

Affidavit

Family Law Rules ~ RULE 15.08

Filed in: BRISBANE

- Family Court of Australia
- Family Court of Western Australia
- Federal Circuit Court of Australia
- Other (specify) _____

Filed on behalf of:

Full name: Lois Griffin

Client ID _____

File number _____

Filed at _____

Filed on _____

Court location _____

Court date _____

Name of person swearing/affirming this affidavit (SEE PART C)

Lois Griffin

Date of swearing/affirming ____ / ____ / ____

Part A About the parties

APPLICANT 1

Family name as used now

Griffin

Given names

Peter

RESPONDENT 1

Family name as used now

Griffin

Given names

Lois

APPLICANT 2

Family name as used now

Given names

RESPONDENT 2

Family name as used now

Given names

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.

Pandemic & Associates		
3 Handwash Way, Brisbane	State QLD	Postcode 4000
Phone (07) 3232 3218	Fax*	
DX		
Lawyer's code PAN001		
Email* info@pandemic.com.au		

* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

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

Independent children's lawyer family name

Given names

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Firm name

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Part C About you (the deponent)

What is your family name used now?

Your given names?

Griffin	Lois
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Gender

Male

Female

X

Usual occupation

Home Duties

What is your address?

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

C/- Pandemic & Associates		
3 Handwash Way		
BRISBANE	State QLD	Postcode 4000

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 Part E is always the last page of the form. You and the witness to your affidavit must sign the bottom of each additional page.

- I am the Respondent Mother in this matter.
- The Applicant Father is my husband, Peter Griffin (**Peter**).

My brief history & Peter's personal history

- I was born on 3 June 1988 and am now aged 32 years.
- I am a stay-at-home mum and am solely financially reliant on Government benefits and child support payments.
- I currently reside with my parents in Gympie, about 2 hours north of Brisbane.
- Peter was born on 22 September 1986 and is now aged 34 years.

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Signature of person making this affidavit (deponent)

Signature of witness

7. Peter works as a Safety Inspector and lives at the former matrimonial home at Carindale.

Relationship background

8. Peter and I commenced living together in mid-February 2015 and were married on 1 April 2016.

9. There is one child of our relationship, STEWIE GRIFFIN born 25 September 2018 (**Stewie**).

10. Peter and I separated on 15 September 2020 when I left the former matrimonial home in order to protect Stewie, as detailed elsewhere in this Affidavit.

Issues of concern – family violence & inappropriate touching

11. Throughout the relationship, Peter was emotionally and physically abusive towards me and committed multiple acts of family violence against me, including in front of Stewie.

12. Peter would harass me emotionally, put me down about my weight and appearance and generally tell me I was no good. This happened all the time.

13. At times, Peter would get angry and throw things around the room.

14. Once, he threw my phone when he saw text messages on it from a male friend. The phone bounced off the Snoo baby rocker and hit Stewie on the forehead. He cried until I cuddled him.

15. Peter would always accuse me of giving Stewie too much attention, and try and stop me tending to him.

16. On one occasion, things got so bad with Peter that he held my hands behind my back and held me so I couldn't go to Stewie when he was crying. Stewie was about 3 months old at the time.

17. Peter tells me a lot that I'm "*not right in the head*" and that I have "*a screw loose*". I refer elsewhere in this Affidavit regarding my mental health issues.

18. Peter says to me a lot that I am having an affair, which isn't true. I tell him I'm not but he doesn't listen. He says it over and over. A little while ago I gave in and said I was, just to make him stop. This made him angry and he punched a hole in the wall. Stewie was asleep at the time and in another room.

19. I have been worried about Peter being alone with Stewie since he was born, as he was always wanting to bath him and didn't seem too interested in helping in other areas of his care.

Signature of person making this affidavit (deponent)	Signature of witness
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20. On 13 September 2020, I walked into the family bathroom and saw Peter bathing Stewie in the bath. I found what Peter was doing to be inappropriate as he was touching Stewie's private parts.
21. I became very upset when I saw this and did not know what to do or how to react.
22. I spoke to my solicitor who told me to leave the house with Stewie immediately.
23. When Peter next left for work, I packed up my things and Stewie's things and left the house.
24. I left Peter a note and told him it was over.
25. I am scared that Peter may hurt Stewie or I if he sees us again, and may continue to act inappropriately towards Stewie.

Parenting arrangements during the relationship

26. During the relationship, I pretty much took care of all aspects of Stewie's care, except for some bathing which Peter insisted on doing.
27. Peter told me it was "*woman's work*" to look after Stewie, so I felt I had to do everything from feeding, changing and getting him ready for the day, to taking him to the park and doing his night routine.
28. Peter liked to play games on his computer at night, but would occasionally feed Stewie while I had a shower.

Parenting arrangements since separation

29. Stewie has lived with me solely in the last couple of weeks since separation and spent no time with Peter due to my concerns detailed elsewhere in this Affidavit.
30. I have put Stewie on the phone to Peter a couple of times but due to his age, he isn't very interested in talking on the phone so he puts it down and walks off.
31. Stewie's routine is fairly consistent in that he wakes around 7am and gets ready for the day. We then have breakfast, play games and go outside to play.

My mental health

32. I was diagnosed with bi-polar disorder when I was 16 years old and took medication until I was around 25 years old.
33. I started counselling when I was around 23 years old. Through this, and natural therapies like acupuncture, aromatherapy and yoga, I worked with my GP to wean off my medication.
34. I continued to see my counsellor regularly until I was around 29 years old and started seeing my counsellor again after Stewie was born, and went back on medication then.

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Signature of witness

35. Peter claims in his Affidavit that I was intoxicated whilst driving in 2019, which isn't true. I went to a pub with some friends and had two beers. I was not intoxicated. I rarely drink alcohol.
36. Peter also says I became violent that night, which I did not. It was Peter who became violent throwing things around.
37. It is true that I attempted to take my life the next day after this incident, as I felt that Peter would never change and he wanted me to drop off the face of the earth. I took too many sleeping pills and alerted Peter. He called the ambulance.
38. I was voluntarily admitted to Belmont Hospital for 5 days and have kept up my counselling and medication, as prescribed by my psychiatrist, ever since. I have experienced no further issues with my mental health since then, apart from being down sometimes about the way Peter treats me and my fears for Stewie.
39. I agree that during the time that I was admitted to Belmont Hospital, Stewie remained in Peter's care. That being said, Peter's mother, Thelma, stayed with Peter and Stewie for the entirety of the time I was in hospital, and primarily cared for Stewie while Peter continued to work full time. I know this because when I returned home from the hospital, Thelma was at our home and she told me.
40. Thelma left our residence the evening I came home from the hospital, and returned to the Gold Coast where she resides.
41. The following day, things returned to normal. Peter continued to work 5 days per week and I immediately returned to caring for Stewie the way that I had prior to my admission to the hospital. Peter never raised any concerns with me directly during this time about my care of Stewie.
42. Aside from when Peter's mother looked after Stewie while I was in Belmont Hospital in late 2019, Peter and I did not receive any assistance from any third parties (including family members) with Stewie's care in late 2019/early 2020.
43. In August 2020, Peter and I agreed to enrol Stewie in Daycare for three days per week (Monday, Wednesday and Thursday). We were both concerned that Stewie hadn't been socialised enough with other children, and decided it was the best thing for him.

Other Section 60CC factors

44. Stewie has a close and loving relationship with my parents, Brian and Mildred Smith.
45. He is particularly close to my mother, Mildred. They enjoy doing arts and crafts together and walking the dog.

46. My parents have told me that I can live with them as long as I need to. I am close to some friends in Gympie and feel safe and secure living there.
47. I have submitted an application for child support, which is yet to be processed. Peter has paid me \$100 each week which he puts as "child support" on the bank transfer.
48. There are no Protection Orders in place.

Summary

49. I respectfully seek these Orders set out in my Initiating Application filed contemporaneously with this Affidavit to ensure that Stewie is protected from harm and/or risk of harm.
50. All the facts and circumstances above deposed to are within my knowledge, save as such are deposed to from information only, and my means of knowledge and sources of information appear on the face of this my Affidavit.

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