

COMMONWEALTH



OF AUSTRALIA

Marriage Act 1961

# Certificate of Marriage

*Monica Simoretta Spiteri*

I, \_\_\_\_\_  
having authority under the *Marriage Act 1961* to solemnize marriages, hereby certify that I have this day at

*The Registry of Civil Marriages*

*280 William St. Melbourne*

duly solemnized marriage in accordance with the provisions of that Act

between \_\_\_\_\_ Darren James McDIARMID \_\_\_\_\_

and \_\_\_\_\_ Jacqueline Carol PEARCE \_\_\_\_\_

in the presence of the undersigned witnesses.

DATED this 30th day of March, 19 96

*M Spiteri*  
Signature of Celebrant

Signature of Parties  
to the Marriage

*Darren McDiarmid*  
BRIDEGROOM  
*JC Pearce*  
BRIDE

Signature of  
Witnesses

*A George*  
WITNESS  
*[Signature]*  
WITNESS

**CERTIFICATE OF DIVORCE**

**IN THE FEDERAL MAGISTRATES COURT  
OF AUSTRALIA**

**File No. (P)ADC2040/2008**

**AT ADELAIDE**

In the marriage between:

**DARREN JAMES MCDIARMID (Husband)**

and

**JACQUELINE CAROL MCDIARMID (Wife)**

In relation to the marriage solemnised on the twentieth day of March 1996 I certify that the divorce order made by the Court on the twenty-seventh day of January 2009 takes effect from the twenty-eighth day of February 2009.



**NOTES:**

1. If a party to the marriage proposes to make any application to the Court as to property or as to the maintenance of that party such application must be made within 12 months of the divorce order taking effect. After that time such an application cannot be made without first obtaining the leave of the Court to do so.
2. Dissolution of marriage may revoke, or otherwise affect the operation of, the Will of a party. Parties should seek legal advice about their position under the law of the State or Territory concerned.

**JACQUELINE CAROL MCDIARMID**



COURTS ADMINISTRATION AUTHORITY

\* Magistrates' Courts Division

PORT PIRIE REGISTRY  
BOX 583  
PORT PIRIE, 5540

Fax [REDACTED]  
Telephone [REDACTED]

\* 4/4/2008

Reference MCPIR-08-567

Jaqueline Carol McDiarmid

[REDACTED]

Dear Sir/Madam,

\* Please find enclosed a copy of a restraining order recently made in your favour by this Court in an action against the person named in it, the defendant. The copy has been sent to you to ensure that you are fully aware of the conditions of the order, and of the extent to which you are protected by it.

\* You are not protected by the restraining order until the defendant has received a copy of the order.

If you wish to find out whether the defendant has received a copy of the order, you should contact your 24 hour Police Station.

\* Although the police assign a high priority to the serving of restraining orders, in the majority of cases it still takes several days for the defendant to receive the copy of the order.

\* If the defendant approaches you, or if the police have had difficulty locating the defendant and you happen to see the defendant, you should contact the police immediately.

It is important to remember that if the person who has been restrained breaches the order, that is, disobeys a condition of it, you should **contact the police immediately** so that the necessary action can be taken.

Two spare copies of the restraining order have also been sent to you. You should keep them to hand in a safe place. If the order has not been served, and the defendant approaches you in person (or if the police have been having difficulty in locating the defendant and you happen to see him or her), you should contact the police immediately. When the police attend, you can then give them the spare copies of the order to enable personal service of the restraining order to be effected on the defendant immediately.

**Police Contact Details**

In the metropolitan area, the police attendance number is [REDACTED]  
Outside the metropolitan area, you should contact **your local police station.**

Yours faithfully,

\*   
REGISTRAR  
enc.  
cc1062



# DOMESTIC VIOLENCE RESTRAINING ORDER and SUMMONS

MAGISTRATES COURT OF SOUTH AUSTRALIA

www.courts.sa.gov.au

Domestic Violence Act, 1994 - Section 9(2)

Court Use

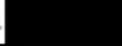
date filed

Presiding Officer 197

Brief Id 08/K47303

**THIS DOCUMENT MUST BE SERVED ON THE DEFENDANT PERSONALLY**

Registry	PORT PIRIE	File No	MCPIR-08-567
Registry Address	20 Main Road, PORT PIRIE, SA 5540		
			
	telephone	facsimile	email

Defendant	
Name	<u>Darren James MCDIARMID</u>
Date of birth	 Licence Number SA 
Address	

Complainant			
Name	POLICE	08/K47303	
Address		Complainant's reference	
	telephone	facsimile	email

\* Date order made: 4th day of April, 2008

\* The Court has heard an application in your absence and is satisfied that there is a reasonable apprehension that you may, unless restrained, commit domestic violence and has made an order against you.

## Order made:

The defendant is restrained in the following terms:

1. For the purpose of this order "the protected person" means the following person or any one or more of the following people: Jaqueline Carol McDiarmid .
2. Subject to any order or direction of the Family Court of Australia or any agreement between the parties as to contact with the children of the relationship:- until further order.
3. The defendant, Darren James McDiarmid, is not to contact or communicate in any manner with Jaqueline Carol McDiarmid, save and except for the purpose of arranging access to the children of the relationship and those arrangements are to be made by telephone.
4. The defendant is not to attend at or remain within 100 metres radius of any premises at which she may from time to time reside.

AND FURTHER, the following supplementary firearms orders are made pursuant to the provisions of Section 10 of the Domestic Violence Act.

The order prohibiting the defendant from possessing a firearm in the course of his or her employment lapses.

That a member of the police force is authorised to enter any premises in which any firearm in your possession is suspected to be and to search for and take possession of any such firearm.

That you be disqualified from holding or obtaining a licence or permit to be in possession of a firearm.

## DIVORCE PROCEEDINGS - LEGAL DOCUMENTATION

- GE Money Credit Card (Coles Myer) current outstanding balance of approximately \$4,100.00.
14. I am in default of payment of all account as I have been unable to make the full payments. I have been negotiating with the various financial institutions to try to make reduced payments.
15. I am seeking an urgent Interim Order that the Trust funds be released so that these liabilities can be paid and the balance of the proceeds be divided between Darren and I in a manner consistent with my Application.

### Matrimonial Asset Pool:

16. The assets of the marriage comprise of the following:
- a) The proceeds of the former matrimonial home in Boylan & Co Trust Account \$47,000.00;
  - b) VN Commodore in my possession valued at \$1,500.00; and
  - c) Ford motor vehicle in Darren's possession valued at \$1,500.00.

### History of the relationship

17. I met Darren in approximately 1991 at the Kadina Hotel. We were introduced by his friends. I was living at Kadina at this time and Darren was living at Whyalla.
18. Darren had taken a redundancy package with his employment from BHP approximately 3 months prior to our meeting. I am uncertain as to the exact amount of the package.
19. I commenced cohabitating with Darren in Whyalla and lived there with him for 18 months.
20. Four months into our relationship Darren began to verbally abuse me. He would said words to me such as \*\*\*\*\*. I left the father as this time due to the abuse and moved back to Kadina. We then moved to Paskeville to be near my parents prior to the birth of the twin boys. The twins were then born on [REDACTED]
21. Darren travelled to Kadina and convinced me to give him another chance and I subsequently did so. We resumed living together.
22. The abuse stopped for a small time and then began again when I was pregnant with the twins. During this time Darren would not allow me to see my friends and family. He would not allow me to go to the shops or run errands without him present. He did not physically abuse me at the time.

Signature of deponent \_\_\_\_\_

Signature of witness \_\_\_\_\_

23. He would constantly call me names and say words to me such as 'you are ugly' and 'you are fat'. He would also state words to the effect that I 'had no friends'. Darren would also denigrate people who I had contact with to the point that it was too hard for me to contact anyone and I eventually gave up trying to contact my friends. The only people I appeared to speak to were Darren and my children.
24. When we lived in Paskeville for 18 months Darren worked for a tree lopping company for one month.
25. We then moved to Melbourne in or around \*\*\*\* to be near Darren's family.
26. We lived in Melbourne for 3 years and Darren worked for an engineering company Davies & Baird for approximately 4 months.
27. [REDACTED] was born in Melbourne on [REDACTED]. Following [REDACTED]'s birth we decided to move back to Kadina as we considered a smaller town a better place to raise a young family.
28. We lived in Kadina for approximately 3 years. [REDACTED] was born on [REDACTED] in Kadina.
29. We then returned to Melbourne when Corey was 18 months of age. We lived with Darren's parents in Epping for approximately 6 weeks. Darren's mother became abusive towards our family and asked us to leave the house. She was extremely abusive and was yelling and hit me and was also yelling at the children and Darren. We left immediately and spent 4 weeks alternating between the houses of Darren's friends and Darren's brother.
30. We then moved to my mother's house in Kadina for 9 months where we saved for a deposit on a house.
31. In 2001 we purchased a house in Port Pirie and moved into this house. The house was situated at [REDACTED]
32. Darren obtained employment with Port Pirie West Primary School as a maintenance man in approximately 2006 and remained employed until 2008.
33. [REDACTED] attended Risdon Park Primary School for 2 years while [REDACTED] attended at John Pirie Secondary School for 2 years.
34. Following [REDACTED]'s birth the abuse by Darren towards me became physical. On one occasion I recall we had an argument prior to me going to bed. I was asleep on the bed and Darren lifted up the whole bed and tipped me off. He then picked me up and held me against the wall while yelling in my face.

Signature of deponent \_\_\_\_\_

Signature of witness \_\_\_\_\_

35. He would often push me up against the wall by the scruff of the neck and yell close to my face. Darren would also hold me against the wall and punch the wall next to my face.
36. Our house had punch marks in the wall from when Darren punched the wall.
37. Just prior to me leaving the relationship, Darren held me on the bed and said to me words to the effect that 'I could rape you if I wanted to'. After I left Darren he would send threatening text messages to me almost everyday.
38. In relation to the children we reached an arrangement whereby Darren would see [REDACTED] and [REDACTED] one week out of every two and would spend time with [REDACTED] and [REDACTED] on the alternating week. On the third week of the month he would spend time with all four children and on the fourth week I would spend time with all four children.
39. Approximately two or three months following separation the twins had a birthday party to attend while they were in Darren's care. Darren and I had arranged that he would return the children to me and I would take them to the birthday party.
40. Darren got the days confused and returned the children to me one day early. When I explained to him that the birthday party was not until the following day he flew into a rage and said words such as 'you are always messing me around'. He started punching the air conditioner on the outside of the house. He behaved in this way while the children were present.
41. We were standing on the verandah of the house and he grabbed me and I tried to push him away. He then picked me up and threw me off the verandah and I fell to the ground. Darren attempted to take the twin boys away with him and I ran after to try to stop him from taking the children whilst he was in a rage. I managed to pull the children away and get them into the house.
42. I am unsure of who called the police however the police arrived at the home whilst Darren was still present and I had locked myself and the children in the house. It was at this time that the police encouraged me to seek a Domestic Violence Restraining Order against Darren.
43. I did not do so as I feared a backlash from the father. I was afraid to stand up to him. I had no friends or family in Port Pirie at the time.
44. In March 2008 I decided to take a Domestic Violence Restraining Order against the father as he continued to verbally abuse me on the telephone. I was present Darren was served the Restraining Order and he was extremely abusive to the police officer and I. He made threats to run away with the children to Melbourne the following day.

Signature of deponent \_\_\_\_\_

Signature of witness \_\_\_\_\_

45. None of the children spend time with the father and they all live with me.
46. The father is assessed to pay child support however does not make any payments to me.
47. I am currently in receipt of a Centrelink pension and meet all living expenses for the children.
48. On 13 August 2008 the former matrimonial home at [REDACTED] was sold for \$195,000.00 and the proceeds of \$47,000.00 are held in the Boylan & Co Trust Account.
49. The liabilities of the marriage are:
- a) ANZ MasterCard account number [REDACTED] current outstanding balance of approximately \$14,811.15;
  - b) Commonwealth Bank MasterCard account number [REDACTED] current outstanding balance of approximately \$11,237.05;
  - c) GE Money Buyers Edge Card (Lion Finance Pty Ltd) current outstanding balance of approximately \$4,000.00; and
  - d) GE Money Credit Card (Coles Myer) current outstanding balance of approximately \$4,100.00.
50. The net asset pool for distribution is approximately \$15,851.80
51. The bank accounts were split at separation.
52. I have no Superannuation entitlements and I believe that Darren would have minimal Superannuation entitlements. I am unsure of the relevant super companies in relation to Darren's Super.
53. Since separation I have paid all bills, utilities, rates and mortgage repayments in relation to the former matrimonial home.

#### Orders sought

54. I am seeking the following Interim Orders:
- 52.A That the matter be listed urgently
  - 52.B That the ANZ MasterCard, Commonwealth Easy Card, GE Money Buyers Edge Card and GE Money Credit Card be paid from the proceeds standing to the credit of Darren and I in the Boylan & Co Trust Account.

Signature of deponent \_\_\_\_\_

Signature of witness \_\_\_\_\_

CUSTODY ORDERS - TWO YOUNGEST CHILDREN

FAMILY LAW ACT 1975

IN THE FEDERAL MAGISTRATES  
COURT OF AUSTRALIA

FILE NO: (P)ADC2040/2008

BETWEEN:

\* JACQUELINE CAROL MCDIARMID (Applicant)

AND:

\* DARREN JAMES MCDIARMID (Respondent)

BEFORE:

\* FEDERAL MAGISTRATE LINDSAY

\* DATE:

30 June 2008

MADE AT:

ADELAIDE

UPON APPLICATION MADE TO THE COURT, Mr Alevizos appearing for the applicant mother and there being no appearance by or on behalf of the respondent father

THE COURT ORDERS THAT:

1. There be orders in terms of paragraphs 1 to 10 inclusive of the Application filed on 22 May 2008, as follows:

- \* a) The children [REDACTED] born on [REDACTED] and [REDACTED] [REDACTED] born on [REDACTED] do live with the mother.
- b) The children [REDACTED] born on [REDACTED] and [REDACTED] born on [REDACTED] be at liberty to live with the father or the mother as they so choose.
- c) During the short school holidays each year the said children [REDACTED] and [REDACTED] do spend time with the mother commencing the first Friday of the holidays and concluding the following Friday of the holidays.
- d) During the short school holidays each year the said children [REDACTED] [REDACTED] do spend time with the father commencing the second Friday of the school holidays and concluding the following Friday of the holidays.
- e) The mother do spend time with the said children during the Christmas school holidays in 2008, and each alternate year thereafter, for the first half of the school holidays commencing on the Friday following the cessation of the school term, with the father to spend the following three weeks with the said children in the second half of the school holidays.
- f) The mother do spend time with the said children during the Christmas school holidays in 2009, and each alternate year thereafter, for the second half of the school holidays with the father to spend time with the said children for the first half of the

CHILDRENS COUNSELLING SERVICES - ARRANGED BY MOTHER  
DIVORCE EMOTIONAL  
SUPPORT



Government of South Australia  
Children, Youth and Women's  
Health Service



Women's  
& Children's  
Hospital

10 April 2008

Jacqueline McDiarmid

[Redacted]

CAMHS Country Service  
Regional Office  
Community Health Service  
Alexander Street  
PO Box 546  
Port Pirie SA 5540  
Tel [Redacted]  
Tel [Redacted]  
Fax [Redacted]  
www.cywhs.sa.gov.au

Dear Jacqueline

I am writing to confirm your Initial Consultation Appointment for [Redacted]

The appointment details are as follows:

**WHERE:** CAMHS c/-Community & Allied Health Service, Alexander Street  
Port Pirie SA 5540

**DATE:** Wednesday 23 April 2008

**TIME:** ~~9.30 am~~ FRIDAY 9.30 ~~9th~~ 16th may.

**WORKER:** [Redacted]

For this session, feel free to bring along anyone that you would like to have involved. We will attempt to achieve as much as possible in this session. Please allow at least 90 minutes for the appointment.

Between now and your appointment we would like you to complete the enclosed questionnaire and bring it with you on the day. This will help us to find out more about your goals and how we may assist you.

At the end of the session your counsellor will discuss the range of options that will be available to you.

Please contact us on our toll free number [Redacted], if this appointment time is not suitable and we will arrange another time.

Yours sincerely

[Redacted]  
Administrative Assistant  
CAMHS Country Service