

IN THE PRESENCE OF THE JURY:

<PETER THOMAS, Sworn

<EXAMINATION BY MR PATRICK POWER CROWN PROSECUTOR:

Q. Mr Thomas, just dealing with a few general things relating to this particular matter.

For a start, in relation to the son of the accused, Roseanne Catt, Peter Bridge, in relation to that gentleman did you have occasion to charge him with certain matters?

A. Yes, he was charged later the same day, 24 August 1989.

Q. Without detailing all those matters, was he charged in relation to a matter involving a rock?

A. Yes.

Q. And a matter involving, in effect, the giving of false evidence - -

A. Yes.

Q. Relating from that rock incident? A. Yes.

.CATT2/07/1991 P-1772

.....
Q. After you obtained the search warrants did you make arrangements for a briefing to take place the following morning at the Taree Police Station?

A. Yes.

Q. Did you keep a record of all the police that attended that briefing?

A. Yes.

Q. Where is that record?

A. Would be with the same information that I told you before.

Q. This is the same information that is with Det Paget?

A. Yes, that he gave to me, yes.

Q. Did you have that information when you were being interviewed by the Internal Affairs Police about these search warrants?

A. No, I do not believe that I did.

Q. Can you tell us what time the briefing took place?

A. About 6.30, twenty to seven I think or shortly before seven o'clock.

Q. And police were there to search the three premises, is that right? A. Yes.

Q. Were they broken up in any way into groups?

A. Yes. A number of police went to 2 Cowan Road.

Q. And 2 Cowan Road was the premises occupied by the accused's son, Peter Bridge, is that right? A. Yes.

Q. And you were going to have a raid on all three premises around about the same time, is that right? A. No.

Q. Well, did you arrange for a searching of premises at Cornwall St, Tares and Cowan Road to be done simultaneously?

A. Yes. The residence at Cornwall St, number 1 and the residence at Cowan Road to be done at about the same time, yes.

Q. How many police did you direct to go and search 2 Cowan Road?

A. I think four went.

Q. What about the number of police that went to Cornwall St, 1 or 2 Cornwall St?
A. 9 plus myself, I think.

.CATT2/07/1991 P-1807 THOMAS XX

Q. So that is fourteen police altogether?A. Yes.
Q. Did you have a briefing of all police at the one time?A. Yes.

.....
.CATT04/07/1991 P-1944 P THOMAS XX

AD:AB 5

IN THE ABSENCE OF THE JURY.

(Discussion ensued as to tomorrow's sitting hours.)

IN THE PRESENCE OF THE JURY.

(Her Honour informed the jury that tomorrow the Court would sit from 9.30 to 11.30 am with a short adjournment of a quarter of an hour, recommencing at 11.45 am to 1.45 pm.)

O'LOUGHLIN: Q. Mr Thomas, I think I was questioning you in relation to a telephone call that you had with Mr baggs on 8 September 1989 when you took the phone, I put it to you, from Det Paget and had a conversation with Mr Baggs on the phone. Do you understand what we are talking about? A. Yes.

Q. And you said to him, "This is a total cover up. You let other people talk to the kids and I can't". Remember I put that to you before the adjournment? A. Yes.

Q. Does that help you remember this conversation?

A. That did not take place. I did not say that at all.

Q. "You let him see Peter Bridge. We are charging Peter Bridge with offences". Did you say that to him?

A. No, I did not.

Q. Or anything like it? A. No.

.....
Q. You remember being questioned by Det Inspector Chapman in relation to your involvement in the investigation of a break, enter and steal at the premises of Peter Bridge, 2 Cowan Road on the morning of 15 September 1989?

A. Was I interviewed on the morning of 15 September or did the break, enter and steal occur then?

Q You were interviewed in relation to the break and enter on 15 September?

A. I have been interviewed in relation to that, yes.

Q. And you were questioned in relation to your attendance at Taree on that date. Do you remember being asked questions about that?

A. I do not remember, no.

Q. I want you to have a look at 15 September 1989 in your duty book. Would you have a look at this duty book entry (shown). Do you agree that you were at Taree on that date?

A. I was also in Sydney. I left Sydney early in the morning and drove to Taree.

Q. You might have been in Melbourne but I was asking you whether you were in Taree?A. Yes.

.CATT5/07/1991 P-1998 P THOMAS XX

Q. Whilst you were in Taree on 15 September did you become aware of the fact that Barry Catt was a suspect in relation to the Break, enter and stealing offence at Peter Bridge's premises?

A. I did at some stage. I do not know when it was I became aware of it.

Q. You were told by Det Paget on 15 September that Barry Catt was a suspect?

A. I was told that by Det Paget.

Q. On 15 September?

A. It may have been 15 September, I am not sure but I was certainly told that, yes.

Q. When it was put to you by Inspector Chapman that you became aware, this is question 7 of the interview on 3 April 1990, you were asked this question: "On 15 September 1989 did you become aware that Mr Barry Catt was a suspect in relation to a break, enter and steal offence committed on the home of Mr Peter Bridge of 2 Cowan Road, Taree" and your answer was "Yes I did. I was told something by Det Paget and I later read and noted as having done so in an occurrence entry pertaining to same". Do you remember giving that answer?

A. No, I do not remember it but that is the situation, yes.

Q. You in fact did make an entry on the occurrence pad at the Taree Police Station on 15 September, 1989, is that right?

A. No I didn't. I didn't make an entry at all. I noted the entry and signed my name, that is all I did.

Q. You signed your name in the right hand column - - ?

A. As having read the entry.

Q. And also to notify all police that might be involved in the reading of that entry that you were interested in the matter, isn't that right? A. No.

Q. That was your purpose of doing it to put everybody on notice that, you a Det Sgt from the Regional Crime Squad had put a notation there showing your interest in the matter?

A. The notation indicated that I had read the entry. That is simply what it was for.

Q. You had already made an entry on 22 August 1989, a few weeks before hand, giving a direction to all police that anything relating to Catt was to be referred to you, or words to that effect?

A. It was a request, yes.

Q. I put it to you the reason you put your signature on that occurrence entry was to warn all police at Taree that you were interested in the matter?

A. I signed it simply to note, to indicate that I read the entry.

Q. And you knew that Constables Riley and Burns at the Taree Police Station had taken the particulars in relation to that alleged offence, is that right?

A. I do know that, yes.

Q. And they were two junior uniformed police officers?

A. Yes, that is correct.

.CATT5/07/1991 P-1999 P THOMAS XX

Q. And you spoke to those two police officers after you had been given detailed information by Det Paget, is that right?

A. I may have done that, yes. I am not sure whether I spoke to them or whether I spoke to Paget but I was aware - -

Q. I put it to you what you did is you spoke to Det Paget who gave you detailed information about the break, enter and steal and you then went and had a conversation with these two uniformed constables, Riley and Burns?

A. I do not recall whether I spoke to the constables myself or whether I spoke to Paget and told him to tell them something. I do not recall now. I certainly gave them advice either directly or through Paget.

Q. And you know in your conversation with Constable Burns that he believed that you and Det Paget were taking over the control of the investigation of that break, enter and steal, isn't that right?

A. I do not - no, I do not know that.

Q. Didn't you tell Burns - do you say that you and Paget were involved in that investigation?

A. I told either Paget to tell them or I told them it was nothing to do with myself or Paget, they should talk to Det Sgt Brown about it if they had any worries with it. That is what I told them and in fact that is the only part I played in it.

Q. And you agree that the occurrence pad entry, that is exhibit 12 in the defence exhibits, was numbered 89/1022. Would you have a look at that (shown exhibit 12)? A. Yes.

Q. And that the second entry in relation to where you put your signature in a column, was an occurrence pad entry numbered

89/1142. Do you agree with that? A. I am sorry, this is occurrence entry 1022.

Q. I appreciate that, I am just reminding you about the number on that one? A. Yes 89/1022.

Q. Your direction on - - A. The 22nd.

Q. 22 August 1989, the entry where you put your signature in the column regarding the break, enter and steal, was an occurrence pad entry numbered 89/1142. Do you agree with that?

A. I do not remember.

Q. 2 will show you a copy of your statement (shown). Do you agree it is noted there as 89/1142. You see that? A. Yes.

Q. Would you agree that between 22 August 1989 and your entry in the occurrence pad on 15 September 1989 you had not done anything to countermand your direction on exhibit 12. Do you agree with that? You certainly had not countermanded exhibit 12, had you?

A. No, that is probably right, yes.

Q. You would concede would you not that any police officer who saw your signature in the column relating to the break, enter and steal at Taree involving an allegation that Barry Catt was involved, would put any other police officer off making any investigations of that matter, would it not?

A. I would not agree with that, no.

.CATT5/07/1991 P-2000 P THOMAS XX

Q. You won't concede that at all?

A. No. I agree that I think those police brought it to our attention, it having in mind that previous entry, but they were told that it was not a matter for us and they should report it to Det Sgt Brown and ask for his assistance.

Q. You remember saying to Inspector Chapman after he had shown both those occurrence pad entries, he put this question to you: "Constable Burns has told us that you and Det Paget were in charge of this matter taking into account an occurrence entry made by yourself, numbered 89/1022" and he showed you an entry there, and said, "IS there anything you wish to say about that" and you went on to say this, "The occurrence entry refers to an entirely separate issue and was not intended to place myself or Det Paget in charge of any further allegation or inquiry involving Barry Catt. It referred to a series of allegations being made by her and other people and placed him in a situation where he could be arrested on sight and incarcerated for a breach of bail conditions". That relates to Mr Barry Catt?

A. Yes.

Q. "I can see how, from reading the document, it may have led those police to believe that I was to be in charge of every matter involving Barry Catt. It was certainly not the intended occurrence pad entry."

A. That is what I thought I said this morning.

Q. I am putting to you that had the intention of making other police believe that you were in charge of the break, enter and steal investigation?

A. When I made that occurrence entry, the break, enter and steal had not occurred. I did not have anything in mind concerning the break and enter. It was not my intention to place myself in charge of everything that happened involving Barry Catt from that date forward. If it reads that way, I am sorry, but I clearly told the police involved that I had nothing to do with it and they should refer it to their own detectives.

Q. You advised Constables Burns and Riley in relation to the break, enter and steal - -

A. No, 2 did not.

Q. Well - -

A. I do not recall doing it other than to tell them to investigate it properly or refer it to Det Sgt Brown. I do not know that I even spoke to them, I can't recall speaking to them but I am most certainly aware of the incident.

Q. Did you ever tell them they should get the local detectives involved?

A. Yes.

Q. You did. Of course that was after you had yourself been involved in the investigation of the break, enter and steal, wasn't it?

A. I had no involvement in the break and enter at all.

Q. Are you sure about that?

A. I am most certainly sure about that, yes.

Q. At that stage you were a member of the Arson Squad Unit at Newcastle, weren't you?

A. In the Arson Unit of the Major Crime Squad, yes.

.CATT5/07/1991 P-2001 P THOMAS XX

Q. And you spoke to both Barry Catt and Barry O'Brien in relation to the allegations that they were the people that were suspected of having committed that break, enter and steal?

A. They spoke to me about it but they had been interviewed by police about it at that stage and I told them it had nothing to do with me.

Q. Where did you speak to Barry Catt about it

7A. I do not remember. It was in passing. My recollection is that he made a statement about it or spoken that night about it.

Q. Certainly didn't make any statement before you became involved?

A. I don't know when he made a statement about it.

Q. You had your notation appearing on that occurrence pad on the very day the break, enter and steal occurred, isn't that right?

A. I think that is the situation, yes.

Q. You obtained an explanation from Barry as to where he was when the break, enter and steal occurred, didn't you?

A. Well, I did not obtain it. He spoke to me about it and told me what he was doing.

Q. You were not involved in the break, enter and steal?

A. That is correct.

Q. Is that right? A. Yes.

Q. You told Barry Catt that you had seen an entry that involved him in the break, enter and steal, didn't you?

A. I did not, no. I do not think I said that. Barry Catt mentioned it to me he had been interviewed about it.

Q. He didn't say - didn't tell you he had been interviewed?

A. I do not recall what was said, I honestly don't recall but I spoke to Barry Catt about the break and enter.

Q. He certainly did not tell you that he had already been interviewed about the matter, did he?

A. I do not recall but my understanding is, from memory that he had been interviewed that night about it, but I do not really recall.

Q. You certainly did not tell Inspector Chapman about that?

A. I do not recall what I said to Det Chapman.

Q. Do you remember being asked this question in your record of interview with Inspector Chapman, "When you spoke to Barry Catt about the break, enter and steal at Peter Bridge's home. Can you recall what he told you?" and your answer, "Yes, he said to me that is bullshit. I was working that evening in the shed, I worked very late, I only left the shed to go to the Mobil Service station for a hamburger. I was with a lady all night or most of the night. He told me a name. He said that his next door neighbour Phil could verify that also". Do you remember telling that to Inspector Chapman?

A. Well, if that is recorded that is what I have told him, yes.

.CATT5/07/1991 P-2002 P THOMAS XX

(The Crown Prosecutor conceded that the question and answer put to the witness was correctly read from question 16).

Q. You were helping Barry Catt to prepare an alibi in relation to his whereabouts on that night, weren't you?

A. I was not.

Q. You went and also spoke to Barry O'Brien, the other suspect in relation to the break, enter and steal?

A. I did not go to speak to Barry O'Brien about it, no.

Q. Where did you speak to Barry O'Brien?

A. I do not remember. He also spoke to me about it.

Q. Did you make a note anywhere of your conversations with these two suspects?

A. No.

Q. 2 am now asking you, did you interview Barry O'Brien about the allegations?

A. I did not interview Barry O'Brien, no.

Q. You told Inspector Chapman that you were concerned that the witnesses in your case, Peter Thomas' case against Roseanne Catt, had been accused and "I certainly spoke to Barry Catt and later to Barry O'Brien about the allegation"?

A. I have said that, yes. I was not investigating the break and enter.

Q. But you were certainly tipping off your witnesses about the possibility that they might be interrogated about the break into Peter Bridge's premises when Peter Bridge was a co accused of Mrs Catt?

A. My understanding is that they had already been interviewed by police about it. They expressed their concern to me that they were being accused.

Q. Where was the documentary evidence to support your contention that they had already been interviewed when you spoke to them?

A. I had been told that police went to their house that night.

Q. Who told you that? A. Paget.

Q. Did he. Where is Paget today, do you know?

A. No I don't.

(The Crown Prosecutor informed the court that he believed Det Paget was in Newcastle).

Q. You remember what Barry O'Brien told you about his involvement on the night of 15 September 1989?

A. He was sick I think or was out of town.

Q. He told you that he had been confined to bed with the flu for a number of days and on the night in question was at home with his wife?

A. That is correct, yes.

Q. You had information which would assist police in coming to the conclusion that both these men had alibis at the time they are alleged to have committed the break, enter and steal, isn't that right

7A. It was my understanding the police were already in possession of that information.

.CATT5/07/1991 P-2003 P THOMAS XX

Q. Did you ever relay those conversations to any detective or other police officer about those conversations that you had with Barry Catt and Barry O'Brien?

A. I do not remember whether I did or didn't.

Q. Did you ever tell Constables Burns or Riley not to pursue their inquiries in relation to the break, enter and steal?

A. No, I did not.

Q. It was most unusual for uniformed police to be involved in relation to a break, enter and steal?

A. No. My experience is that is the usual situation.

.....