
THE CATT CHILDREN

1. These four people played a leading role. At the time of Roseanne Catt's arrest on 24 August 1989 their ages were:

Christopher	16	Born 30/5/73
Sharon	14	Born 4/3/75
Julie	12	Born 14/2/77
Tony	10	Born 8/11/78

They had been closely associated with Roseanne Catt for more than two years previously, and apart from an interruption of a few months after her arrest, continued to be so until her conviction two years later. For convenience I will refer to them as children, though they gave evidence here as adults (a point itself to be examined later).

2. All but Tony gave evidence at Roseanne Catt's trial, supporting her position in various respects. In terms of evidence as witnesses to events involving charges, their role was confined to the rock incident and the eucalyptus oil/cricket bat incident.
3. Their role at the trial was addressed by the trial judge as follows:

"The importance of the children in all this, as it has emerged, is that the Crown case is really dependent upon your rejecting them as not being witnesses of truth. If they are telling the truth or, more importantly, if you have a reasonable doubt about that matter, then you would really have to acquit the accused, because their evidence

is so entirely at one with hers, showing her to be a victim and never a villain – that their versions, you may think, cannot stand with the Crown case. That is why the question of their credibility is so crucial; and that is why the Crown Prosecutor cross-examined them at such great length about their various allegations of a sexual nature.” (SU 191).

4. This is a broad direction which treats the evidence of the children as a single bloc, whereas the standard approach, on which the trial judge also directed, is rather that people may lie on one thing but not another, and, as she put it, that “there may well be some shades of grey”. (SU 3). While in one sense favourable to the defence, the broad direction may well, in its implicit invitation to regard the children’s credibility across all issues as a unified whole, have produced an unfavourable effect, particularly in light of the effect on their credibility of the cross-examination on the sexual allegations, as to which the direction continued:

“I do not want to go into the details of this. You might well think, though, that some of their allegations were quite extraordinarily bizarre. That is a matter that is entirely for you. You might also think, for instance, that their description of their real mother, Lorraine Pearson, as somebody who was away from the house – out, having a gay social life, taking no real interest in her children, and who subsequently indulged in extraordinary sexual antics in the presence of the children, that you may have difficulty in matching that with the person we saw here. But, that is entirely a matter for you. Matters of credibility are

exclusively within your domain and I propose to say nothing more about it.” (SU 191).

5. With or without this direction, it is clear that the jury by its verdicts rejected the possibility that the children were telling the truth about the rock and eucalyptus oil/cricket bat incidents. How much of the children's evidence on other matters was rejected by the jury is an open question.
6. On those two counts, given the jury's evident rejection of the children's evidence, the position of Roseanne Catt cannot logically be improved by the fact that the children have now disclaimed the evidence they gave at her trial. That is not to say, however, that their new evidence is a substantial addition to the prosecution case on those counts. Indeed their new evidence contains major difficulties, including clear signs of the adoption of a formula rather than giving an independent account, which have been analysed in the papers already submitted on those counts. (The Rock paras 23-26, Eucalyptus Oil and a Cricket Bat paras 8-13).
7. In addition to the reversal of their roles in relation to those two counts, the children now have given evidence variously on matters going to other counts, the Swan's Crossing matter, the lithium poisoning, the solicitation of Vernon Taylor, and the revolver. As to these matters, they come before this court as admitted perjurers, two of them, Christopher and Sharon, on four previous occasions (Barry Catt's committal and trial, the assault prosecution, and Roseanne Catt's trial), one of them, Julie, on three occasions (Barry Catt's committal and trial and Roseanne Catt's trial), and

one of them, Tony, on two occasions (Barry Catt's committal and trial).

8. Their revised evidence has major problems.

On the lithium count, they now claim to have taken part in contaminating Barry Catt's food. According to Sharon Catt, in her interview with Sergeant Boyd-Skinner on 15 January 2003, the children used to mash up tablets with a fork and put them in Barry Catt's food "on numerous occasions" (Ex 27, A205). She said this was "over a long period of time" (Ex 27, A206), and "at least five to eight to ten tablets" on each occasion (Ex 27, A211). She said that it was "every night" (Ex 27, A223). Julie Catt was less specific, but said it happened "a good few times" (Ex 21, Boyd-Skinner interview 20/1/03, A30). Christopher Catt said that it happened "heaps" of times (Ex 20, Boyd-Skinner interview 22/1/03, A29). On the analysis of the number of tablets available set out in the paper already submitted on the laced liquids, this is quite impossible.

Sharon Catt in her statement dated 24 March 1993 annexed to her affidavit (Ex 28), said she had seen Roseanne crush up tablets from a bottle marked "Lithium". These, she said, were white, and there were other tablets which were green (A 9). By the time of her interview with Sergeant Boyd-Skinner on 15 January 2003, she had a name for the second tablet – Rivotril. (Ex 27, A 204 et seq). She insisted that she had remembered this name ever since the original events (H 1455). But it was no longer green. She said that both medications were little white tablets. The lithium no

longer came in a bottle marked "Lithium" but in silver foil like Panadol (H 1455). Then the next day in her evidence, she said that she had not been sure which came in the silver foil, and reinstated lithium in a bottle (H 1513, 1514). She had spoken to her sister Julie on the phone the previous evening.

Tony Catt went through a somewhat similar process of change. When speaking to Sergeant Boyd-Skinner on 15 January 2003, he said "I've seen the capsules, I can't say what they are ..." (Ex 19, A30). Giving evidence in this hearing, he asserted that they were lithium (H 1294).

He also claimed, most remarkably, to have given evidence at the trial of Roseanne Catt, and of Peter Bridge (H 1293). This supported his claim to have given evidence "a lot of times" (H 1292). He did not give evidence at these. This reflects also on his claim that Roseanne Catt used to make the children write out and learn their statements (Ex 19, A69, 70, 75). He said this used to happen at 1 Cornwall Street (Ex 19, A 78, 79). However, he gave evidence only once while living at Cornwall Street, at Barry Catt's committal in July/August 1989. By the time of Barry Catt's trial he was living at Dapto.

9. On the count relating to Vernon Taylor, the children seem to have shown somewhat excessive enthusiasm to assist the prosecution case. Christopher Catt in his affidavit of 25 March 1993 (Ex 22) said:

"I remember he came over one night and was sitting playing noughts and crosses with Julie while Roseanne was out the back. When Roseanne came into the lounge room, they talked generally about going to the gym, but Roseanne didn't want to.

I wasn't there for the entire conversation. I went to my bedroom out the back. Before I left, I did hear Roseanne say to Vernon, "I'd like to see him dead."

However, when he came to be interviewed by Sergeant Boyd-Skinner on 22 January 2003, this account expanded to allow him to be present to hear Roseanne Catt offer Taylor \$20,000 to kill Barry Catt. No longer did Christopher leave for his bedroom:

"... he'd been to the gym or he was waiting to go to the gym or something, and then um, I don't think I've ever told anyone this before but I'd actually overheard that um, her telling - 'cause I was sitting on the floor pretty well next to him - and she was saying, 'Well (ind), I want you to kill him, there's twenty grand if you do it.' Because there was Sharon and, I think, Sharon and Julie were there as well on the floor 'cause, yeah, Vernon just sort of like was dumbfounded." (Ex 20 A187, 188).

He said he was there until Taylor left (A 190, 194).

He gave this expanded account apparently in the belief that he had never spoken about the matter before, that is, without realising that

he had previously told a different story. When asked shortly afterwards in the same interview whether he had ever been spoken to about Vern Taylor, he said no (A199, 200, 201). His explanation at the present hearing for his account in 1993 was "... the quickest way to get it out, to answer it, was to say I was not there" (H 1375, 13-5). As it would have been to answer many of the other questions he was asked in 1993. It is a ridiculous explanation of someone caught out on the run, mouthing words for the sake of having something to say. This incident is a further indication of the Catt children, in adopting a version of events supportive of the prosecution, acting by rote or agreement rather than by reference to real events.

As noted above, Chris said that Taylor was playing noughts and crosses with Julie. So too did Julie (Ex 18, A 58 also H 1251, where she denied having made it up based on what she had heard Taylor say on TV). However at the trial Taylor had said that he was playing noughts and crosses with Sharon (T 2563); in her interview with Sergeant Boyd-Skinner on 15 January 2003, Sharon said she was playing something with Taylor (Ex 27, A234). While it is easy to conceive how an observer can misremember the roles of participants, it is a big mistake for a person who was not a participant to believe that she was. Julie goes beyond that. She even supplies a reason why she was doing so – she had made a woodwork device at school. Julie's account is yet another sign of joining without much reflection into what is believed to be the required narrative.

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10. It is worth noting that after the arrest of Roseanne Catt, Mr Baggs of the Department of Family and Community Services, because of the suggestion that the children may have been influenced by Roseanne Catt, arranged for the counsellor Sharon Cox to interview Christopher, Sharon and Julie with this in mind. She did so twice. They were also interviewed by Dr Sara Williams, a child psychiatrist. Tony Catt was interviewed by a child psychiatrist in Queensland. They did not vary their accounts, which were found plausible by these professionals (Ex UUUU, paras 44 and 45).

 11. Christopher and Sharon swore affidavits containing their revised versions of events in early 1993. It appears that the other two took the same position at around that time. As a matter of practicality, once having changed their accounts, whether true or false, the price to pay for changing back again would be far too high; for any single one, it would involve complete severance from siblings, who would necessarily have to be condemned as liars, severance most likely also from other family members, and severe and permanent disruption of life. For children with the troubled background of these – again, whatever the truth – that is surely far too high a price. In short, once having taken their changed position, true or false, it is unrealistic to expect that they would ever change it again. The consequence for this case is that there is no significance in the fact that they continue now as adults before this hearing in the positions taken as children or young adults in 1993.

 12. As to the Catt children's change of story in 1993, account must be taken of the possible effect on young people of the defeat of the position for which they had stood for several years. With the

imprisonment of Roseanne Catt for many years their personal world order had collapsed. It is difficult to see as other than spontaneous and genuine the letters from various of the children to Roseanne Catt after her arrest or conviction (Ex ZZZ, CCCC, HHHH, XXXXX. See also statements by Sharon in newspaper articles EX MMMM and photos Ex JJJ, KKKK and LLLL). The present hearing has heard nothing contrary to the evidence about accommodation syndrome from Pam Stein (H 2241-2245) and Dr Sara Williams (H 1607).

Tom Mclambly

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