

Mr E Lewis  
1824 Creek Road  
CANNON HILL QLD 4170

FAMILY LAW ACT 1975

IN THE FAMILY COURT  
OF AUSTRALIA

AT BRISBANE

No. BRF4047 of 1997

BETWEEN

Mullins & Mullins  
Solicitors  
BRISBANE  
Box #073

LEWIS  
EDWIN LESLIE JOHN  
HUSBAND

AND

CARTY  
HELEN LEIGH  
WIFE

AND

LEWIS  
JAMES WILLIAM & JUNE MURIEL  
PATERNAL GRANDPARENTS

Mr & Mrs J Lewis  
1824 Creek Road  
CANNON HILL QLD 4170

ORDER  
4.3.2003

PREPARED IN THE REGISTRY

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Berck & Associates  
Solicitors  
BRISBANE  
Box #147

ANNEXURE 7.

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BEFORE THE HONOURABLE JUSTICE JORDAN  
THE 4TH DAY OF MARCH 2003

UPON application made to the Court on 17th, 18th, 19th, 20th, 21st & 26th February 2003 and the Court having reserved its decision, Ms Cassidy of Counsel appearing for the WIFE and Ms Berck, Solicitor, appearing for the CHILDREN'S REPRESENTATIVE

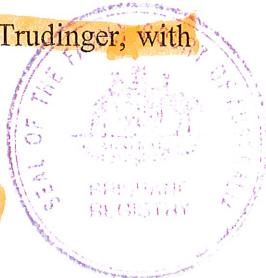
AND UPON the undertakings of HELEN LEIGH CARTY, JAMES WILLIAM LEWIS and JUNE MURIEL LEWIS given without admission in Forms 41A herewith

IT IS ORDERED:

1. That the husband have contact with the children of the marriage, Justin James Lewis, born on 24th March 1993, Clinton Allan Lewis, born on 11th February 1995, and Thomas Edwin Lewis, born on 29th October 1996, at all such times as might be agreed between the parties, provided the husband continues to attend a treating psychiatrist as required by the treating psychiatrist, and in particular:

- 1.1 On five (5) occasions between 2.00 pm and 4.00 pm every third Saturday, commencing 8th March 2003 at places arranged with Mr Philip Trudinger, with all such contact to be supervised by him.

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- 1.2 At the conclusion of the period contemplated by paragraph 1.1 hereof, on five (5) occasions between 2.00 pm and 5.00 pm each third Saturday, with all contact by the husband to occur in the presence, sight and hearing of the paternal grandfather and/or grandmother for a period.
- 1.3 At the conclusion of the period contemplated by paragraph 1.2 hereof, between 9.00 am and 5.00 pm each third Saturday on ten (10) occasions, with all contact by the husband to occur in the presence, sight and hearing of the paternal grandfather and/or grandmother.
- 1.4 Provided the husband has first availed himself of contact in accordance with the terms of paragraphs 1.1 to 1.3 hereof, contact each alternate weekend thereafter from 9.00 am Saturday to 5.00 pm Sunday, from 9.00 am to 5.00 pm Father's Day, and for two (2) hours on the husband's and each of the children's birthdays, under the supervision of the paternal grandfather and/or paternal grandmother.
- 1.5 (a) As and from December 2003, from 4.00 pm Friday until 4.00 pm Sunday for the first weekend of the Christmas, Easter, June/July and September school holiday periods in 2004, with all contact by the husband to occur in the presence, sight and hearing of the paternal grandfather and/or grandmother.
- (b) As and from December 2004, for the last week of the gazetted school holidays for a period of seven (7) days from 4.00 pm Saturday until 4.00 pm the following Saturday during that holiday period, and each Christmas, June/July and September school holiday period thereafter for the last week of the gazetted school holiday from 4.00 pm Saturday until 4.00 pm the following Saturday, with all contact by the husband to occur under the supervision of the paternal grandfather and/or grandmother.

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1.6 That the child, Clinton, be at liberty to attend sporting events arranged by the

International Soccer Academy if they fall during a contact period.

1.7 By telephone each Tuesday and on each child's birthday between 6.30 pm to 6.45 pm, with the paternal grandparents and/or the husband to telephone the children.

1.8 Each Boxing Day between 9.00 am and 4.00 pm.

1.9 That the wife have telephone contact with the children each Tuesday between 6.30 pm and 6.45 pm while the children attend contact referred to in 1.5(b) hereof, with the wife to telephone the children.

1.10 That if the husband fails to commence contact on 8th March 2003, the orders for contact shall commence on a Saturday nominated by him and he shall not be at liberty to progress to orders 1.2, 1.3, 1.4 and 1.5(a) and (b) until he has completed the contact in 1.1, 1.2, 1.3, 1.4 and 1.5(a) respectively.

2. That each of the husband and wife, as the case may be, shall do all such acts and sign all such documents as are necessary to:

2.1 Authorise and permit any treating or reporting psychiatrist of the husband to speak to, and forward documentation to, any reporting psychiatrist or psychologist engaged in the future by the Children's Representative or Dr Alexandra Evans or other treating psychiatrist for Justin or any of the other children regarding any and all aspects of the husband's presentation and treatment, with the husband to pay the professional costs of Dr Evans or other treating psychiatrist for Justin and any of the other children for the monitoring of the husband's presentation and treatment, with the husband to pay the professional costs of Dr Evans or other treating psychiatrist for Justin or any of the other children for the monitoring of the husband's presentation and treatment.



2.2 Authorise and permit Dr Alexandra Evans or any other treating psychiatrist for the children to speak to and forward documentation to any reporting psychiatrist or psychologist engaged in the future by the Children's Representative, or any treating or reporting psychiatrist attended by the husband, regarding any and all aspects of Justin's or the children's presentation and treatment.

2.3 Authorise and permit Philip Trudinger to speak to and report upon, in such manner as he shall think fit, his observations, opinions and recommendations resulting from the contact contemplated in paragraph 1.1 hereof to any of the parties and/or the Children's Representative and/or any treating or reporting psychiatrist for the husband or any of the children.

2.4 Authorise and request any school which the children attend to provide to the husband any and all documentation as he might reasonably request relating to the education of the children, including but not limited to documentation relating to the obtaining of school photos and attending parent-teacher sessions.

3. That the husband be restrained and an injunction issue restraining the husband from:

3.1 Discussing with the children, or in their hearing or presence, these proceedings or any aspect of these proceedings.

3.2 Denigrating the wife or any member of the wife's family to, or in the presence of, the children.

3.3 Questioning or discussing with the children in any way whatsoever any past allegations of child abuse.

3.4 Questioning or discussing with the children in any way whatsoever about any future allegations of child abuse unless the husband notifies the wife and Dr Evans or other treating psychiatrist for Justin or any of the other children in writing within 24 hours of questioning or discussing with the children the

allegations of child abuse, provided however that the husband remains at liberty

to refer any issues of future child abuse to appropriate State authorities.

4. That for the purposes of paragraph 1.1 of these orders, changeover shall occur by the wife delivering the children to Mr Trudinger at a place nominated by him at 1.55 pm and the husband and grandparents arriving at such place at 2.05 pm and by the husband and grandparents leaving the children with Mr Trudinger at 3.55 pm and the wife collecting the children from Mr Trudinger at 4.05 pm.
5. That for the purposes of all other contact proposed by this Order, the children shall be collected and delivered by the paternal grandfather and/or grandmother from the Logan West Contact Centre and delivering the children there at the conclusion of contact, with the paternal grandparents to pay any costs associated with using the Logan West Contact Centre.
6. That the cost of the supervision and reporting by Mr Trudinger contemplated by these Orders shall be met by the parties in such proportion as they might agree, and failing agreement by the husband and grandparents in such proportion as they might agree.
7. That each of the husband and the wife:
  - 7.1 Henceforth exclusively use the name "Carty-Lewis" as the surname of the children of the marriage formerly known as "Lewis".
  - 7.2 Forthwith do all things necessary, individually and jointly, including making application and executing documents, to seek the alteration of the registration of the name of the said children on the register of births in the State of Queensland, from the surname "Lewis" to the name "Carty-Lewis".
  - 7.3 That in the event the husband fails to execute the documents referred to in subparagraph 7.2 hereof, the Registrar of the Family Court of Australia at Brisbane be at liberty to execute such documents in his stead.

8. That the Children's Representative and the wife have liberty to apply in relation to these Orders upon the giving of seven (7) days notice.
9. That the Children's Representative be discharged as and from 31st December 2003, or at the date twelve months from the commencement of contact referred to in paragraphs 1.1 and 1.10, whichever is the latest.
10. That pursuant to Section 65DA(2) of the Family Law Act 1975, the particulars of the obligations these orders create and the particulars of the consequences that may follow if a person contravenes these orders are set out in Annexure A and these particulars are included in these orders.

**IT IS NOTED:**

11. That the matter has been declared a complex matter.

By the Court

(Sgd) B Jordan

JUDGE

## ANNEXURE A

### 1. Specific Issues Order

- 1.1. These orders include a specific issues order made under the Family Law Act 1975. That order deals with an aspect of parental responsibility for a child, other than the person or persons with whom the child is to live, contact between the child and another person or other persons, and maintenance of the child.
- 1.2. While the specific issues order is in force, and if the specific issues order confers responsibility on a person (the carer) for the child's long-term or day-to-day care, welfare and development, a person bound by the order must not hinder the carer in, or prevent the carer from discharging that responsibility.

### 2. Residence Order

- 2.1. These orders include a residence order made under the Family Law Act 1975. The residence order deals with the person or persons with whom a child may live.
- 2.2. A person bound by the order must not, contrary to the order:
  - 2.2.1. remove the child from the care of a person; or
  - 2.2.2. refuse or fail to deliver or return the child to a person; or
  - 2.2.3. interfere with the exercise or performance of any of the powers, duties or responsibilities that a person has under the order.

### 3. Contact Order

- 3.1. These orders include a contact order made under the Family Law Act 1975. That order deals with contact between a child and another person or other persons.
- 3.2. A person bound by the order must not, contrary to the order:
  - 3.2.1. hinder or prevent a person and a child from having contact in accordance with the order; or
  - 3.2.2. interfere with the contact that a person and the child are supposed to have with each other under the order.

### 4. If a person contravenes the order without reasonable excuse, a court may, on application:

- 4.1. issue a recovery order authorising police officers to recover the child and to deliver the child:
  - 4.1.1. in the case of a specific issues order, to a person who has a specific issues order in relation to the child; or
  - 4.1.2. in the case of a residence order, to a person with whom the child lives; or
  - 4.1.3. in the case of a contact order, to a person with whom the child is to have contact.
- 4.2. order the person to attend a post-separation parenting program;
- 4.3. in the case of a contact order, make a compensatory contact order;
- 4.4. require the person to enter into a bond;
- 4.5. fine the person up to a maximum of \$6,600;
- 4.6. make a community service order against the person;
- 4.7. imprison the person for a maximum of 12 months;
- 4.8. vary the order that was contravened.

