

# The Stain of Guilt

*Miscarriages of Justice*

A public lecture by Wendy Bacon

# Post trial – New Idea 1991

## BARRY CATT: under an evil spell

**B**arry Catt nervously paces around his small home at Taree on the NSW Central Coast. He doesn't know how to sit still, has trouble sleeping and is depressed and agitated.

At 45, the father of four (pictured with photographs of his children) is a broken man.

In September, his wife Roseanne (pictured with Barry and top right) was found guilty of eight charges including wounding her husband, assaulting him, causing him to take Lithium, endangering his life, and soliciting others to kill him.

Barry met Roseanne in 1986 when she and her son Peter came in to get a quote on a car repair at his thriving panel beating business in Taree.

"Roseanne went all out to befriend me," Barry says bitterly. "I was raising the children after my first wife and I separated. She would come over to cook the children meals. What I didn't know then was that she was slowly brainwashing my kids by telling them I didn't love them. She also told them I was mentally unsound."

Roseanne and Barry married in August, 1987. "I really thought she loved me, too – that's how good she is," Barry says. "But no sooner had we signed on the dotted line than everything went sour. She'd provoke me into getting angry and I could see my kids being turned away from me."

What Barry didn't know was that just a week before they married, two people allegedly heard Roseanne state to Barry's sister Mary:



"You might be his next-of-kin now, but next week I will be his next-of-kin and I will have him committed."

Her motive, the jury at the trial was told, was to take control of Barry's lucrative business.

Eleven days after the wedding, Barry was admitted to the Hunter Psychiatric Centre. In two weeks he was home again but twice he would be forced back again.

Two years of mental torment followed when, it is alleged, Roseanne attacked Barry with a knife, a cricket bat and a rock; solicited two men to murder him; and tried to poison him. For her part, Roseanne had accused Barry of molesting his children, and despite strenuous denials, Barry was charged in February, 1989, but acquitted in December last year.

Roseanne and her son Peter ran the business until she was charged with nine offences against Barry.

"My business was ruined and I'm about \$150,000 in debt due to legal fees," Barry says.

It will take him a lifetime to recover from the torment Roseanne put him and others through. In a sad twist to this saga, a man, caught up under Roseanne's spell, was bludgeoned to death by his wife, Thomas Whalen and his wife Marie used to help Barry with his children before Roseanne came on to the scene. Then Roseanne befriended Marie.

"They formed a strong friendship until Marie discovered Tom was having an affair with her new friend," Barry says.

"One night Marie got an axe and hit Tom in the stomach," Barry says.

"Police say Tom did horrible things to Marie and I saw the dreadful bruising. Marie claims she can't even remember hitting her husband with the axe."

Marie was convicted of manslaughter and is currently serving a five-year sentence.

"There were times when I considered suicide because I saw no way out," Barry says. "But I would have taken Roseanne with me."

Barry says that even if he gets his four children (from his first wife Lorraine) – Christopher, 17, Sharon, 16, Julie, 13, and Tony, 12 – back they will never be the same. He says: "She (Roseanne) has brainwashed them against me (before and after he unwittingly signed to put them in her care). But I was blind to all this because I loved her. Now I'd like to see her rot in hell."

Barry adds that he is trying to pick up the pieces and forget the past. He says he will be helped by his new girlfriend Kerry, a 29-year-old mother of two who has been with him for more than a year.

After the trial, his daughter Sharon, speaking for all the children was reported to have said: "I love Roseanne so much. I don't know how we will live without her."

Jayne Newling

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# New Idea 1991 - The World According to Barry

- “Two years of mental torment followed”
- “ It will take him a lifetime to recover from the trauma”
- “ There were times when I considered suicide because I could see no way out”
- “ Barry adds that he is trying to pick up the pieces and forget the past

# Sixty Minutes to the rescue

Tonight, **all the players have their say**, and for the first time, [there is] **dramatic testimony** from the children caught up in this extraordinary saga of hatred, betrayal and revenge.

**Tony: I've kept it all bottled inside This is the first time I've come out and talked ....**

**Tony and Chris have a story to tell.**

**They've had enough.** Now they feel they must speak up.

Roseanne's Story is a like a Hollywood plot....

Barry : she is more evil than Satan

# Factors in Miscarriages of Justice

- ω Illegal or Overzealous police conduct
  - ω Faulty or partial expert evidence
  - ω Media bias, pressure or stereotyping
  - ω Unreliable Circumstantial evidence

# A judicial inquiry needed?

- - Hundreds of long conversations between prosecution witnesses during the inquiry – referred for action – no action taken.
- - Prosecution witnesses referred to action on potential perjury - no action taken
- - Barry Catt claim for \$90,000 victims compensation on basis of false statements – no public action taken.
- - Actions of Crown Prosecutor Patrick Power in misleading jury – referred to authorities since 2000 – no action
- - File on Aboriginal child abuse racket in Taree – relevant to Catt case – all files lost.
- Witness admits gave false evidence in a manslaughter case - DPP sees no cause for action.