

Actions and documents of the NSW Office of the Director of Public Prosecutions

The DPP:

- Has reportedly paid \$300,000 in court costs after other prosecutions led by Det Sgt Peter Thomas failed.
- Prevented psychiatrists and social workers who had treated the Catt children from testifying at Rose's trial and original appeal.
- Was accused by the defence team of unfairness and misleading the court in both Rose's trial and appeal. DPP barrister Patrick Power, whose evidence shows was personally involved in the Catt children retracting sworn testimony, was a prosecutor in both the trial and appeal.
- Threatened to retry Rose on every charge if the Appeal Court overturned all her convictions, according to the transcript of 27 October 2004. This was despite Judge Davidson finding significant evidence that:
 - Thomas and Barry Catt conspired to have Rose falsely convicted,
 - Thomas planted a gun on Rose, and
 - Thomas gave and procured false evidence.

The DPP has received or has access to:

- Judge Davidson's findings that Thomas:
 - Probably planted a gun on Rose
 - Improperly took part in the preparation of the prosecution case
 - Probably conspired with Catt to falsely convict Rose
 - Was involved in hundreds of phone calls to witnesses at the Davidson inquiry in breach of specific instructions.
 - Pressured eight crown witnesses
 - Offered a monetary bribe in a separate arson case
- Judge Davidson's referral of Thomas' evidence for perjury charges.
- Phone records showing key prosecution witnesses at the judicial review, including Thomas and Catt, rang each other more than 100 times despite the judge's warnings not to discuss the case or speak with anyone likely to be giving evidence in the inquiry. Judge Davidson said the evidence of contact was so extensive further investigation was needed.
- A letter of concern from retired child psychiatrist Dr Sara Williams, who treated the Catt children but was prevented by the prosecution from testifying. The letter outlines her concerns at the handling of the abuse allegations.
- A report on police paedophilia, which was sent by the Wood royal commission to Police Integrity Commission in July 1997.

Rose is waiting for the DPP to:

- Charge Thomas with perjury.
- Decide whether it will charge Thomas with anything else.
- Take action on Judge Davidson's finding that there was evidence of conspiracy.

- Identify and discipline whoever in the DPP worked improperly with Thomas preparing the prosecution's case despite a judge's criticism of him as lacking objectivity and contrary to the instructions of a superior.
- Find the prosecution leak that allowed Adrian Newell to know who was to give evidence and when during the Davidson inquiry.
- Decide whether it will charge any of the crown witnesses who claimed under oath that Rose solicited them to murder Catt.
- Drop the two remaining charges or carry out its threat to retry despite the Appeal Court listing reasons why there should be no retrial.
- Investigate itself after Rose applied to have the conduct of the crown examined.
- Advise the NSW Attorney-General, who asked for its opinion what should be done about Rose's claim for compensation.