

**AFFIDAVIT**  
Form 16  
Family Law Rules, Order 16 rule 1

I, BARRY NURCOMBE of Medical Consultants Australia, Suites 26-29 Silverton Place, 101 Wickham Terrace, Brisbane in the State of Queensland, Psychiatrist, make oath and say/affirm:-

1. I am a Psychiatrist in private practice. Annexed hereto and marked with the letter "A" is a true copy of my curriculum vitae.
2. I have conducted psychiatric assessments of both parents in relation to this matter at the request of Kathleen Margaret Berck, the Child Representative. Annexed hereto and marked with the letter "B" is a true copy of my report containing those psychiatric assessments.
3. All the facts and circumstances herein deposed to are within my own knowledge save such as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my Affidavit.

SWORN (or AFFIRMED) by the deponent  
at BRISBANE this 28<sup>th</sup> day of  
*March* 2002 before me: )

*B.Nurcombe*

*Young C Dec 15 2002*  
A Justice of the Peace/Solicitor.



This Affidavit was prepared by KATHLEEN MARGARET BERCK, Solicitor.

*ANNEXURE 6.1*

*7-30*

children's representative, and that I could not guarantee my opinion would be favourable to their case. They each said that they understood this and wished for the evaluation to proceed.

## V Sources of Data

### A. Documents

In the course of preparing this report I had access to the medical records concerning the motor vehicle accident in which Edwin Lewis was involved on 16/12/79, Mr Lewis' involuntary admission to Princess Alexandra Hospital (16/3/01-6/4/01) and subsequent treatment as an outpatient, several reports by Dr Alexandra Evans concerning Justin Lewis, voluminous religious documents and doggerel provided by Mr Lewis, and legal documents relevant to the case.

### B. Interviews

1. Edwin Lewis, 7/3/02 (2 hours)
2. Helen Carty, 18/3/02 (2 hours)

## VI Findings

### A. Review of Documents

1. In 1979, at the age of 17 years, Edwin Lewis was involved in a serious motor vehicle accident associated with closed head injury, and multiple fractures involving the jaw, thoracic spine, pubic ramus, right ulna, left knee, left tibia, and right medial malleolus. He remained in intensive care for 9 days. Subsequent psychological testing and CT scan revealed brain injury, with impairment of performance IQ, and depression of overall full-scale IQ (77). His memory functions were impaired for both verbal and visual material. He had difficulty with tasks involving spatial integration and the manipulation of objects and concepts in space. He had constructional dyspraxia and marked difficulty with planning motor performance. His performance on all visuo-motor tasks was slow. He was eventually referred to the Commonwealth Rehabilitation Centre, Taringa.
2. On 16/3/01, Mr Lewis was admitted to Princess Alexandra Hospital in an agitated state. He had become preoccupied with religion, claiming that he was Jesus and the Lord. He felt that he had become a messenger from God to save the world. He was thought to have been affected by the failure of his marriage and a recent break-up with a girlfriend. He had been disturbed by the bitter divorce battle with his former wife, and the conflict concerning the residence of his children. He was initially treated with Olanzapine, an antipsychotic medication. On 10/5/01 Sodium Valproate was commenced, and Olanzapine was reduced in dosage. I assume that the diagnosis of bipolar disorder was made at that time, although it is not clear from the progress notes. By 25/6/01, Mr Lewis had become increasingly frustrated over the blockage to access with his children. On 19/7/01, the diagnosis of ? bipolar disorder was entered into the progress notes. On 13/8/01, it was evident that Mr Lewis continued to have delusional thinking and to be preoccupied with religious themes. He did not agree with the diagnosis of bipolar disorder, nor did he think that he had benefited from hospitalisation.

*I'm here in truth. I'm not going to have supervised contact. I won't take supervised contact. Why should I have restrictions? I will not be moved off my rock. I'm standing fast. I believe in Jesus and God. I know what's ahead and I play a major part in it. The second coming will be soon, very soon, and the only way to heaven is through God, whenever I've done the work within me. This universe was formed 2 million years ago. Look what's happening now. There was Adam and Eve, Satan was God's friend. Satan turned on God. God wanted peace, but on earth it isn't peace. The people who are on Jesus' side will be saved. God is ruler of the Universe. Jesus is ruler of Heaven and Earth.*

8. Mr Lewis went on to say that God trusted only Mary and Jesus. Every day Mr Lewis gets new knowledge. Somehow, all the things that have happened to him - the domestic violence orders, the allegations of sexual abuse, the charges of tax evasion, the legal expenses - all now make sense. He is a gardener, and God has come back as a gardener. This time God has fooled everyone. He has come back as a sinner (i.e., Mr Lewis) who has found relief and is now redeemed. Through Jesus Christ you can be saved in the blood of the lamb. "Everyone is having their go at me but God will be laughing." Mr Lewis went on to say that God hates incest because children are pure. Governor-General Hollingworth has got to go. Prime Minister Howard also has got to go.

9. Mr Lewis said that he has until recently had contact with his children, at their school, every Thursday from 12.30 to 2.30 p.m. He spent time in the classroom with his children, and played football with them on the school oval. This contact was ceased two weeks ago, reportedly because the authorities think that he has been telling his son Justin that the maternal grandfather is sexually touching him. Mr Lewis denied that he had ever done so. He was incensed that Dr Evans had backed his ex-wife's story about that matter.

10. Mr Lewis said that he has no psychiatric problems. He was admitted to hospital in 2001 because he had fought with the devil and cleansed himself. The hospital staff thought that he thought he was Jesus. Now, however, he knows that God and Jesus are separate. He fought with an ambulance bloke, but the police were "beautiful". He was so intense that they thought he was a "nut case" who needed sedation. The tablets he was given did not help.

11. Mr Lewis said that he was prescribed Solti n Valproate (a drug sometimes used for the treatment of bipolar disorder) at a dose of 1000mg, twice per day. He said that he went off the medication "for a few months" because it sedated him. He recently went back onto the drug because he thought that I (Dr Nurcombe) would "stick a needle in his arm" and find that he was not taking his medication (and that his chances of having residence of his children could be affected).

### *History of Relationship*

12. Mr Lewis said that he and Helen Carty began to live together in 1991, married on 8/6/91, and finally separated on 17/3/97. There has been no reconciliation since that time. By 21/3/97, Ms Carty had "fled" with the children. The couple were divorced on 8/9/99.

13. Mr Lewis said that he has had two relationships since that time. One of these women, Joanne, was with him for 4 months. She was a "white witch" who tried to stop him from

prescribed to treat it. Mr Lewis responded that he knows that he is God, and that the drugs make him feel tired. In any case, it is ludicrous for God to be given medication. ("Everything will be put in place. This is all a plot. God will have the last laugh. God can't get his own kids? The judges think they are so important.")

### *Helen Leigh Carty*

21. Mrs Carty said that she lives in the Redland Bay area in residence with her three children: Justin aged 8 years, Clinton aged 7 years, and Thomas aged 5 years. Until 25/2/02, Mr Lewis had contact with his children at the Redland Bay State School. However, contact was ceased on 25/2/02 as a result of a family report. Apparently, Mr Lewis told the family reporter that he was hearing voices which told him to write certain things in his affidavit. He said that Ms Carty was the devil and that his ex-fiance was a 900-year-old white witch who told Mr Lewis that Ms Carty was a black witch.

22. Ms Carty said that Mr Lewis had become highly religious during the last twelve months, but that his hearing voices was a new development. Ms Carty described Mr Lewis as a man who could not let go of the past. He had never recovered from the interruption of his football career by the terrible accident of 1979.

### *History of Relationship*

23. Ms Carty and Mr Lewis met in August 1990, at a nightclub. Mr Lewis pursued Ms Carty relentlessly and they were married ("too fast") after eight months in June 1991. She regarded him as a "good catch". The marriage was happy until Ms Carty became pregnant with their first child Justin. She wished to delay the pregnancy until she was older, but Mr Lewis insisted. He was overjoyed that the child was a son. After delivery, he "took over" the baby, placing the bassinet on his side of the bed. There was conflict between Mr Lewis and Ms Carty concerning whether the baby should be in bed with them at night. Justin's sleep habits deteriorated and he developed toilet training problems which persisted until he was four years of age. Mr Lewis seemed much more obsessed with Justin than he was with the two younger children Clinton and Thomas.

24. After Mr Lewis ceased working at GoPrint, in 1995, the marriage deteriorated. Mr Lewis resented the involvement of the maternal grandparents in child care. He resented Ms Carty's having friends other than his own. He began to drink more alcohol. After Thomas was born, Justin, who was being cared for by the paternal grandparents, is supposed to have told his paternal aunt, Kylie Lewis, that his maternal grandfather touched him in the genital area, and that was why it hurt when he toileted. Ms Carty believes that Kylie Lewis reported this as abuse in order to get attention. The lie then got out of hand and has taken on a life of its own as Mr Lewis has become more and more obsessed with this matter.

25. In March 1997, after some manoeuvring, Ms Carty left Mr Lewis, taking the children with her. Since that time, there has been no reconciliation and apparently no possibility of an amicable agreement between the parents. There has been constant abrasion between the parents concerning dates and times for contact and access. Mr Lewis has openly accused the maternal grandfather and other maternal relatives of having sexually abused children. Mr Carty is concerned that Mr Lewis will accuse any man with whom she becomes friendly of