
OVERVIEW

1. The conclusion that Thomas was a rogue police officer is based on fresh evidence and has major consequences for the case.
2. It impacts directly on the charge involving the revolver, which is immediately thrown open to substantial doubt, particularly in the light of the circumstances otherwise fitting so well a contrived situation in which Constable Cottee could innocently find the weapon.
3. That impact is strengthened by the strong conclusion that Paget and Thomas gave false evidence about the finding of lithium during the search. The integrity of the whole search is thereby under a deep shadow of doubt. The evidence of Caesar increases this, but is unnecessary for the conclusion that the basis on which this charge was considered at the trial is substantially changed and very much weakened.
4. The conclusion about Thomas, and his documented behaviour in the Van Der Merwe case, also strengthens the conclusion that Marie Whalen's initial accounts of what happened in the interview on 23 August 1989 were correct.
5. The conclusions that Thomas is a rogue, and that he and Paget in collusion gave false evidence about the finding of lithium during the search, cast serious doubt over the lithium charge. That effect would be achieved independently through the fresh evidence that

Dr Sandfield requested tests for both lithium and clonazepam, and everything that flows from that. That of course is further strengthened by the demonstrated unreliability of Newell as a witness, including his willingness to give false evidence, and the evident concealment of something in his unsuccessful attempt to distance himself from Thomas.

6. The conclusion that Thomas is a rogue, his behaviour in the Van Der Merwe case, and the conclusion about what really happened in the interview with Marie Whalen has substantial impact on consideration of the change of evidence by Shane Golds about the rock incident. That is supported by the evidence of Peter Bridge about Thomas' behaviour towards him at around the same time about the same incident. On the rock incident there is also the fresh evidence of Mary Warwick at the trial of Peter Bridge about the location of her youngest child. Her changed evidence agreed with the evidence of Roseanne Catt which at the latter's trial she had contradicted.
7. The conclusion that Thomas is a rogue, and that Paget was willing to collude with him in giving false evidence, casts doubt over the charge involving Vern Taylor. The police use of him to approach Lucy Parkinson is deeply suspicious, the more so in the light of Taylor's implausible claim that he in effect knew so little about what was going on that he could not conceivably have hoped to accomplish the mission.
8. The bizarre and aberrant behaviour of Barry Catt subsequently demonstrated, but surely typical of his personality throughout,

casts a rather different light on the incident at Swan's Crossing and that involving the eucalyptus and cricket bat. If the jury had heard even thirty seconds of Barry Catt's late night luridly violent discussion with (or should that be 'at') Patricia Roy, they surely would have had serious doubt on both of these charges.

9. The fresh evidence about Morris at the time of his coming forward could scarcely fail to cast doubt on this charge, in light not only of the extraordinary implausibility of someone approaching an unknown person five schooners down in a club bar at 10.30 on a Friday night with such a proposition, but also of the freshly established roguery of the investigating police.

Tom Moloney