription for Ritalin which meant that I could not fill the script for him as Ritalin is very heavily regulated. Luckily, I had a few doses remaining for Christian until Stephen eventually handed over the medication the following week.
45. Following separation, the children made a number of comments to me which caused me concern regarding the extent to which Stephen was relying on them for his own emotional needs. On one occasion, Joshua said to me words to the effect of, "*Mummy, do you wrap yourself in our blankets when we're not here?*" I said words to the effect of, "*No, I don't do that,*" Josh said words to the effect of, "*Well Dad says he does that and cries because he misses us so much*".
46. On another occasion, Joshua has also said to me words to the effect of, "*Dad makes us sleep in bed with him because he says he misses us so much.*"
47. On 31 January 2024, Joshua said to me words to the effect, of "*Daddy says you're gaslighting him. We watched a YouTube video to learn about what it is.*" I responded with words to the effect of, "*Don't worry about this. It is grown up stuff that you don't need to know about.*"
48. The children returned from Stephen's care to my care on Monday 19 February 2024, which was the Monday prior to the Child Impact Report interviews. They were both very distressed. Christian shouted at me words to the effect of, "*5:9 is wrong. You can't tell me where I'm going to live. It's 7:7. Fuck you!*" Joshua said to me words to the effect of, "*You have tricked Dad into signing the document and it shouldn't be 5:9. That's not fair. It should be 7:7. It's my job to make it 7:7.*" I gave him a big hug and he was crying and shaking in my arms. I said words to the effect of, "*It's ok, buddy.*"
49. On 13 March 2024, I emailed Stephen to propose a parenting app for our ongoing communications and on 16 March 2024, I completed the Kids in Focus online course and on 17 March 2024, I completed the Triple P online parenting course in accordance with Mr Cowen's recommendations in the Child Impact Report.
- Exhibited hereto and marked "HC3" is a true copy of the said certificates for my completion of the Kids in Focus and Triple P online courses dated 16 and 17 March 2024.


Signature of person making this affidavit (deponent)




Signature of witness

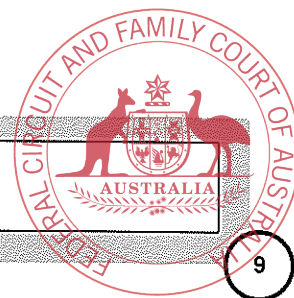


50. Since separation, I have had ongoing difficulties with trying to communicate with Stephen. I have sent him a number of emails and messages about the children to which he has not provided any response or where he provides a response via the children or involves the children in the decision. This has included the following incidents:
- To avoid any issues with passing Christian's Ritalin between Stephen and myself, I arranged for it to be dispensed separately to each of us for the nights Christian is in our care. On 12 March 2024, I sent an email to Stephen outlining this arrangement to which I received no response.
 - On 20 March to 22 March 2024, I had a conversation via Our Family Wizard ("**OFW**") messaging with Stephen about changing the children's swimming lessons to a Thursday. On 22 March 2024, I received a message from Stephen in words to the effect of, *"I talked to the kids about it. Christian is not agreeable as it would mean seeing less of Dad."* I responded to him in words to the effect of, *"This is not a decision for the children to make and as I said it should have been discussed with them after we'd (the parents) had decided. Asking them their preference keeps putting them in the middle of our conflict and is unhealthy for them."*
 - On 30 March 2024, I sent a proposal for the Term 1 school holidays to Stephen via OFW. On Sunday, 31 March 2024, during a telephone call with me from Stephen's home, Joshua said to me words to the effect of, *"Dad agrees with the dates for the school holidays."* On 2 April 2024, I sent a message to Stephen via OFW and received his response on 2 April 2024.

Exhibited hereto and marked "HC4" is a true copy of my said email to Stephen to which I did not receive a response dated 12 March 2024, my said OFW message conversation with Stephen in relation to the swimming lessons dated 20 to 22 March 2024 and my said OFW message conversation with Stephen in relation to the school holidays dated 30 March to 2 April 2024.

51. On 4 March 2024, I attended Newcastle Police Station and made a complaint about Stephen's ongoing harassment and control of me (Event no: E83289953). I made a further report on 6 March 2024, after the Walshs email incident (set out below). In early March 2024, I attended a consultation with my GP who made a mental health care plan for me and referred me to counselling with Kylie Monro at Anona House, funded through Victims' Services.
52. Since separation, my concerns about Stephen's behaviour towards me have included the following incidents which have been very triggering as a result of Stephen's constant harassment, control and gaslighting during the relationship:

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- (a) On or about 4 March 2024 I shared what I thought was an uplifting quote on Facebook to all my friends. I did not tag or share the quote to anyone specifically and I did not refer to Stephen in the post. On 4 March 2024 I received an email from Stephen reprimanding me for the post. I responded to him. I found it concerning that Stephen was motivated to make a personal attack on me about such a trivial Facebook quote however would not engage with my communications about significant issues involving the children.

Exhibited hereto and marked "HC5" is a true copy of the said Facebook post and emails exchanged between Stephen and I dated 4 March 2024.

- (b) On 6 March 2024 my financial advisors, Walshs Financial Planning ("**Walshs**"), inadvertently invited Stephen to an advisory meeting I had arranged with them, not being aware that Stephen and I had separated. In response to the email, Stephen had emailed Walshs (and copied me in to this email). I found his email intrusive and intimidating. I emailed a response to him to which Stephen emailed a further response to myself and Walshs.

Exhibited hereto and marked "HC6" is a true copy of the said emails exchanged between me, Stephen and Walshs dated 6 to 14 March 2025.

- (c) On 12 March 2024, Christian was scheduled for a routine paediatrician appointment. I picked the children up from school and took them to the paediatrician. When I opened the door of the clinic, Stephen was waiting in the waiting room. I had not told him about the appointment, and I was so shocked to see him waiting at the clinic for us and felt this was intended to intimidate me, which it did. I suffered from a panic attack in the paediatrician's waiting room after he surprised me with his attendance.

Incident on weekend of 21 to 23 June 2024 in Stephen's care ("the June weekend incident")


53. On 24 June 2024, I collected the children from school following Stephen's weekend time with the children pursuant to the Interim Parenting Orders. Joshua and I had the following conversation to the effect of:

Joshua: *I had a bad weekend. I want a do over 'cos I didn't have a very good time with Dad.*

Me: *I'm sorry you feel like that. Why didn't you have a good time?*

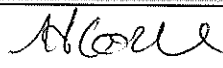

Joshua: *I spilt water on the leather lounge, so Dad put me in time out twice – once on Saturday and once on Sunday. Dad hit me across the back and bottom, and he left me in time out for three hours the first time and five hours the second time.*


Signature of person making this affidavit (deponent)


Signature of witness



- 54. Joshua was visibly upset whilst recounting his weekend. He was crying heavily and appeared distressed. I tried to comfort him and said words to the effect of, *"I can see you're sad. Let me give you a big hug."*
- 55. I was concerned by Joshua's disclosure and contacted Newcastle General Practice and scheduled a consultation with the first available GP, Dr Dean Miller, for a medical assessment of Joshua.
- 56. On 26 June 2024, I took Joshua to see Dr Miller. I was in the consultation room with Joshua and observed his discussions with Dr Miller. Dr Miller and Joshua had the following conversation to the effect of:
 Dr Miller: *What happened?*
 Joshua: *Dad was really angry with me because I spilled water on the lounge. He smacked me on my back and on my bottom. Then he grabbed me by the neck of my T-shirt and threw me into my room and slammed the door and left me in there for a time-out for a very long time.*
 Dr Miller: *Thank you, Josh. Can you tell me again what happened, and this time show me what happened?*
 Joshua: *Dad smacked me on my back and bottom [Joshua put his hand on his lower back], then he grabbed me by the neck of my T-shirt [Joshua grabbed the collar of his T-shirt, twisted it and pulled it behind him away from his neck], and then he threw me into my room [Joshua demonstrated being pushed], then he left me for a very long time-out.*
 Dr Miller: *Is this the first time Dad has hit you?*
 Joshua: *No, he's smacked me lots of times.*
- 57. I acknowledge Joshua is too young to clearly understand time, however, Joshua explaining the time outs went for several hours and extended periods of time is comparable to the time outs he has while he is in my care: two (2) minutes for a short time out and 10 minutes for an extended time out.
- 58. Historically during the relationship, I would see Stephen hit the children about two (2) to four (4) times a year when they were in trouble. I would see bruises and hand marks left on the children's backs and bottoms where Stephen would hit them.
- 59. Following the consultation, Dr Miller pulled me aside and said that due to Joshua's disclosures he would be making a mandatory report to DCJ.
- 60. On 28 June 2024, I instructed my Solicitors to send a letter to Ramsden Family Law recounting the June weekend incident, my safety concerns for the children and how Stephen had breached Order 10(c) of the Interim Parenting Orders (using physical punishment to discipline the children). The letter also proposed that the children's time

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with Stephen be supervised at a suitable contact centre each Thursday from 4:00pm to 6:00pm and each fortnight from 9:00am to 1:00pm on Saturday and Sunday.

Exhibited hereto and marked "HC7" is a true copy of the letter from my Solicitors dated 28 June 2024.

61. On the same day, I called Newcastle General Practice and requested a copy of Dr Miller's consultation notes.

Exhibited hereto and marked "HC8" is a true copy of Dr Miller's notes dated 26 June 2024 that I received by email on 28 June 2024.

62. On the same day, I also attended Newcastle Police Station and reported the incident.
63. A few days later, I contacted DCJ to follow up on the status of Dr Miller's report. The DCJ representative told me the report had been closed.
64. On 1 July 2024, my Solicitors received a letter from Ramsden Family Law denying that the incident occurred, implying there has been a miscommunication or misunderstanding due to Joshua's unclear understanding of time and maintaining that the Interim Orders should continue.
65. On 2 July 2024, my Solicitors sent a letter to Ramsden Family Law stating Joshua's allegations had been consistent and maintaining my position as stated in the previous letter including that Stephen's time should be supervised.

Exhibited hereto and marked "HC9" is a true copy of the correspondence exchanged between Ramsden Family Law and my Solicitors dated 1 and 2 July 2024.

66. After the June weekend incident, Joshua said to me words of the effect of, "*I am scared of Dad hitting me again*".

Stephen discussing the Court proceedings with the children

67. In late April/early May 2024, after spending the first weekend with Stephen pursuant to the Interim Orders, the children said to me words to the effect of, "*We are scared you will be arrested if we don't go to Dad's house*".
68. In around late June or early July, shortly after the June weekend incident, the children made comments to me the effect of, "*We can't trust the doctors*", "*They are just trying to take us away from Dad. They just side with you.*"
69. In around August 2024, shortly after Orders were made on 23 July 2024 for the appointment of an Independent Children's Lawyer, the children said to me words to the effect of, "*Dad has 100 lawsuits against you and we need our own lawyer against you*".
70. In around September, shortly after my Solicitors sent the letter to Stephen's Solicitors attaching the letter from Pillar Allied Health on 12 September 2024, the children said to me words to the effect of, "*The counsellors are against Dad*".



Signature of person making this affidavit (deponent)



Signature of witness



71. On 16 October 2024, I received a message on OFW from Stephen stating, *"I've given some thought to your request regarding the boys' therapy for Term 4. While I fully support their well-being, I feel conflicted. I'm concerned that by covering the ongoing therapy costs, it may inadvertently contradict the parenting balance I'm striving for with you for the boys"*. I believe Stephen may mean by this comment that he feels conflicted because facilitating the children's ongoing counselling would contradict his comments to the children referred to in the paragraph above, and in any case, I am worried about why Stephen would resist the children engaging in therapy.

Exhibited hereto and marked "HC10" is a true copy of the OFW messages exchanged between Stephen and I dated 16 October 2024.

72. I believe the above comments from the children indicate Stephen has discussed the Court proceedings with the children. I am particularly worried about the effect this may have on Joshua's anxiety. I think Joshua is aware of everything that is happening but of course does not understand it given he is only eight (8) years old.

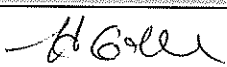
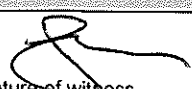
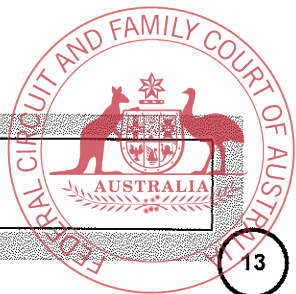
School attendance in Stephen's care

73. The children attend Merewether Heights Public School. School starts at 9:25am each day.
74. The children's school attendance is frequently disrupted due to their medical and learning appointments. For example, Christian has Lab Learning every Tuesday morning from 8:45am to 9:30am, so he is late to school each Tuesday. I believe it is crucial to avoid any further unnecessary interruptions to their education.
75. On 5 August 2024, I received a message on OFW from Stephen titled *"late drop-off this morning"* and stating, *"I had an appointment at the home for 9:00am"*. On 19 August 2024, I received a message on OFW from Stephen stating, *"we were a bit late this morning with a 9:40am sign in"*.

Exhibited hereto and marked "HC11" are true copies of the OFW messages I received from Stephen dated 5 and 19 August 2024.

76. On one afternoon in August 2024, OOSH called me and said words to the effect of, *"Stephen told the children to come here this afternoon but he did not make a booking. We are fully booked and understaffed"*.
77. On 12 September 2024, I received a message on OFW from Stephen stating he picked up the children from school at approximately 3:30pm. School finishes at 3:00pm.

Exhibited hereto and marked "HC12" is a true copy of the OFW message I received from Stephen dated 12 September 2024.

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Stephen's parenting capacity and communications

78. As outlined above, I have concerns about Stephen's parenting capacity and communications. Below I have provided some recent examples.

Failure to take the children to swimming lessons

79. After the Interim Parenting Orders were made on 23 April 2024, Stephen did not take the children to swimming lessons on Thursday afternoons for five (5) consecutive weeks. I became aware the children had lost their places in the class due to their non-attendance. On 27 May 2024, Stephen and I exchanged OFW messages wherein Stephen stated they had not been attending due to Christian's asthma and he had had to pay for the lessons not attended. I stated Christian had not had an asthma exacerbation since 9 May 2024 and I would arrange swimming lessons in future.

Exhibited hereto and marked "HC13" is a true copy of the OFW messages exchanged between Stephen and I dated 27 May 2024.

Stephen's difficulties remembering co-parenting arrangements

80. On 15 September 2024, I messaged Stephen on OFW explaining the children would be at an OOSH vacation day on 11 October 2024 so he could either pick them up from Cessnock PCYC at 3:00pm or from OOSH at 4:00pm. Stephen replied saying he would pick them up from OOSH. At approximately 3:00pm on 11 October 2024, I received five (5) calls and five (5) messages from Stephen. I replied to his first message on OFW stating "Please read your messages" as I was busy seeing patients and could not take his calls. It appears Stephen had forgotten what we had arranged, as his final message on OFW stated "Apologies".



Exhibited hereto and marked "HC14" are true copies of the OFW messages exchanged between Stephen and I on 15 September 2024 and 11 October 2024, and the missed calls and Signal messages I received from Stephen on 11 October 2024.

Stephen's communication as a self-represented litigant

81. My Solicitors have informed me that on 11 October 2024, Ramsden Family Law filed and served a Notice of Ceasing to Act, and on 15 October 2024, Stephen filed a Notice of Address for Service stating his personal PO Box as his new address for service.

82. Since Stephen has become self-represented, my Solicitors have received several emails from him which contain strange communications and unusual requests:

- (a) On 15 October 2024, my Solicitors were copied into an email from the Independent Children's Lawyer ("ICL") to Stephen referring to a text message she had received from Stephen requesting a phone call.

 Signature of person making this affidavit (deponent)	 Signature of witness
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- (b) On 16 October 2024, my Solicitors and the ICL received a lengthy email from Stephen which contained some unusual information, including the following requests:
 - i. A request for "any advice" from the ICL,
 - ii. A request for my Solicitors to "share, at a high level, what information [they have] received or reviewed so far",
 - iii. A request for my Solicitors to "assist in preparing and serving the necessary subpoenas to the parties listed below".

- (c) On 19 October 2024, my Solicitors and the ICL received a further email from Stephen stating:

...I was wondering if it would be appropriate for the three of us to meet for an informal coffee in a public setting, perhaps at Nobbys Beach or another location, such as The Kiosk at Newcastle Beach near Clarity Lawyers. I would be happy to treat.

My intention for the meeting is to have a relaxed, off-the-record conversation focused on exploring amicable ways to resolve the matter without seeking any advantage for either side. Of course, any discussions would not form part of the formal legal process.

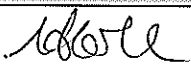

Exhibited hereto and marked "HC15" are true copies of the emails exchanged between my Solicitors, the ICL and Stephen dated 15 October 2024, 17 October 2024 and 19 October 2024.


- 83. I find this type of communication from Stephen very odd considering that we are currently engaged in parenting litigation, he avoids any communication with me regarding co-parenting issues, and it has been very difficult to engage him in negotiations. I am unsure of why he sent these emails however I find the odd and overfamiliar nature unsettling.

Parenting arrangements from separation to 6 March 2025

From separation on 17 November 2023 to mediation on 12 January 2024

- 84. On or around Friday 17 November 2023, Stephen and I separated on a final basis. Stephen and I lived separated under the one roof with the children at 1/213 Morgan Street Merewether ("***the Family Home***").
- 85. On or around 2 December 2023, I vacated the Family Home and moved into rental accommodation in Adamstown with the children.
- 86. From 2 December 2023 to 20 December 2023, the children lived with me and did not spend time with but had daily phone calls with Stephen.


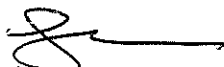

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87. On or around 24 November 2023, I received a letter from Clarity Lawyers proposing that the children live with Stephen and spend time with me on a regular basis and that, if we could not agree by negotiations, then we attend a mediation.
88. On or around 1 December 2023, I instructed my Solicitors to send a letter to Clarity Lawyers proposing that the children live with me and spend time with Stephen on a regular basis and that, if Stephen was not in agreement with my proposal, we attend a mediation as soon as possible.
89. I understand that on 6 December 2023, without further notice from Stephen or Clarity Lawyers, my Solicitors received a letter from Clarity Lawyers serving an Initiating Application filed by Stephen seeking interim and final parenting and property orders.
90. On or around 14 December 2023, I instructed my Solicitors to send a letter to Clarity Lawyers proposing arrangements for the children to spend week about time with Stephen and me during the Christmas school holiday period.
91. I understand that on 20 December 2023, my Solicitors received an email from Clarity Lawyers confirming the agreement reached by Stephen and me for parenting arrangements for the Christmas school holiday period.
Exhibited hereto and marked "HC16" is a true copy of the said email from Clarity Lawyers to my Solicitors dated 20 December 2023.
92. From 20 December 2023 until mediation on 12 January 2024, the children spent time with Stephen and me pursuant to the agreement reached on 20 December 2023.

From interim judgment on 23 April 2024 to March 2025

93. On 11 April 2024, together with my Solicitors and Mr Ashley Bithrey of Counsel, I attended an interim hearing before Her Honour Judge Carty.
94. On 23 April 2024, together with my Solicitors, I attended an interim hearing judgment before Her Honour Judge Carty. I understand the Interim Parenting Orders were made which provided for the children to live with me and spend time with Stephen.
Exhibited hereto and marked "HC17" is a true copy of the Interim Parenting Orders dated 23 April 2024.
95. From 23 April 2024 to 1 March 2025, the children spent time with Stephen and me pursuant to the Interim Orders, save for the odd occasion where we reached agreement to alternative arrangements.
96. I understand that on 13 September 2025, upon application made by my Solicitors and Ramsden Family Law, Judicial Registrar Furner made final property orders by consent.

 Signature of person making this affidavit (deponent)	 Signature of witness	
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97. On 13 November 2024, I purchased a property at Macquarie Hills ("*my Home*"). In December 2024, I moved into my Home with the children. The children and me continue to reside at my Home.

Events since March 2025

March 2025

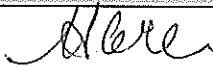

98. Pursuant to the Interim Parenting Orders, the children were to spend time with Stephen from the end of school on Thursday 27 February 2025 to the start of school on Monday 3 March 2025 and then again from the end of school on Thursday 6 March 2025 to the start of school on Friday 7 March 2025.
99. The children have not seen or had any contact with Stephen since the morning of Monday 3 March 2025 when he returned them to school at the conclusion of their last period of spending time with him.
100. On Monday 3 March 2025, I collected the children from OOSH after school without issue. I understand the children spent time with Stephen the weekend prior as outlined above.
101. On Thursday 6 March 2025, at around 3:30pm to 3:45pm, I received a phone call from a teacher at the children's school, Ms Amy Hannah. 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.*"
102. At approximately 3:51pm, I sent a message to Stephen on OFW stating, "*Kids are in oosh*".
103. At approximately 5:00pm, I finished work and I called Stephen. The call went to message bank.
104. 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.
Please teach them to put the needs of others before their own.
You alone are not responsible for this.
Stephen Christopher Cooke"



Signature of person making this affidavit (deponent)


Signature of witness






- 105. 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". I did not receive a response to this message.
Exhibited hereto and marked "HC18" is a true copy of the OFW messages exchanged between Stephen and me dated 6 March 2025.
- 106. 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.
- 107. At around 5:15pm, I had another phone call with the NSW Police. We had a conversation to the following effect: they attended upon Stephen's residential address (7A Bakeri Circuit, Warabrook NSW 2304) ("**Stephen's Home**"), looked around outside Stephen's Home and through the windows and could not locate Stephen; I provided details of Stephen's car and mobile phone number and a copy of the message from Stephen.
- 108. At around 6:30pm, I had another phone call with the NSW Police. We had a conversation to the following effect: they forced entry into Stephen's Home and garage and could not find Stephen; they interviewed Stephen's neighbours who stated they had not seen Stephen or his car for a few days; they were tracking Stephen's mobile phone and Apple watch and believed he was in Goondiwindi, Queensland; I could not think of a reason Stephen would be there as he have no family or friends there; I answered their questions about Stephen's family and friends and supports.
- 109. At around 8:30pm, I had another phone call with the NSW Police. We had a conversation to the following effect: Stephen had been located by the Queensland Police and so the NSW Police were closing their case.
- 110. At around 8:45pm to 9:00pm, I had a phone call with the Queensland Police. They said they had me on speaker phone with the Queensland ambulance service. We had a conversation to the following effect: I provided them with Stephen's health and social history as requested by them; they had located Stephen however his responses to their questioning did not make sense to them; they had concerns Stephen's presentation may suggest he had overdosed on drugs; due to Stephen's behaviour, they intended to schedule him under the Mental Health Act to receive urgent medical and psychiatric assessment; I answered their questions about why Stephen may be in Goondiwindi, if Stephen had access to money and his relationships with his family in Canada.
- 111. On or around Saturday 8 March 2025, at around 3:00pm I had another phone call with the Queensland Police. We had a conversation to the following effect: on Thursday 6 March 2025 they took Stephen to Goondiwindi Hospital for a mental health assessment; Stephen absconded from Goondiwindi Hospital leaving his mobile phone

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and Apple watch behind, possibly so he could not be tracked; on Friday 7 March 2025 they located Stephen walking along a riverbank as there had been reports from the public that he had been approaching nearby houses and asking for water; they said Stephen told them he was leaving Australia however on questioning could not explain why he was in a small rural town in Queensland rather than at home in Newcastle; they said Stephen could not rationally explain his actions or future plans; they had ongoing concerns for Stephen's safety and mental health; they arranged for Stephen to be airlifted to Toowoomba Hospital; I told them the information the children had told me about Stephen's behaviour, further details of which I have set out below under the subheading "*The children's needs since the events of March 2025*".

112. On or around Monday 10 March 2025, at around 5:30pm I had another phone call with the NSW Police. We had a conversation to the following effect: they had located Stephen's car on the side of the road in Boggabilla in northern NSW; they said there was already damage to the car and if it was not towed away then it would soon be stripped and burnt out; they would send me the coordinates of the location of the car so I could arrange for it to be towed and stored in Goondiwindi until Stephen is able to pick it up.
113. Shortly after, I received an email from the NSW Police containing the coordinates and I then called Gundy Mechanical to arrange to have the smashed car window wrapped and the car towed and stored on the following day.
114. On or around Tuesday 11 March 2025, in the evening I had a phone call with a staff member of the mental health ward at Toowoomba Hospital. We had a conversation to the following effect: Stephen remained admitted; it was unlikely he would be discharged by Thursday 14 March 2025; they did not think he would be safe to discharge until the following weekend; Stephen had his phone and laptop with him.
115. On or around Tuesday 11 March 2025, I instructed my Solicitors to file an urgent Application in a Proceeding seeking Orders to suspend the specific Orders of the Interim Orders which provide for the children to spend time and communicate with Stephen.
116. I understand that on Wednesday 12 March 2025, my Solicitors sent an email to Stephen serving a sealed copy of the Application in a Proceeding and my supporting Affidavit.
117. On Wednesday 12 March 2025, I received a message from Stephen's sister-in-law, Raquel Cooke ("**Raquel**"), who is married to Stephen's brother David Cooke and lives in Canada. I had not received any contact from Stephen's family since separation. The message from Raquel said, "*We haven't heard from Steve, and everyone here is*

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worried. Do you have any idea where he is or if he's okay?". I replied to Raquel filling her in on the events set out above. Since this time, Raquel and I have been in regular communication.

Exhibited hereto and marked "HC19" is a true copy of the messages exchanged between Raquel and me dated 12 March 2025.

118. On Wednesday 13 March 2025 at around 1:27pm, I received an OFW message from Stephen stating he would not be able to care for the children the following day but would be available on Friday and the weekend. At around 3:30pm, I called Toowoomba Hospital and the staff member I spoke with confirmed Stephen was an inpatient on their mental health ward. At around 10:17pm, I sent an OFW message to Stephen stating the children would stay with me for their safety.

119. On Thursday 14 March 2025 at around 2:12pm and 2:21pm, I received a further two (2) OFW messages from Stephen seeking to return to the time arrangements pursuant to the Interim Orders. The earlier message stated:


"Heather, I do not consent to this change in care arrangements. As per the April orders, I am to care for the boys for five nights per fortnight. This is Week 1, and I am scheduled to look after them from Thursday after OOSH until Monday morning. I plan to pick them up from OOSH this afternoon and have already contacted them to arrange after-school care for today. The current situation arose as a direct result of your report to the police, misrepresenting my message as a suicide note. I was detained under the Mental Health Act, incurring significant costs. I have since collected my vehicle and discovered that it was damaged in the process of being towed, including a smashed window in an apparent attempt to release the emergency brake. Given that my message clearly indicated that I was unavailable for one evening and reassured the boys of my love for them, your actions appear to have been taken with the intent to alter the care arrangements rather than out of genuine concern. Stephen"

120. At 2:40pm, I sent an OFW message to Stephen stating, "You will not see or contact the children until after the court hearing on Apr 7".

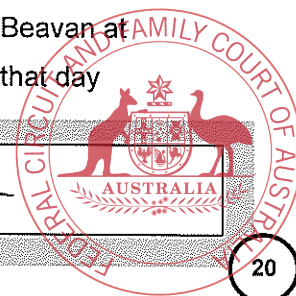
Exhibited hereto and marked "HC20" are true copies of the said OFW messages exchanged between Stephen and me dated 13 and 14 March 2025.

121. I understand that on 18 March 2025, my Solicitors sent an email to Stephen serving a sealed copy of Orders made in Chambers by Judicial Registrar Furner on 17 March 2025 providing the Application in a Proceeding was listed for a Directions Hearing on 1 April 2025.

122. On or around Friday 21 March 2025, I met with the school principal Mr Tim Beavan at the children's school. Mr Beavan told me Stephen had attended the school that day


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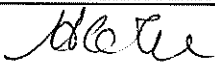




and asked to collect the children and Stephen appeared shaky. I had not allowed the children to attend school that day to avoid the risk of Stephen attempting to collect them following the messages I received from him dated 13 and 14 March 2025 outlined above.

123. I understand that on 26 March 2025, my Solicitors filed an Affidavit of Service regarding service of the Application, Affidavit and Orders sealed 17 March 2025 upon Stephen. I can tender copies of the emails from my Solicitors to Stephen serving these documents if required.
124. On 27 March 2025, I had a phone call with the NSW Police. We had a conversation to the following effect: Stephen's neighbours had contacted the NSW Police to request they perform a welfare check on Stephen; the NSW Police attended Stephen's property and were unable to locate Stephen; they identified Stephen's phone was turned off; Stephen was named a missing person.
125. On 27 March 2025 at around 5:48pm, I sent an OFW message to Stephen stating, "*Your neighbours are concerned for your welfare and have asked the police to check on you. They have currently been unable to contact you and are listing you as a missing person. Can you please let me know if you are well and your location. You need help*". As at the date of filing this Affidavit, OFW indicates Stephen has "*never viewed*" this message.
- Exhibited hereto and marked "HC21" is a true copy of the said OFW message I sent to Stephen dated 27 March 2025.
126. On 29 March 2025, I had a phone call with the NSW Police. We had a conversation to the following effect: they had been in contact with Australian border services who confirmed Stephen had recently travelled overseas; they presume he travelled to Canada; he was no longer a missing person.

April 2025 to date

127. On 1 April 2025, together with my Solicitors, I attended a Directions Hearing before Judicial Registrar Furner. I saw and heard Stephen appear on his own behalf via Webex and make comments to the following effect: he was detained under the Mental Health Act; his ADHD medication was removed and he was administered anti-psychotic medication without his consent; the detention and medication was unnecessary and unlawful; he had run out of petrol; he was in Thailand as a "*self-protection measure*"; he had no plans to return to Australia; he loves the children; he feels he cannot engage in the proceedings; he wants to participate in the proceedings.

 Signature of person making this affidavit (deponent)	 Signature of witness
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128. I understand that Judicial Registrar Furner made Orders suspending Orders 2 and 9 of the Interim Orders (i.e the Orders providing for the children to spend time with Stephen) on an interim basis and by consent.
129. On 1 April 2025, in the afternoon I received a phone call from the NSW Police. We had a conversation to the following effect: they confirmed Stephen boarded a flight to Thailand and his bank account transactions were being initiated from Thailand; they closed the missing person investigation and would forward details to DFAT and Interpol.
130. On or around 5 April 2025, I received a message via Signal from Stephen requesting a phone call with the children. I called Stephen's mobile phone to attempt to facilitate him speaking with the children. The call went to message bank. About an hour later, I sent a message via Signal to Stephen stating:
*"An hour has passed and you have not called.
 Please be respectful that the orders say the children can contact you at any time. They have not expressed any desire to speak with you at any time in the last month.
 If at anytime they wish to speak with you I will call. If you don't pick up then that's on you. Do not call back."*
Exhibited hereto and marked "HC22" is a true copy of the Signal messages exchanged between Stephen and me dated 5 April 2025.
131. On 7 April 2025, together with my Solicitors, I attended a Compliance & Readiness hearing before His Honour Judge Betts. I saw and heard Stephen appear on his own behalf via Webex and make comments similar to the effect as those he made on 1 April 2025 at the Directions Hearing before Judicial Registrar Furner, including that he could not indicate if or when he would return to Australia.
132. On or around 7 April 2025, I called Stephen's mobile phone to attempt to facilitate him speaking with the children. The call went to message bank.
133. On or around 19 April 2025 (Easter Sunday), I called Stephen's mobile phone to attempt to facilitate him speaking with the children. The call went to message bank.
134. On 4 May 2025, I received a message from Stephen stating:
"Hi Heather, I'm getting rid of the rental. Here is the code to unlock the front door, I'm sure the boys would love to have their things: 682902 or 298467. Help yourself to anything. Please remind the boys I will always love them"
Exhibited hereto and marked "HC23" is a true copy of the said message I received from Stephen dated 4 May 2025.
135. Shortly after, I contacted Stephen's property manager Courtney Simpson of JCS Real Estate to confirm I could access Stephen's property. Courtney told me she had not



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heard from Stephen despite making multiple attempts to contact him and she had filed an NCAT application to terminate his lease due to rental arrears which was listed for hearing on 29 May 2025, changed locks and the property being barricaded from the inside.

136. Shortly after, I attended Stephen's property and removed some items for the children and some furniture to assist Courtney. I saw Stephen's car parked in the driveway. I sent Stephen some messages requesting his car keys or transfer of the car into my name to arrange disposal of the car however he did not respond.
137. On 13 May 2025, I received a message from Stephen's sister Angela Cooke which said, "...*You will always be family. Please let me know if there is anything I can do to help you and the boys. I will always be here for you guys...*". Angela and me then exchanged some further messages. Angela told me she was able to access Stephen's GPS coordinates from his watch and she thought he was in Amsterdam. Since this time, Angela and me have been in regular communication.

Exhibited hereto and marked "HC24" is a true copy of the messages exchanged between Angela and me dated 13 May 2025.

138. On or around 14 May 2025, I instructed my Solicitors to send a settlement offer to Stephen.
139. On 18 May 2025, I sent an email to Stephen stating, "*the children would like to speak with you. Can you please call on Tuesday at 6pm?*".
140. On or around 19 May 2025, I called Stephen's mobile phone to attempt to facilitate him speaking with the children. The call went to message bank.
141. On 20 May 2025, I received an email from Stephen in response to my email dated 18 May 2025 which stated:

"I am always open to genuine connection with my sons.

However, under the current legal and emotional conditions—particularly your recent legal attempt to sever our relationship—I do not feel that a phone call would be safe or appropriate at this time.

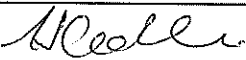
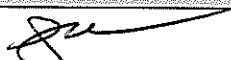
I will not participate in anything that risks further confusion or harm for the boys, or that could be misused against the bond we share.

When a time comes that allows for real, unmanipulated connection, I am ready. Until then, I continue to love them from where I am.

Stephen"

142. On 20 May 2025, I sent Stephen an email stating,

"Hi,

 <p>Signature of person making this affidavit (deponent)</p>	 <p>Signature of witness</p>
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This is a genuine offer to call the children. Your current mental state is of course a concern.

The children want to know why you've left? They want to know your future plans? I cannot answer any of these questions for them. Remember you are the one that has placed them and us in this position with your actions.

You have been unavailable tot talk with the children on two previous occasions when they've asked. They might not ask again. Remember YOU ABANDONED them and they are not ok with you at the moment.

Goodluck with whatever you decide to do."

Exhibited hereto and marked "HC25" is a true copy of the said emails exchanged between Stephen and me dated 18 and 20 May 2025.

143. On or around 27 May 2025, I attended Stephen's property again to remove some items. I saw Stephen's car remained parked in the driveway.

144. Shortly after 29 May 2025, I searched Stephen's Home online and found it was listed as available for rent. I understand this means NCAT terminated Stephen's lease.

Exhibited hereto and marked "HC26" is a true copy of a screenshot of Stephen's Home listed online as available for rent.

145. On 20 June 2025, I called Stephen's mobile phone to attempt to facilitate him speaking with the children. The call went to message bank.

146. On 16 July 2025 at 7:24am, I sent an OFW message to Stephen requesting his consent and signature to apply for a renewal of Christian's passport. As at the date of filing this Affidavit, OFW indicates Stephen has "*never viewed*" this message.

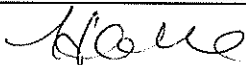


Exhibited hereto and marked "HC27" is a true copy of the said OFW message I sent to Stephen dated 16 July 2025.

147. On or around 8 August 2025, I instructed my Solicitors to file an Amended Response seeking Orders for the children to spend no time and have no communication with Stephen. I further instructed my Solicitors to send a letter to Stephen serving the Amended Response, enclosing a further copy of the settlement offer dated 14 May 2025 and reinstating that offer.

Exhibited hereto and marked "HC28" is a true copy of the said letters from my Solicitors to Stephen dated 8 August 2025 (not including the enclosed settlement offer).

148. I understand that on 9 August 2025, my Solicitors received an email from Stephen stating:

"Ms Shedden,

 Signature of person making this affidavit (deponent)	 Signature of witness	
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Your letter and its enclosures have been received. My position is simple: I reject them in their entirety. There will be no acceptance, no counter-proposal, and no further discussion of your proposed orders.

You write as though you hold the authority to dictate the terms of my children's lives. You do not. Any authority you once imagined has been forfeited by the repeated breaches of legal diligence, fairness, and basic humanity that have marked your firm's conduct.

What you have placed before me is not law in service of justice — it is law as an instrument of control, used to strip children of their father under the guise of procedure. It is the language of the soulless, devoid of compassion, built to protect power, not people.

Make no mistake: I see the broader machinery you serve. The collusion between certain legal actors, state structures, and religious influence is neither invisible nor beyond reach. I will not be silent in naming it for what it is — a coordinated effort that has no rightful place in the lives of children.

You may wish to believe that erasing a father is a victory. It is not. It is a record of your participation in something that stands in direct opposition to God, to truth, and to the principles that any genuine legal profession should uphold.

You are instructed not to contact me further in this regard. I will address my children's future in the proper forum, and I will do so without entertaining the hollow theatre that your correspondence represents.

Stephen Christopher Cooke"

Exhibited hereto and marked "HC29" is a true copy of the said email from Stephen to my Solicitors dated 9 August 2025.

149. I understand that on 11 August 2025, my Solicitors sent a further letter to Stephen serving my re-filed Amended Response, which was required to be re-filed due to a formatting issue.

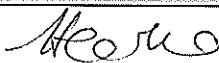
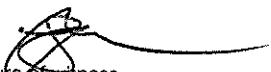

Exhibited hereto and marked "HC30" is a true copy of the said letter from my Solicitors to Stephen dated 11 August 2025.

150. I understand that on 12 August 2025, my Solicitors received an email from Stephen stating:

"Ms Shedden,

I acknowledge receipt of your correspondence of 11 August 2025.

It has not escaped my notice that your client's recent filings contain matters already determined by final property orders made on 13 September 2024 — orders that were agreed to by both parties and sealed by the Court. These orders were extended and

 Signature of person making this affidavit (deponent)	 Signature of witness	
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agreed upon without any changes by your firm, while I was, I may add, in a disadvantaged position and under considerable pressure, which I now view as having been exploited.

The reintroduction of such terms in new proceedings, without any lawful application to set aside those final orders, speaks directly to what I and many others have come to see as a symptom of broader systemic rot within the NSW legal system: a willingness to proceed as though finality and good faith agreements are optional when expedient. Delaney Roberts' involvement in this particular sequence — from agreement, to attempted re-negotiation, to procedural reintroduction — is now part of the documented record.


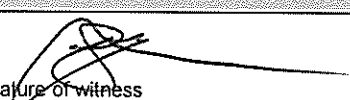

In the interest of transparency and public accountability, I intend to share this exchange, along with relevant context, on public platforms including TikTok and Instagram. This is not intended to prejudice any proceedings, but to contribute to a broader discussion about the integrity of legal process in NSW.

Stephen Christopher Cooke"

Exhibited hereto and marked "HC31" is a true copy of the said email from Stephen to my Solicitors dated 12 August 2025.

The children's needs since the events of March 2025

151. I have observed that since the events of March 2025, the children, especially Christian, have displayed significant emotional dysregulation.
152. I am extremely concerned the children feel abandoned by Stephen and are worried for his safety and have no explanation from Stephen as to why he has left, if or when he will come back and the nature of their future relationships with him. I have set out further details below.
153. On 6 March 2025, being the day Stephen did not collect the children from OOSH, I collected the children from OOSH. The children seemed angry and confused to be collected by me. Christian said to me words to the effect of, "*This is Thursday, daddy's night, go away!*". I said to the children words to the effect of, "*Daddy has gone away. Friends are looking for dad and will drop him back.*" The children began screaming and shouting and this continued during the drive to my Home and once we arrived at my Home.
154. Shortly after I told the children about Stephen, the children said to me words to the effect of, "*Dad had a fight with his dad*", "*Dad doesn't like the church people*", "*Dad talks to God*", "*Dad is always looking at TikTok*" "*Dad probably went to Queensland to find his favourite TikTok-er*", "*Dad needed to deliver a message from God*". I


 Signature of person making this affidavit (deponent)	 Signature of witness	
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understand from these comments that Stephen had a big argument with his father and became estranged from his family in Canada, Stephen's relationship with his church friends had become shaky, Stephen was very distracted by and obsessed with TikTok and "*receiving message from God*", and Stephen had found someone on TikTok who lived in Queensland and was going through a divorce who he felt he needed to "*deliver a message from God*" to.

155. After about an hour, Christian appeared to have calmed down and settled. Josh was crying and continued to do so on and off for the remainder of the evening. The children were up late and slept in my bed that night.
156. As outlined above, I had phone calls with the NSW Police and Queensland Police approximately every 30 to 60 minutes regarding updates on Stephen. This made it extremely difficult for me to focus solely on the children. I believe the children were aware I was on the phone to the Police who were looking for Stephen.
157. Shortly after my final phone call with Queensland Police on 6 March 2025, I said to the children words to the effect of, "*Dad has been found and is safe*".
158. On 7 March 2025, I drove the children to school. During the drive, the children and I had a conversation to the following effect:
 Josh: "*Where is Dad? Will Dad pick us up after school?*"
 Me: "*I will pick you up today. We will see what is happening with Dad for next Thursday*".
 Josh [who had begun crying]: "*I want to see daddy because I missed out yesterday*".
 Christian: "*Joshua don't you understand? He has abandoned us.*"
159. I have observed Christian to use very dramatic words such as "*abandoned*" to describe his feelings. I would describe Christian's emotions as peaks and troughs, by which I mean at times he can be very emotionally heightened and at other times he seems emotionally shut off.
160. On or around 7 March 2025, I arranged a meeting with the school principal Mr Beavan. Mr Beavan told me both the children had been upset at school on 7 March 2025. I told Mr Beavan that Stephen had been located and I would keep him updated.
161. Since March 2025, Josh has seen Holly once. After the appointment, I spoke to Holly and she said words to the effect of, "*Josh has a normal reaction to the situation. He needs time to process the situation. He does not need to see me regularly, but you can book him in to see me as needed*". Christian has continued to see Holly each fortnight.
162. Shortly after my phone call with NSW Police on 1 April 2025, I said to the children words to the effect of, "*Dad is in Thailand*". Since then, I have not told the children about Stephen's location. I believe the children think Stephen is still in Thailand.







Signature of person making this affidavit (deponent)



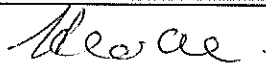
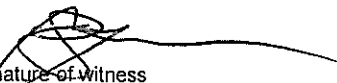
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163. On around two (2) or three (3) occasions in the last few months, Christian has said to me words to the effect of, "*I miss dad*" and "*I am worried I made Dad go away*". On these occasions, I have comforted Christian and reassured him that he is not responsible.
164. In May 2025, the children and me cleared out Stephen's Home. Josh was angry that Stephen had removed certain IT devices as Josh had wanted to acquire those devices.
165. In around May 2025, I received a call from Josh's classroom teacher Ms Napper who told me Josh had been emotional at school. Ms Napper and I developed a calm down plan for Josh. I am aware Josh has used the calm down plan once.
166. In around June 2025, Christian began having nightmares and would come into my bedroom in the middle of the night. Prior to this, Christian mostly slept and stayed in his bedroom overnight.
167. Christian has described the nightmares to me and I understand the main themes as being family separation and death.
168. Since in or around this time, Christian has had significant difficulty leaving my Home to go to school and other places. Holly has indicated to me she is concerned about his difficulties and intense emotions around attending school.
169. Often Christian comes home from school angry and sad. Christian is only settled in the company of me or my mother. Josh causes him significant distress.
170. On one occasion, Holly said to me, "*Christian had a dream where Josh was disfigured and in a wheelchair with only one eye so Christian pushed Josh off a cliff and then Josh had no eyes*" and "*Christian scares me because he has a very dark side and can be quite intense*".
171. In around late June 2025, one morning before school, the children were playing together at my Home. The children began arguing as Christian was not sharing a train track toy with Josh. Josh then got a knife out of the kitchen, handed it to Christian and said words to the effect of, "*here you go, just end it all*". I intervened and took the knife off the children. Christian began screaming. I could not get him to get into my car to go to school. One of Christian's baby teeth fell out and Christian suddenly stopped screaming. I could then hug him and calm him down to get to school.
172. In around June 2025, I stopped receiving any financial contribution from Stephen for the children's needs.
173. In around late term 2, I had a meeting with Christian's classroom teacher at the time Mr Lancaster regarding Christian struggling to follow his instructions and substantial difficulty in communicating with Christian.

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

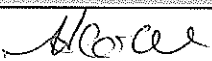

- 174. The children's school reports for semester 1 2025 show a reduction in their grades. I can tender copies of the school reports.
- 175. In or around August 2025, I arranged for Christian to attend on his paediatrician Dr Elder for a routine review. Dr Elder prescribed Christian with a anxiolytic intended to reduce Christian's anxiety symptoms.
- 176. On 20 August 2025, it was Christian's 11th birthday. Christian did not have any contact with Stephen on his birthday.
- 177. On or around 5 September 2025, during dinner, Christian told me he had been sent to the principal's office for throwing scissors at another student. The school did not contact me to notify me of this incident.
- 178. On 7 September 2025, it was Father's Day. The children did not have any contact with Stephen on Father's Day. In around the week or so before Father's Day, the children told me they were doing Father's Day crafts and had at Father's Day gift stall at school. On Father's Day, I tried to take the children's mind off Stephen not being there by doing allowing them to buy a small gift for themselves. Josh was very upset in the evening and cried on and off for approximately four (4) hours. My attempts to calm him were not very successful. I called my sister's partner Adam who spoke with Josh and helped him to stop crying.
- 179. On 8 September 2025, being the day after Father's Day, I received a phone call from a substitute classroom teacher regarding Christian. We had a conversation to the following effect.
 Substitute teacher: *"I am teaching Christian's class today. Christian said to me [words to the effect of], "I am just so sad, I miss my dad". I have sent him to sick bay and the office ladies have tried to comfort him but he is very upset."*
 Me: *"Ok, I will finish at work and come pick him up."*
- 180. Shortly after, I arrived at sick bay. Christian was sobbing. His face was red and he was very sweaty. I laid with him on the recliners and the office ladies shut the door to sick bay so we could have some privacy. Christian curled up in my arms and sobbed and shook. I asked the office ladies to get Josh from class and sign both children out of school. Josh arrived at sick bay and then went to Christian's classroom to collect his bag. Josh carried both bags to the car. Christian settled a bit in the car but cried on and off through the evening and until bedtime. He repeatedly said words to the effect of, *"I just miss Dad so much"*.
- 181. On 10 September 2025, I received a phone call from Stephen's classroom teacher, Mr Casserly. Mr Casserly said to me words to the effect of, *"Christian has been outside the classroom. He is howling. I have tried to calm him down but he has been outside now"*

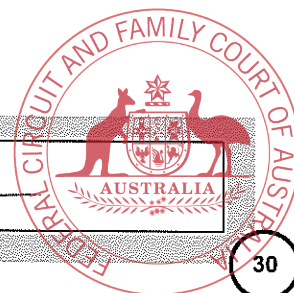
 Signature of person making this affidavit (deponent)	 Signature of witness
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for about an hour and a half. Mr Casserly and I then discussed a calm down plan for Mr Casserly to help Christian to implement to cope at school when he is experiencing significant distress. The calm down plan includes Christian having his own toys for comfort and quiet space in the classroom to go to. We further discussed that Christian would spend some time in the multimedia room playing Minecraft to calm him down during recess and then he would join the class again in the afternoon.

182. Since implementing the calm down plan, I have not received any further phone calls from Mr Casserly or the school regarding needing to collect Christian. Christian seems to have calmed down. Christian has often told me he likes Mr Casserly.
183. Usually the children and I will talk about Stephen about once a week when something comes up. For example, in around early September 2025, the children and I were having dinner and discussing baby names as one of my colleagues is having a baby. We started talking about their names and then had a conversation to the following effect:
- Me: *"Daddy picked your names. There were other names I liked too."*
- Josh: *"What names?"*
- Me: *"I liked the name Micah for you".*
- Josh: *"I want to change my name to the named you picked", "you can just call me Micah".*
184. In around September 2025, Christian continued having nightmares and began screaming in the middle of the night which would sometimes wake up me and Josh. Christian repeats words to the effect of, *"Mummy, I'm scared, I'm scared"*. He would take a couple of hours to be settled enough to get back to sleep.
185. The children, particularly Christian's behaviour, is often quick and impulsive. For example, on or around 9 October 2025, I was driving and the children were in the backseat. I saw Josh began scratching Christian's legs with his fingernails. Christian began screaming and said to Josh words to the effect of, *"I am going to cut you open with a knife"*. Later, Josh said to me words to the effect of, *"Christian was threatening me, I am so scared of him"*.
186. In or around the last week of school before the school holidays in October 2025, Josh picked up a package I had received in the mail and began opening it. Christian then got scissors from the kitchen and began chasing Josh. The children ran out the front door and up the street along neighbours' front yards. I heard Christian yelling words to the effect of, *"give it to me, give it to me now!"*. I intervened and took the package and the scissors off the children.

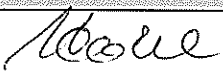
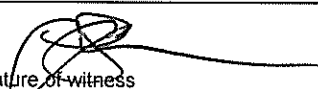

 Signature of person making this affidavit (deponent)	 Signature of witness
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187. Christian has progressed to being unable to settled himself in himself in his own bedroom and is now sleeping on a mattress on the floor in my bedroom. He often thrashes around in his bed and wakes up screaming at 2:00am or 3:00am. He then jumps on top of me and gets into my bed. I can feel his heart racing and hear him panting. Christian has said to me words to the effect of, *"I feel safer with you"*.
188. One night about two (2) weeks ago, Christian woke up screaming at around 2:00am and woke up Josh and me. Josh was then awake for half an hour and Christian was awake for two and a half hours.
189. One night about one (1) week ago, at around 3:00am Christian woke up and yelled, *"mummy!"*.
190. On or around 15 October 2025, Christian began crying at bedtime and said words to the effect of, *"I am scared of my dreams, I am scared to go to sleep"*.
191. In the last few weeks, Christian has begun completing a repeat assessment for Autism Spectrum Disorder with Holly due to his behavioural difficulties.
192. I have asked Holly to prepare a letter outlining her observations of the children, particularly Christian, since March 2025. I can tender a copy of this letter.

Current circumstances and relationships with extended family

193. Since the events of March 2025, my mother Patricia (*"my mother"*) has been travelling from the Central Coast to my Home each Wednesday afternoon to help me to care for the children. My mother stays overnight every Wednesday and every second Thursday. She collects the children from school on Wednesday afternoons. Christian sees psychologist Holly Bolton at Pillar Allied Health every second Thursday afternoon. Josh attends band practice at school every Thursday morning. On those days, I take Josh to school at 8:00am and my mother takes Christian to school at 9:00am and the collects him early to go to the appointments with Holly.
194. The children's school and other commitments have remained the same and as follows:
- Both children attend OOSH on Mondays, Tuesdays and Wednesdays afternoons,
 - Christian's attendance Lab Learning for support with his learning difficulties, Dyslexia and Dyscalculia on Wednesday mornings,
 - Christian's attendance with Holly every second Thursday afternoon,
 - Josh's band practice every Thursday morning, and
 - I organise additional activities as they arise.
195. Since Raquel and me resumed contact in March 2025, we have arranged fortnightly video calls. The children speak with aunt Raquel, uncle David and cousins Ben aged seven (7) and Leah aged five (5). I can tender copies of the call logs.



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196. Around the time we started having video calls with Raquel, the children seemed confused and said to me words to the effect of, "Why can't we talk to Dad but we can talk to Ben and Leah?".
197. Since Angela and me resumed contact in May 2025, we have arranged monthly video calls for the children to speak with their aunt Angela. I can tender copies of the call logs.
198. In or around August 2025, I arranged for Christian to have a phone call with Stephen's parents, Neil and Sheila.
199. Sometimes Christian is interested in speaking with Stephen's family. Josh is usually happy to chat with them.
200. During the relationship, Stephen would call Angela a few times a year with the children and me. Stephen would call David separately
201. I am unaware of how often Stephen communicated with his family between separation and March 2025.
202. Raquel and Angela have both told me Stephen is not in contact with the family despite their attempts to get in touch with him. Angela has told me that Neil and Sheila feel embarrassed and ashamed by Stephen's behaviour. Angela also said to me she received a missed call from Stephen one night however he did not answer when she tried to call him back.

Exhibited hereto and marked "HC32" are copies of the messages exchanged between Raquel and me and Angela and me regarding Stephen.

Stephen's online activity

203. I understand that on 12 August 2025, my Solicitors received an email from Stephen wherein Stephen referred to posting about these Court proceedings.
204. Shortly after receiving a copy of that email, I searched online "Stephen Christopher Cooke TikTok". I found a TikTok account with multiple videos of Stephen. One such video had a title containing words to the effect of, "expose" and "divorce". I also saw an image of the children.
205. I have not watched any of Stephen's videos as I find the videos too triggering.
206. I asked my sister to watch Stephen's videos and let me know what he was speaking about. My sister told me in the videos, Stephen talks about different professionals involved in the Court proceedings and suggests those people are evil and worked together to evict him from Australia. My sister also told me Stephen made videos to Christian and Josh saying he is making a new life and they need to come and find him.

 Signature of person making this affidavit (deponent)	 Signature of witness
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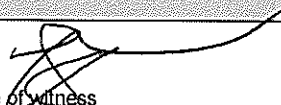
- 207. One of my friends told me she had also watched Stephen's videos and noticed he had posted videos about not returning to Australia, however those videos have since been deleted.
- 208. At my Home, the children do not have phones or other devices which they can use to access social media. The children do not have access to streaming services such as YouTube. We watch free to air television.
- 209. The children do have a Nintendo Switch. I use parental controls which can only be edited on my account. My account is password protected and the children do not know the password.
- 210. I am aware Christian uses a laptop at school however I understand the Department of Education restrictions would mean Christian can only access appropriate content.


Affidavit of Taylor Toni filed with this Affidavit

- 211. I have read the Affidavit of Taylor Toni which I am filing in support of this Affidavit.
- 212. I confirm the person in the photos and videos exhibited therein is Stephen.

Service of amended Response and this Affidavit

- 213. I understand that on 11 August 2025, my Solicitors sent a further letter to Stephen serving my re-filed Amended Response, which was required to be re-filed due to a formatting issue. I can tender a copy of this email and the email delivery receipt if required.
- 214. I have instructed my Solicitors to serve a copy of this Affidavit on Stephen once it is filed. I can tender a copy of this email and the email delivery receipt if required.

 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

Abela
Signature of Deponent

Place Newcastle Date 20/10/2025

[Signature]
Before me (signature of witness)

Simone Johnson
Full name of witness (please print)

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

This affidavit was prepared / settled by deponent/s
 lawyer

Olivia Jade Shedden
ROB5334090

PRINT NAME AND LAWYER'S CODE

