

Our Ref: RR:AC:R240096

10 October 2024

Drew Cowen
The RelationSpace

BY EMAIL ONLY: reception@therelationspace.com.au

Dear Mr Cowen

**COOKE & COOKE – FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA
PROCEEDINGS NO. NCC3896/2023 – JOINT LETTER OF INSTRUCTION TO FAMILY REPORT
WRITER**

We refer to the above proceedings.

We confirm that we act on behalf of the Applicant father, Mr Stephen Cooke (“**Stephen**”), in the above proceedings.

The Respondent mother, Ms Heather Cooke, is represented by Ms Anna Roberts of Delaney Roberts Family Lawyers.

This letter is a joint letter of instruction to you for the preparation of a Single Expert Report, pursuant to Rule 7.03 of the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021* (Cth) (“**Family Law Rules**”). We **attach** a copy of the Orders made on 23 July 2024 concerning your appointment and draw your attention in particular to Order 2.

We confirm that the parties have booked interviews with you on **XXX**. We further confirm that the parties are available on this date and can make the children available when necessary for their respective interviews.

1. Expert Report

The parties now seek to jointly instruct you to prepare a Single Expert Report pursuant to rule 7.03 of the Family Law Rules to provide your expert opinion on the following matters referred to in Order 2 of the Orders made on 23 July 2024:

- (a) Any views expressed by the children and any factors (such as the children’s maturity or level of understanding) that are relevant to the weight that should be given to the children’s views.
- (b) The nature of the children’s relationship with each of the children’s parents and any other significant person.
- (c) The willingness and ability of each of the children’s parents to facilitate and encourage a close and continuing relationship between the children and the other parent.
- (d) The likely effect of any change in the children’s circumstances including the likely effect on the children of any separation from either of their parents or any other significant person.

SYDNEY

BRISBANE

GOLD COAST

T 1300 749 709

E sydney@ramsdenlaw.com.au | W ramsdenfamilylaw.com.au

A Level 3, 1 Castlereagh Street, Sydney, NSW 2000

ABN 11 159 606 729



A SMARTER
PERSPECTIVE

- (e) The capacity of each of the children's parents and any other significant person to provide for the needs of the children including emotional and intellectual needs.
- (f) The maturity, lifestyle and background of the children and of each of the children's parents and any other characteristics of the children that the expert thinks is relevant.
- (g) The attitude to the children and to the responsibilities of parenthood demonstrated by each of the children's parents.
- (h) The impact on the children of any family violence involving the children or a member of the children's family.
- (i) Whether the child is at risk of physical or psychological harm in the household of either parent.
- (j) Any other matter that the expert considers relevant to the welfare of the children.

This matter is currently before the Division 2 of the Federal Circuit and Family Court of Australia. No final hearing has been listed, although the matter has been listed for directions before Judicial Registrar Furner on 15 October 2024 at 2pm.

As either or both of the parties may seek to rely on your report in these proceedings, we ask that you keep in mind and adhere to the provisions in Division 7.1.5 of the Family Law Rules regarding your rights and duties as an expert witness, with which we assume you are familiar. For your convenience, we **attach** a copy of those Rules herewith.

We confirm that the costs of this report are in the sum of \$15,000 plus GST, and the costs will be met equally by the parties. Please provide our respective offices with copies of the invoices for payment of same.

Further, any communication with either party in this matter should be copied to the other party or their representative.

For the purposes of arranging interviews with the respective parties, the mother, Heather Cooke, can be reached at XXX, while the father, Stephen Cooke, can be reached at 0412 846 712. Both parents and the children are available to attend interviews in person.

2. Accompanying documents

We **attach** an Index of documents to be provided which will be uploaded on the Relationspace portal.

Should you require further information or assistance, please contact the parties' legal representatives, in writing were applicable. We otherwise thank you in anticipation of your assistance and we look forward to the initial arrangements for interviewing the parties.

We thank you in advance for your assistance in this matter.

Yours faithfully
RAMSDEN FAMILY LAW

Yours faithfully
DELANEY ROBERTS FAMILY LAWYERS

MATTHEW SHEPHERD
Special Counsel
Accredited Specialist in Family Law



ANNA ROBERTS
Director