

New South Wales Police

STATEMENT in matter of: Place: Homicide Squad
 Death of Gerald Leslie CUTHBERT Criminal Investigation Branch
 Date: 4 July, 1984
 Name: Mervyn James HUNTER
 (Surname in capitals)
 Address: Homicide Squad, Criminal Investigation Branch Sydney Tel. No. [REDACTED]
 Occupation: Detective Senior Constable STATES:-

1. On Sunday the 18 October, 1981, I went with Detective Sergeant Hagan, to [REDACTED] Stephen Street, Paddington, where I saw the body of the deceased, Gerald Leslie CUTHBERT, in a bedroom at the unit and with other Police, we commenced inquiries into his death.

2. Inquiries reveal that about 6.15pm on Sunday the 18 October, 1981, [REDACTED] 1212 and Simon Richard CANT arrived home at [REDACTED] 1212 flat at [REDACTED] Stephen Street Paddington. [REDACTED] 1212 and Cant had spent the weekend at Nowra and on entering the flat they found the body of the deceased lying naked, face down on [REDACTED] 1212's bed and Police were contacted.

3. Detective Sergeant Johnson of the Scientific Section also attended and made an examination of the scene and took photographs. Flat [REDACTED] Stephen Street, Paddington consists of a kitchen/loungeroom area with a hallway to the entry door, with two bedrooms off one side of the hallway and the bathroom off the other side near where the hallway meets the loungeroom. The main bedroom is near the entry door with the second bedroom closest to the loungeroom. There were no signs of any forced entry to the flat. The deceased was naked lying face down in a pool of blood on a double bed in the main bedroom, with multiple stab wounds to his back. The bed covers had been drawn back to the foot of the bed and there was no great disturbance to bed or bedcovers. On the foot of the bed was a black briefcase, a red plastic wallet carry bag, a key and keytag with number 67B on it, a one cent piece and a damp blue denim jacket. The room did not appear to have been ransacked. The deceased's other clothing consisting of a long-sleeved white striped shirt, a pair of khaki jeans, brown belt, brown socks were found in a pile against the wall near the bedroom door. The deceased's green and white pattern underpants were located on the floor near the foot of the bed. Footprints in blood apparently made by a person wearing socks (woven pattern) led from the bed where the deceased was found down the hallway into the bathroom.

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A pair of black socks were found in the hallway. A wet and bloodstained towel was found lying on the floor at the entrance to the loungeroom. Two Marlborough cigarette butts were found in an ashtray on a coffee table in the loungeroom. A test on the saliva on these cigarettes revealed that the person who smoked them, was a non-secreta. The deceased was an O secreta. A fingerprint examination of the unit was also carried out and a number of identifiable prints were found. Some of these fingerprints have been eliminated but still unidentified are prints on the vanity mirror in the bathroom, prints on a coffee jar and prints on the coffee table in the loungeroom. I PRODUCE BY DETECTIVE SERGEANT JOHNSON A STATEMENT OF HIS EXAMINATION AND PHOTOGRAPHS.

4. A post mortem examination was carried out on the deceased by Dr. Brighton, Government Medical Officer, which revealed that the deceased had 48 stab wounds to his back, six stab wounds to the left chest and eight stab wounds to the left neck and shoulder region. There was a total of 62 stab wounds in all to the left side of the body. The deceased's throat had also been cut. Dr. Brighton gave the cause of death as a cut throat and multiple incised penetrating wounds of the chest. There was positive reactions for sperm on the anal swabs taken from the deceased but these were insufficient for grouping. I PRODUCE DR. BRIGHTON'S POST MORTEM REPORT.

5. A canvas was conducted by Police of all flats at [REDACTED] Stephen Street, Paddington and surrounding buildings. A search was also made of the immediate surrounding area for the weapon or anything else that may assist the inquiry but nothing was found or obtained that could assist the inquiry.

6. I212 of [REDACTED] Stephen Street, Paddington was interviewed and stated that he has known the deceased for about 5 years. I212 lived with the deceased for a number of years in a homosexual relationship until June, 1980, when the deceased broke the relationship for religious reasons. I212 has remained friendly with the deceased since this time and for the last three or four months before his death, the deceased was attending I212 flat at Stephen Street, every night for meals and showers

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and on the odd night staying overnight. The deceased had a key to [I212] flat and the arrangement was on a friendship basis only as [I212] was involved now in Christianity and not homosexual activities. [I212] was aware that the deceased was still having problems with his homosexuality. [I212] last saw the deceased on Thursday evening the 15 October, 1981, at [REDACTED] Stephen Street, when the deceased had a meal there, talked and played records before going home to the Y.M.C.A. at about midnight. About 9am on Saturday the 17 October, 1981, [I212] left his flat with his boarder Simon CANT and travelled with friends to Nowra where they remained until returning home to Stephen Street about 6.15pm on Sunday 18 October, 1981. [I212] unlocked the front door of the flat with his key, entered the flat and noticed stains on the carpet in the hallway. [I212] went into the lounge room and saw the deceased's boots and thought that the deceased was in the bedroom with somebody. [I212] then went to his bedroom, switched the light on and saw the deceased dead on his bed. Police and Ambulance were then contacted and attended. On the 18 October, 1981, [I212] at [REDACTED] Stephen Street, Paddington identified the deceased to Senior Constable Allen of Waverley Police. Later the same date Senior Constable Allen identified the deceased's body to Government Medical Officer Dr. Brighton. I PRODUCE A RECORD OF INTERVIEW BY [I212].

7. Simon Richard CANT of [REDACTED] Stephen Street, Paddington, was interviewed and stated that he has resided at Stephen Street, with [I212] since 1 October, 1981. He only knows the deceased by meeting him when he visited [I212] at Stephen Street. He last saw the deceased when he visited [I212] at [REDACTED] Stephen Street, on Thursday evening the 15 October, 1981. Cant left Stephen Street about 9am with [I212] on Saturday the 17 October, 1981, and travelled to a Christian meeting at Nowra returning with [I212] to [REDACTED] Stephen Street at about 6.15pm on Sunday the 18 October, 1981. Cant noticed blood stains on the carpet and was in his bedroom when [I212] called out at discovering the deceased. Cant then went to [I212] bedroom and saw the deceased lying face down and naked on [I212] bed with a lot of blood on the bed underneath him. Cant touched the deceased leg to feel for a pulse and then

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contacted the Police. Cant also noticed blood on the bathroom floor and a wet handtowel with blood on it near the telephone, in the lounge room. I PRODUCE A RECORD OF INTERVIEW BY SIMON RICHARD CANT.

8. Patrick Henry Wentworth McGREADY of [REDACTED] Albert Street, Petersham, an uncle of the deceased and Trevor George CUTHBERT also of [REDACTED] Albert Street, Petersham, the deceased's brother were also interviewed. They stated that the deceased arrived at their place on Friday evening the 16 October, 1981, with a Anthony Sidney ROBBINS who was moving into their residence, at [REDACTED] Albert Street, Petersham. The deceased stayed overnight at these premises and left the next day Saturday the 17 October, 1981, sometime between 11.30am and 12.30pm. The deceased stated that he was going to his brothers, Gavin CUTHBERT'S place and then going home to his room at the Y.M.C.A. Prior to his leaving the deceased made arrangements with McGREADY and Trevor CUTHBERT, to meet him in the City about 6pm that same evening and they were going to go to the pictures together. McGREADY and Trevor CUTHBERT stated that they never kept this meeting as they got involved with some Fijian people at the Palace Hotel and stayed there. I PRODUCE A RECORD OF INTERVIEW FROM PATRICK MCGREADY AND A STATEMENT FROM TREVOR CUTHBERT.

9. Gavin David CUTHBERT, of [REDACTED] Alice Street, Newtown, the brother of the deceased was interviewed and stated that he had arrived in Australia in July, 1981, and had not seen his brother the deceased for years prior to this. Stated that he had only seen his brother on a couple of occasions since arriving in Australia. The last time he saw the deceased was about 2pm on Saturday the 17 October, 1981, when the deceased called in at his premises. They had a brotherly argument over some money Gavin Cuthbert owed [REDACTED] 1212 and the deceased left. I PRODUCE A RECORD OF INTERVIEW FROM GAVIN DAVID CUTHBERT.

10. Anthony Sidney ROBINS, of [REDACTED] Albert Street, Petersham, was interviewed and stated that on Friday evening the 16 October, 1981, he went with the deceased to [REDACTED] Albert Street, Petersham, where they saw Trevor Cuthbert and Patrick McGready. The deceased spent the night at these premises and left about lunch time the following day Saturday the 17 October. Robins

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stated that the deceased indicated that he was going to his brothers Gavin Cuthbert's place. This is the last time Robins saw the deceased. Robins stated that there was an arrangement for McGready and Trevor Cuthbert to meet the deceased outside the YMCA on Saturday evening and go to the pictures, however Robins states that McGready and Cuthbert were with him at the Palace Hotel, on Saturday night the 17 October, 1981, and did not keep this appointment.

11. Gerard PETRE of Room, [REDACTED] at the YMCA, Pitt Street, Sydney, was interviewed. PETRE was the supervisor at the YMCA between 9am and 11pm on Saturday the 17 October, 1981. PETRE stated that he saw the deceased about 4.30pm to 5.30pm on Saturday the 17 October, 1981, at the YMCA and the deceased informed him that his brother and uncle were going to pick him up from the YMCA and they were going to the pictures. Petre states that about 7pm to 7.15pm the deceased came back into the YMCA (after apparently waiting out the front) and he appeared annoyed. The deceased told Petre that his brother and uncle did not arrive, that he was sick of waiting and he was going for a drink. PETRE states that about 7.45pm to 8pm he saw the deceased come back into the YMCA. A short time later PETRE saw the deceased return to the reception area after apparently going to his room and PETRE noticed that the deceased had changed his clothes and was wearing a denim jacket and jeans. The deceased then told PETRE that if anyone asked for him, to tell them that he was going to his flat. This is the last time PETRE saw the deceased. PETRE expressed the opinion that he didn't think that the deceased would have gone far to have a drink as he was only gone for approximately half to three quarters of an hour. Inquiries revealed that the deceased drank and ate frequently at the Marble bar at the Hilton Hotel and the Windsor Tavern in Pitt Street. Inquiries were made at these places and other hotels in the vicinity of the YMCA but no one had seen the deceased during this time.

12. An address book with names and telephone numbers in it was taken possession of from the deceased's property. All persons listed in this book have been interviewed and eliminated from the inquiry but there was no information obtained that could assist the inquiry. During the inquiry information was obtained that the deceased was a homosexual. The deceased

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had mentioned to some of the people interviewed that about 1 month prior to his death, he met 2 American sailors and they were 'his favourite, the best he had ever met'. Numerous premises in the city and close suburbs where it is believed that persons of homosexual tendencies frequent or where the deceased may have gone on Saturday night the 17 October, 1981, after leaving the YMCA were canvassed and although all places were co-operative and some places knew the deceased, no one had seen him that night.

13. Peter BENNETT of [REDACTED], was spoken to as a result of this canvas. BENNETT is a part-time doorman at the Midnight Shift club at 85 Oxford Street, Darlinghurst, working there between 9pm and 6am every Friday and Saturday nights. On Saturday night the 17 October, 1981, Bennett commenced work at the Midnight Shift at 9pm and about 1.30am a male person who Bennett described as about 25 to 30 old, medium build, dark hair, not too long, and wet, at the time, islander appearance but not real dark complexion, wearing a dark coloured, possibly denim jacket, which was very wet came to the door of the club. This person said to Bennett, "Are there any American sailors here tonight". Bennett replied, "No, why don't you go to the Cross". This person then left. Bennett saw the deceased's photograph in a newspaper and recognised it as being the same person who came to the door. Bennett was also shown a colour photograph of the deceased and stated that he was sure that it was the same person who came to the door of the Midnight Shift on that Saturday night.

14. Inquiries were made with the Naval Police and it was ascertained that 4 American Naval ships containing thousands of sailors were in port at Sydney over the weekend of 17 and 18 October, 1981, leaving Sydney on the 21 October, 1981. No record is kept of sailors on shore leaving at any time and inquiries were made if any sailor was seen to return to his ship with bloodstains on his clothes, but this met with a negative result.

15. Inquiries were also made at the deceased's places of employment but at all places where the deceased has worked he was described as a good reliable worker and no information could be found to relate to his death. Extensive media coverage

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was given to this inquiry which resulted in several inquiries which proved to be of no assistance.

16. Although only the deceased's blood was found at the scene, because of the extensive knife wounds to the deceased inquiries were made at all hospitals in the city area for any persons attending Casualty for treatment for cuts. Several people were interviewed as a result of this but all proved of no assistance to the inquiry.

17. Numerous people were interviewed during the inquiry and elimination fingerprints and blood samples were taken from several people, but all have been eliminated at this stage and no information has been forthcoming that would assist the inquiry as to the identity of the person responsible for the deceased's death.

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