

## Statement of Elizabeth Smith

I, Elizabeth Smith, of 12/100 Victoria Road, Double Bay NSW 2028, aged 36, nurse, state:

1. Gary Smith (Gary) and I have been married for 4 years.
2. Gary and I have an 18-month old daughter, named Dakota Smith.
3. Until recently Gary and I resided at 12/100 Victoria Road, Double Bay NSW 2028.
4. Gary is a salesman.
5. In or about August 20XX, Gary lost his job and has been unemployed since that date.
6. Since August 20XX I have been the only person making money in my family. I am employed as a nurse at the Wayside Mercy Medical Clinic.
7. On Sunday, 3 November 20XX, Gary and I were at home. My daughter was sleeping in her cot in her bedroom. Gary and I were talking about bills and our recent spending, when we began arguing about our financial situation.
8. Gary started yelling at me and waving his fists in the air, screaming "You're useless and lazy."
9. I tried to leave the room but Gary blocked my path. I tried to go around Gary again and he pushed me and I fell over onto my right arm. I immediately felt a sharp pain and screamed out in pain. Gary then turned and left the house.
10. I got up and tried to clean up the mess in the lounge room. I was in so much pain I went and woke up my daughter and drove to the Prince of Wales Hospital.
11. When I saw the doctor, he ordered some x-rays. I was later advised that I had a fractured ulna (forearm). The doctor bandaged my arm and gave me a prescription for some pain medication.
12. I was afraid to go home but I didn't have anywhere else to go.
13. Gary came home the next morning at about 10.00am. I tried to talk to him about what happened and we had a conversation in words to the following effect:

ES: "Gary, we need to talk."

GS: "Shut-up, I don't want to talk to you."

ES: "Please don't yell, you will wake Dakota."

GS: "Then don't make me angry."

14. Gary then grabbed a vase and threw it at the wall.
15. I heard Gary go into our bedroom. He then walked past me carrying a bag and slammed the door on his way out.
16. When I went into the bedroom I noticed that my laptop was missing.
17. The next day I sent Gary a text message with words to the effect of: "Please return my laptop. I need to pay the mortgage and electricity. They are due tomorrow."
18. Gary did not reply.
19. Gary has been verbally abusive to me in the past. He has also thrown objects but this is the first time he has physically hurt me.
20. Since losing his job, Gary has been drinking heavily, often finishing a six-pack of beer every night. This makes him more agitated and aggressive.
21. I want protection from Gary, as I am afraid that he will come back and hurt me again.

This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false or do not believe to be true.

Signed: *E. Smith*

Witnessed: *A. Lagi*

Dated: 17 December 20XX

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