



Special Commission of Inquiry into LGBTIQ hate crimes

SUPPLEMENTARY SUBMISSIONS OF COUNSEL ASSISTING

13 October 2023

IN THE MATTER OF ANDREW CURRIE

Introduction

1. This matter proceeded to a public hearing by way of documentary tender on 8 February 2023. The written submissions made by Counsel Assisting the Inquiry, dated 6 February 2023, refer to the witness GB, at [52]-[60] and [81]-[85]. In those submissions it was observed, at [80], that consideration had been given to approaching witnesses from whom statements had originally been taken, but that it did not appear that doing so was likely to be fruitful.

Further statement from GB

2. Subsequent to the public hearing, Mr Currie's family members expressed particular interest in the circumstances in which GB had interacted with Mr Currie on the evening prior to his death. To assist the family's fuller understanding of that matter, the Inquiry interviewed GB in April 2023 and he signed a statement in August 2023 recording his recollections as provided in that interview. That statement has been received into evidence and served on the NSW Police Force and Mr Currie's family.
3. GB's statement confirms the friendship he had with Mr Currie and the serious drug use problem that both he and Mr Currie faced around the time of Mr Currie's death, particularly in relation to illicitly obtained prescription medications.¹ According to GB, Mr Currie "was not romantically inclined towards men or women – he just wanted drugs."²
4. GB said he had an understanding that many of the public toilet blocks around the Manly area were used by men for the purposes of having sex with other men, including the toilet blocks in District

¹ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [5]-[11] (SCOI.85275).

² Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [7] (SCOI.85275).

Park.³ He also stated that the toilet blocks in District Park were a location where he and Mr Currie would frequently go to take drugs on occasion.⁴ However, his statement does not provide the basis for any inference that Mr Currie's death was related to the possible use of those toilet blocks as a beat.

5. GB states that his then partner was home when Mr Currie attended their residence in Manly Vale on the evening before his death.⁵ GB further states that, after Mr Currie left, he and his partner went to bed. According to GB, his partner was there with him that night as it was her residence.⁶ As at the date of these supplementary submissions, the Inquiry has written to GB's former partner with a view to conferencing with her about the evening in question.
6. GB's account of the circumstances in which he came to find Mr Currie on the morning of 13 December 1988 is consistent with the evidence otherwise known.⁷ It provides the additional information that Mrs Currie attended GB's place that morning as she was concerned because her son had not come home. From there they both travelled in Mrs Currie's car to look for Mr Currie in District Park.⁸ One additional observation volunteered by GB is that he considers that if he had come across the Nembudeine tablet bottle when he located Mr Currie, it is possible that he may have taken the bottle.⁹ His recollection more generally of details of his finding Mr Currie are imprecise. Independently of the police records, he was not certain which of the toilet blocks in the park was the one where he found Mr Currie, nor as to whether he attended the police station with Mrs Currie (although he does recall making two statements at the police station on that day).¹⁰

Comments on GB's further statement

7. It is submitted that the information provided by Mr Currie in his statement does not give rise to any suspicion of his involvement in Mr Currie's death. The information he volunteered indicating that it was possible that he could have taken the Nembudeine bottle if he had located it when finding Mr Currie, if anything, would appear to suggest that he was doing his best to give an honest account of his recollection of an event that occurred over thirty years ago.

³ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [12] (SCOI.85275).

⁴ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [11] (SCOI.85275).

⁵ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [13] (SCOI.85275).

⁶ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [16] (SCOI.85275).

⁷ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [17]-[28] (SCOI.85275).

⁸ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [17]-[19] (SCOI.85275).

⁹ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [24] (SCOI.85275).

¹⁰ Exhibit 13, Tab 29, Third statement of GB, 29 August 2023, [20], [26] (SCOI.85275).

8. It is submitted that the additional information in GB's further statement provides no reason to revisit the nature of the findings that it was suggested are appropriate in the written submissions previously made by Counsel Assisting.

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William de Mars

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