

BARRY CATT

"I am starting to like you a lot".

Barry Catt to E. O'Loughlin QC, 16/5/91 (T 308).

1. One of the riddles of this case, even for one who has not seen any of the major witnesses at any hearing, is how the jury accepted the portrayal of Barry Catt as more sinned against than sinning in the face of what appears from the transcript to have been such a spirited, confident, cheeky and insolent performance against the cross-examination of Mr O'Loughlin. It does not easily make sense of the claim to have been so meekly oppressed by Roseanne Catt.
2. Certainly the Barry Catt portrayed to the jury is rather different from the Barry Catt revealed at this hearing. First and perhaps foremost on the question of violent and threatening behaviour.
3. On 13 October 1997 Kerry Newman obtained an apprehended violence order on the following basis:

"The victim had a previous ADVO out against the defendant which expired in August, 1997. The defendant has apparent psychiatric problems which affect his behaviour and at times make him irrational towards the victim. The defendant continues to harass the victim in an endeavour to coerce her into returning to the de facto relationship which once existed between them.

The defendant has recently attended the victim's home on many occasions, both alone and in company of others, and has committed a variety of acts ranging from peeking in windows to stealing the family dog – then returning it as an excuse to visit. The victim is in fear of ongoing harassment which may extend to violence if not attended to." (Ex EEE).

4. Patricia Roy was assaulted by Barry Catt on several occasions and harassed (Ex VVVV, Ex WWWW and H 1828-1870, 1872-1896). He made an extraordinary number of phone calls to her – 1327 – from August 2001 to September 2002 (H 2156, Ex PPPPP). This average of nearly four per day is a telling contrast with his version to police on 23 September 2002 of a call "every couple of days".

(Ex RRRRR, A75). Some of his calls as recorded contain language and thought of extreme violence. For example, side B of tape 1, which starts with the idea of burning and incinerating someone – “he won’t be alive long enough to fucken talk”, “when he is rolling around in the fucken grass I’ll kick the fuck out of him” etc., and later “the next fucking thing I’ll do will be Roseanne”. (page headed “SIDE B” and beginning “(B)... Fucken fuck Paul Morris ...”). (See also Ex AAAAA).

5. Patrice Bailey obtained an AVO against Barry Catt on 26 March 2001 (H 654).
6. In 1998, David Knowles’ caravan caught fire. Barry Catt and Paul Morris (who strangely enough is discussed in the context of fire on side B of tape 1) were sitting watching. Within a week or so Barry Catt said to Knowles at the hotel “You’re dead meat. I’ll ground you into the ground like I did to Roseanne.” As a result Knowles obtained an AVO the next day (H 1550-1551). He later moved from Taree in fear for his life. Only two weeks before giving evidence he had received a phone call from Adrian Newell, who said that it was not Barry and Paul who set fire to the van, but another man. (H 1552, 1556). Strangely enough, it was Paul Morris who Graeme Fellows said assaulted him in the company of Barry Catt in about 1999 or 2000 (H 1078-1081, 1133, 1134).
7. Barry Catt’s history of AVOs goes back, of course, at least to 1989 and the application by Marie Whalen, discussed in the paper on her evidence.
8. Pamela Stein gave evidence that at one stage, apparently around 1988, she received a phone call at work at the Manning counselling service from a man who introduced himself as Barry Catt and said “I’m going to get you” threatening rape. (H 2231). One evening at Roseanne Catt’s place she heard him shouting on the phone words to the effect, “I’m going to get you, you fucking mole and I know that Pamela Stein’s with you and I’m going to fucking get her, mole.” (H 2232). One evening while interviewing the children at the police station, she went across the road to her car. Barry Catt came out of the shadows to her car window and said “Well, how long are you going to be over there with the kids with their interviews?”. She felt scared, and wondered how he knew that the interviews were on. (H 2233). He often used to follow her around Taree (H 2232).

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9. A sinister element which has emerged during this hearing is the apparent climate of lawlessness in and around Taree. Evidence has been given by Patricia Roy and Graeme Fellows of serious complaints having been made to police, yet no action, or only obviously ineffective action, having been taken. It is notable that there has been no evidence led to contradict or explain what was said by these witnesses.

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Tom Mplowby