

EUCALYPTUS OIL AND A CRICKET BAT

1. The differences between the competing accounts are stark. According to Barry Catt, at about half past ten at night Roseanne Catt called through while he was on the phone, spoke abusively of the woman to whom he was speaking, then came over with the children. Chris was carrying a cricket bat which Roseanne grabbed and swung so that it hit Barry Catt under the right eyelid. He tried to protect himself with his hands, and a bottle of eucalyptus oil he was holding flew into the air (T153-155). He later went to sleep in his sleeping bag, having wedged the front door shut with a knife and a spoon. About two o'clock in the morning Roseanne Catt came in again with the children, turned the light on, and "just started whacking into my head" with her fists. She and the children then ran off. (T155).
2. According to Roseanne Catt and, at the trial, the children, there was no incident during the night, but in the morning when Tony and Chris went over to the office to get liquid paper and a stapler for a school project. Barry Catt grabbed and threatened them, Roseanne Catt heard them crying out and came over with the girls, at which Barry Catt threw the contents of a bottle of eucalyptus oil towards her, hitting her and Tony; she and the children ran away. Barry Catt threw the eucalyptus oil bottle at her back. Roseanne Catt then called the police, who came and arrested Barry Catt.
3. There was evidence at the trial supportive of both sides. The evidence of the police who attended not only supported Roseanne Catt's version, but contradicted the evidence of Barry Catt as to what occurred on their visit. They found fragments of brown glass, one labelled "Eucalyptus" on the front porch (T940-941, 1221). There was a smell of eucalyptus (T1221). They saw Barry Catt through the door, and no injury to him (T 937, 941, 1222). They went round to the back door, which after a while was answered by Barry Catt, who appeared to be well affected by intoxicating liquor, unsteady on his feet, dishevelled, with slurred speech. (T936-937, 1222-1223). He had a strong odour of alcohol on his breath (T943, 1225). There was a half full bottle of Tooheys Draught open on the table (T 943, 1223).
4. Barry Catt's explanation for his demeanour was that he was stunned from the impact of the cricket bat, and had no liquor in

him (T 286, 487). He said that it was impossible for there to have been broken glass from a eucalyptus bottle on the front porch (T 487). He denied that he had met the police at the back door, and said they were at the front the whole time (T 488).

5. In support of Barry Catt's account, Max French said that Barry Catt had visited him about 11 o'clock one Friday night in 1989 with an injury on his eyebrow (T 947, 949). He had not mentioned this in any of his three statements (T 961). He was an old friend of Barry Catt (T 945). He said he had mentioned seeing Barry Catt's eyebrow injury to Sergeant Thomas (T 962), though one would expect this to have caused it to be included in a statement. He said that he had always believed that Barry Catt and Sharon Clark were in a de facto relationship (T966), but had written a statement in May 1987 in which he had said "In my opinion they did not have a de facto relationship" (T 968).
6. Jan O'Brien, the woman to whom Barry Catt said he was speaking on the phone when interrupted by Roseanne Catt, gave evidence of a conversation on that day and at that time, but otherwise very different from Barry Catt's account. On his version, Roseanne Catt called on the other line, asked who he was talking to, then spoke in an abusive fashion of her. He then resumed talking to O'Brien, to be interrupted minutes later by the arrival of Roseanne and the children and immediate attack with the cricket bat (T154). O'Brien, on the other hand, said that she spoke to Roseanne Catt, and then to Tony and Chris Catt, then to Roseanne Catt again. Her husband then took the phone and spoke to Roseanne Catt for five to ten minutes (T888-891). This is a very different account from that of Barry Catt.
7. The police said that when they saw Barry Catt at the back door he had a laceration across his right eyebrow which was bleeding (T 941, 1222). He was later taken to hospital (T1161, 1223). The doctor who examined him and inserted three sutures (T703) said that it is very easy to break the skin in that area (T704), and the wound could have been self-inflicted (T706).
8. The Catt children at the current hearing disclaimed the position they had taken at the trial, and said that Roseanne Catt had hit Barry Catt with the cricket bat. However, there are strong indications that their revised version of events is not based on real

memory, but adherence to a formula which they understand to be the account they now should support.

9. Barry Catt's account, which they now purport to support, contains not one but two attacks during the night, the first with the cricket bat, the second while trapped on the floor in his sleeping bag. If such events occurred, they could scarcely escape being memorable for all participants. Indeed, from the side of Roseanne Catt and the children, the second must if anything have been more memorable: the apprehension of returning late at night, following a first attack with a cricket bat, to the lair of the victim (without the aid of a cricket bat), and circumventing his blocking of the door by putting Julie in through the window (T155, 487), she presumably then letting the others in through the door.
10. Yet the revised accounts of the Catt children contain not even a hint of a second attack. Sharon, Julie and Tony mention only one visit. In the account of Chris Catt, the cricket bat incident is in effect spread between two visits, the first an argument over the phone call, and the second the attack with the cricket bat (H1360). On each visit he mentions only the presence of Roseanne Catt, Tony Catt, and himself – that is, no presence of the girls. On Roseanne Catt's account (and the children's at the trial), the incident began with Chris and Tony going over to the office first, and this aspect of his account may well be a reflection of that.
11. In his account in his affidavit in 1993, Chris Catt included Sharon on the second visit, but not Julie (Ex 21, A6).

When speaking to Sergeant Boyd-Skinner on 22 January 2003, Chris Catt said that Roseanne Catt brought the cricket bat (Ex 21, A281, 300, 317). According to Barry Catt, Chris had brought it. Chris had given Barry Catt's version in his affidavit of 25 March 1993 (Ex 22, A6). To Sergeant Boyd-Skinner he said that Roseanne Catt lifted the bat above her head and struck downwards (Ex 21, A292-298), and that she swung it three or four times (A285). This is quite different from Barry Catt's account, which involved a single swing upwards. This was the version Chris Catt gave in his affidavit in 1993 (Ex 22, A6). This sort of variation is symptomatic of someone who has no real memory of what he is talking about.

12. Contrary to Barry Catt's account, and consistent with Roseanne Catt's, both Julie and Sharon Catt located the incident during the day (Julie Ex 18 A83, Sharon "believe it was the day" Ex 27, 20/1/03 A83).
13. Sharon Catt, most significantly, in her interview with Sergeant Boyd-Skinner made the same mistake as both she and Julie made with the rock incident, a reversal of roles which was never in fact part of their evidence, in this case "Dad was supposed to have hit her over the head" (Ex 27, A296, H1469). This suggests strongly the following of a received formula rather than reliance on memory.

Eucalyptus oil .

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