

## AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A VIOLENCE RESTRAINING ORDER

*Pursuant to Section 28(1) of the Restraining Order Act 1997*

BETWEEN:

Walter Steven Vermeulen

(Full name of Applicant or Protected Person)

and

Margaret Teressa Cunniffe

(Full name of Respondent / Person to be restrained)

I, Walter Steven Vermeulen in the State of Western Australia, make an oath / affirm and say as follows:

My occupation is Designer

The respondent is my I rented a room to her (state relationship i.e. husband, defacto or neighbour etc)

The respondent's occupation is C.E.O

I have known the Respondent for 4 months (length of time)

Date of Marriage \_\_\_\_\_ (if applicable)

Date of separation \_\_\_\_\_ (if applicable)

**Incident History**— (Details of respondent's behaviour that has occurred relating to violent personal offences, threats and the like.)

Date	<u>06-10-09</u>	Time:	<u>Approx 7:00pm</u>
Place	<u>125 Twickenham Drive KINGSLEY (My home)</u>		

<b>Description of Incident</b>
<u>My bedroom door was jackhammered open by Margaret. I have a witness. I went to Warwick Police today to report + they advised me to come here first</u>

**As a result of this incident I suffered the following injuries**  
No injuries

**I received / did not receive medical attention.**

**Reported to Police (Yes / No)** Absent to **Police Report No:**

**The respondent did / did not use a weapon in this incident.** Jackhammer

The weapon used was -	
Date	07/10/05
Time:	8:30 - 9:00
Place	Kingsley Home

**Description of Incident**

Margaret has gone through my desk and started burning my business documents. I have a witness.

**As a result of this incident I suffered the following injuries**

Date	08/10/05
Time:	11:30
Place	

**Description of Incident**

Margaret has threatened to get a restraining order against me if I go to my own home. I have fled my home, and only go back there when she is not there, as I am trying to retrieve my possessions until she leaves the house.

**As a result of this incident I suffered the following injuries**

**The behaviour of the respondent has made me feel -**

Very threatened. Margaret often drinks to a stupor, and will pass out & collapse, causing bruising. She keeps telling me that she will use the police to remove me.

**Does the respondent have a criminal record - Yes / No Provide Details**

I don't know

**Details of other Restraining Orders applied for / granted against the respondent**

**Children** (if applicable)

Name of Child	Age	Child resides with Applicant / Respondent	Child of this Relationship (Y / N)
1.			
2.			
3.			
4.			
5.			
6.			

**Family Court Orders**

Are there any Family Court Order relating to the Respondent and the child/children Yes  No

Do the Family Court Orders allow contact? Yes  No

If yes – what are the contact arrangements?:

When is contact allowed?	
Where is contact allowed?	
Is it Supervised?	
If yes who supervises?	
How are the arrangements made? (phone call, letter, standard agreement)	

**The respondent's personal belongings and / or tools of trade will / will not be affected by the granting of this Restraining Order. If it will, please provide details -**

She has her personal possessions + office at my house I have offered to help her move, and allow removal of her belongings. She just threatens to legal action if I move her things. She has put her things all over the house, so it is impossible not to touch her things + live in the house.

**Orders for consideration by the Court**

I ask the Court to consider the following conditions be included in any Violence Restraining Order

**Communication or Contact** (if not applicable cross out)

I do not want any communication to occur between the respondent and myself.

I still need to communicate with the respondent on the following matters only:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This communication can be made through the following people / means (phone, written):

\_\_\_\_\_  
\_\_\_\_\_

**Accommodation** (if not applicable cross out)

I want to live at the following address

178 Thicketon Drive KINGSLEY

This premises is currently occupied by the respondent. I request the respondent be removed from the premises.

The reasons I need to live at this address are:

It has been my home for 14 years.

The house is owned / being purchased by:

\_\_\_\_\_

The respondent's name does / does not appear on the Certificate of Title.

The house is rented by:

Walter Steve Vermeulen

The respondent's name ~~does~~ / does appear on the lease documents.

The respondent and I live apart and I do / do not want him / her to come near where I am currently staying.

I ~~would~~ / would not like to live in the same house as the respondent.

Sworn or ~~Affirmed~~ by the Applicant at Joondalup Magistrates Court

In the State of Western Australia,

On this Thursday day of 8th Oct 2009 (year)

(Steve U) (Signature of Applicant)

Before (Signature) (Signature)

~~Justice of the Peace / Deputy Registrar~~