

Case 7 - Bias Crimes Indicators Review Form

File Number: 334
Product Type: TEXT DOCUMENTS:Investigators Note
Date of Note: 28 Feb 2017
Brief Description: Murder of Gerald CUTHBERT (7) on 17 October, 1981.

Gerard Leslie CUTHBERT was 37 years old when he was found murdered in [REDACTED] Stephen Street, Paddington, the address of his ex-partner [REDACTED] I212. CUTHBERT was a homosexual male. CUTHBERT was last seen leaving the Sydney YMCA at 8.30pm on Saturday 17 October 1981.

His body was found sometime later with 62 stab wounds. It appears he may have had sex with his killer prior to the murder. It appears that a small amount of cash was stolen and there were no strong suspects in respect to this offence.

The investigation looked at possible links to the murders of Peter PARKES (Case 8) and Constantine GIANNARIS (Case 6) which were dubbed the "gay blade" murders at the time that were solved resulting in 2 persons charged however the only common thread were the time frames in which all 3 murders occurred.

CUTHBERT led a promiscuous lifestyle and the investigation looked at the possibility of the offender being a visiting American sailor that the deceased been actively seeking to find for sex shortly before his death.

The offender may well have been an opportunistic "thrill" or psychopathic serial killer who fled overseas, D/C/I LEHMANN documented.

NSW POLICE FORCE

STRIKE FORCE PARRABELL

Bias Crimes Indicators Review Form

Investigation No:	7
Victim/Deceased:	Gerald Leslie CUTHBERT
Date of death:	17 October, 1981
Investigation Status:	Unsolved
Offender/s:	N/A
Investigative Unit:	Homicide Squad, Sydney
Description:	<p>Gerard Leslie CUTHBERT was 37 years old when he was found murdered in [REDACTED] Stephen Street, Paddington, the address of his ex-partner [REDACTED] CUTHBERT was a homosexual male. CUTHBERT was last seen leaving the Sydney YMCA at 8.30pm on Saturday 17 October 1981. His body was found sometime later with 62 stab wounds. It appears he may have had sex with his killer prior to the murder. It appears that a small amount of cash was stolen and there were no strong suspects in respect to this offence.</p> <p>The investigation looked at possible links to the murders of Peter PARKES (Case 8) and Constantine GIANNARIS (Case 6) which were dubbed the "gay blade" murders at the time that were solved resulting in 2 persons charged however the only common thread were the time frames in which all 3 murders occurred. CUTHBERT led a promiscuous lifestyle and the investigation looked at the possibility of the offender being a visiting American sailor that the deceased been actively seeking to find for sex shortly before his death.</p> <p>The offender may well have been an opportunistic "thrill" or psychopathic serial killer who fled overseas, D/C/I LEHMANN documented.</p>

Indicator 1 – 9 taken from the 'Responding to hate Crime – A multidisciplinary Curriculum for Law Enforcement & Victim Assistance Professionals. National Centre for Hate Crime Prevention, United States Department of Justice Office for Victims of Crime, 2000. Indicator 10 developed by NSWPF Bias Crimes based on research and cases.

1. Differences	
Prompts	Comment
<ul style="list-style-type: none"> • <i>Immutable characteristic differences between victim and POI's sexual orientation</i> 	<p>Gerard Leslie CUTHBERT was 37 years old when he was found murdered in unit [REDACTED] Stephen Street, Paddington, the address of his ex-partner [REDACTED]. [REDACTED] According to [REDACTED], CUTHBERT and himself were in a homosexual relationship for approximately 5 years and lived together at the above unit. [REDACTED] continues that CUTHBERT had questioned his homosexuality after becoming a Christian. "About June, 1980, Gerry had friends from Auckland New Zealand, Mr. and Mrs. Paul and Vicki SAMPSON. They stayed with us for about a month. It was during this time that Gerry started to question his homosexual relationship with me and wanted to know what the bible said about having homosexual relationships. As a result of Gerry's relationship with Paul and Vicki he became a Christian and didn't want to continue his homosexual relationship with me. He told me he wanted to make a complete break from homosexuality. About a week after Paul and Vicki went back to New Zealand and went to [REDACTED] Fulbourne Road, Pennant Hills to live with five other Christian guys in a house. I remember the day he left because it was American Independence day the 4th July, 1980" (TR113). In the months prior to his murder, CUTHBERT had been staying back with [REDACTED] in a 'friend's only relationship', as [REDACTED] too had become Christian. During this time, "Gerry told me that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA" (TR-113). [REDACTED] and CUTHBERT had not had a homosexual relationship since 4 July, 1980 (TR-113). Investigators spoke to [REDACTED] who informed them that he was currently seeing CUTHBERT around the time of his murder. When asked if he had been in a homosexual relationship with CUTHBERT, he stated, "Yes. He has been home to my place twice and I screwed him both times but he wanted to screw me but that didn't happen" (TR-111). The dates of this were within the month prior to CUTHBERT'S death. Several suspects were listed throughout this investigation however each were</p>

	<p>ruled out for different reasons. Investigators at the time even scoured their records and interviewed persons known to target homosexual men for robberies however these suspects were too ruled out (IN-164) (IN-171). Due to the suspect not being known, it is unknown what their sexuality was.</p>
<ul style="list-style-type: none"> • <i>Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred</i> 	<p>CUTHBERT was murdered at [REDACTED] Stephen Street, Paddington. He had previously resided at this address with his ex-partner [REDACTED] who also claimed now to be heterosexual with the help of Christianity. Despite this, he had kept a close friendship with CUTHBERT and there is no evidence of animosity between the pair. [REDACTED] other flatmate Simon CANT also participated in a record of interview with Investigators however in this appears to be tolerant of CUTHBERT'S sexuality and is also assisting him in his desire to become Christian (TR-110). Only CUTHBERT, [REDACTED] and CANT held keys to this unit. Investigators state that there was no evidence of forced entry to the unit. CANT and [REDACTED] located the body of CUTHBERT and were both ruled out as suspects early on in the investigation.</p>
<ul style="list-style-type: none"> • <i>Victim was engaged in activities promoting his/her group</i> 	<p>There is no evidence to suggest that CUTHBERT was engaged in activities promoting homosexuality at the time of his death. Evidence suggests that he was struggling with a decision between homosexuality and Christianity. "Gerry told me ([REDACTED]) that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA" (TR-113).</p>
<ul style="list-style-type: none"> • <i>Incident coincided with a holiday or date of particular significance to the victim or POI's group</i> 	<p>CUTHBERT was murdered on 17 October, 1981. There is no evidence to suggest that this date held anything of significance to him.</p>
<ul style="list-style-type: none"> • <i>Victim, although not a member of the targeted group is a member a member of an advocacy group that supports the victim, or the victim was in company of a member of the targeted group</i> 	<p>There is no evidence to suggest CUTHBERT was supporting any particular groups or friends with persons who do. In recent time CUTHBERT had taken to being a devout Christian deserting a homosexual lifestyle. Prior to moving back in with [REDACTED] CUTHBERT had been living with five other Christian men in Pennant Hills.</p>
<ul style="list-style-type: none"> • <i>Historical animosity exists between the victim's group and the POI's group</i> 	<p>Numerous suspects were listed in this matter however ruled out for different reasons. Due to this, there is insufficient information to determine if there was an historical animosity between them and CUTHBERT.</p>

Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim’s and/or witnesses.	Yes

GENERAL COMMENT

Gerard Leslie CUTHBERT was 37 years old when he was found murdered in [REDACTED] Stephen Street, Paddington, the address of his ex-partner [REDACTED]. According to [REDACTED], CUTHBERT and himself were in a homosexual relationship for approximately 5 years and lived together at the above unit. [REDACTED] continues that CUTHBERT had questioned his homosexuality after becoming a Christian. "About June, 1980, Gerry had friends from Auckland New Zealand, Mr. and Mrs. Paul and Vicki SAMPSON. They stayed with us for about a month. It was during this time that Gerry started to question his homosexual relationship with me and wanted to know what the bible said about having homosexual relationships. As a result of Gerry's relationship with Paul and Vicki he became a Christian and didn't want to continue his homosexual relationship with me. He told me he wanted to make a complete break from homosexuality. About a week after Paul and Vicki went back to New Zealand and went to [REDACTED] Fulbourne Road, Pennant Hills to live with five other Christian guys in a house. I remember the day he left because it was American Independence day the 4th July, 1980." In the months prior to his murder, CUTHBERT had been staying back with [REDACTED] in a 'friend's only relationship', as [REDACTED] too had become Christian. During this time, "Gerry told me that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA." [REDACTED] and CUTHBERT had not had a homosexual relationship since 4 July, 1980. Investigators spoke to [REDACTED] who informed them that he was currently seeing CUTHBERT around the time of his murder. When asked if he had been in a homosexual relationship with CUTHBERT, he stated, "Yes. He has been home to my place twice and I screwed him both times but he wanted to screw me but that didn't happen." The dates of this were within the month prior to CUTHBERT'S death. Several suspects were listed throughout this investigation however each were ruled out for different reasons. Investigators at the time even scoured their records and interviewed persons known to target homosexual men for robberies however these suspects were too ruled out. There is no evidence to suggest that CUTHBERT was engaged in activities promoting homosexuality at the time of his death. Evidence suggests that he was struggling with a decision between homosexuality and Christianity. "Gerry told me [REDACTED] that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA."

2. 'Comments, Written Statements, Gestures	
Prompts	Comment
<ul style="list-style-type: none"> <i>Bias related comments, written statements or gestures were made by the POI</i> 	Numerous suspects were listed in this matter however ruled out for different reasons. Due to this, there is insufficient information to determine if the person who murdered CUTHBERT made any bias related comments. No independent witnesses were identified. No written statements were recovered from the crime scene.
<ul style="list-style-type: none"> <i>Comments and gestures can occur before, during and after the incident</i> 	No comments, written statements or gestures were able to be identified in this matter.
<ul style="list-style-type: none"> <i>Victims may not be aware of the significance of gestures made</i> 	No comments, written statements or gestures were able to be identified in this matter.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
Numerous suspects were listed in this matter however ruled out for different reasons. Due to this, there is insufficient information to determine if the person who murdered CUTHBERT made any bias related comments. No independent witnesses were identified. No written statements were recovered from the crime scene.	

3. Drawings, Markings, Symbols, Tattoos, Graffiti	
Prompts	Comment
<ul style="list-style-type: none"> <i>Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI</i> 	Several photographs of varying quality were reviewed in this matter with several of these at the crime scene around CUTHBERT'S body (PH119) (PH-120) (PH-121) (PH-122). No bias related drawings, markings, symbols or graffiti was observed in any of available photographs. A statement of Detective Sergeant Roger JOHNSON was also reviewed. Detective Sergeant JOHNSON was the Crime Scene Officer and made detailed notes of the crime scene. In this statement, there is no mention of any bias related drawings, markings, symbols or graffiti described at the scene or on the deceased body of CUTHBERT (ST-526). No person/s has been charged with the murder of CUTHBERT.
<ul style="list-style-type: none"> <i>Before discounting symbols, ensure that you understand the meaning of the symbol</i> 	No bias related drawings, markings or symbols were identified in this matter.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	Yes
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No
GENERAL COMMENT	
Several photographs of varying quality were reviewed in this matter with several of these at the crime scene around CUTHBERT'S body. No bias related drawings, markings, symbols or graffiti was observed in any of available photographs. A statement of Detective Sergeant Roger JOHNSON was also reviewed. Detective Sergeant JOHNSON was the Crime Scene Officer and made detailed notes of the crime scene. In this statement,	

there is no mention of any bias related drawings, markings, symbols or graffiti described at the scene or on the deceased body of CUTHBERT. No person/s has been charged with the murder of CUTHBERT.	
4. Organised Hate Groups (OHG)	
Prompts	Comment
<ul style="list-style-type: none"> • <i>Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross</i> 	There is no evidence of any items or objects representing an OHG being located at the scene.
<ul style="list-style-type: none"> • <i>An OHG claimed responsibility</i> 	No persons have claimed responsibility or been identified for the murder of CUTHBERT. As such, it is unknown if an OHG was responsible for the murder.
<ul style="list-style-type: none"> • <i>There are indications that an OHG was involved or active in the area</i> 	There are no indications that there was an active OHG active in the area at the time CUTHBERT was murdered.
<ul style="list-style-type: none"> • <i>MO is similar to known MO of an OHG</i> 	CUTHBERT died after having his throat slashed and being stabbed 62 times to the rear and left hand side of his back (OD-249). There is no evidence that this attack is the specific MO of any known OHG'S.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	Yes
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

GENERAL COMMENT

There is no evidence of any items or objects representing an OHG being located at the scene. No OHG'S were known to be active in the area at the time nor did any come forward to claim responsibility for the murder. CUTHBERT died after having his throat slashed and being stabbed 62 times to the rear and left hand side of his back. There is no evidence that this attack is the specific MO of any known OHG'S.

5. Previous existence of Bias Crime Incidents

Prompts	Comment
<ul style="list-style-type: none"> <i>Victim was visiting a location where previous bias crimes had been committed against members of the victim's group</i> 	<p>CUTHBERT was murdered at his ex-partner [§ 87(2)(b)] address at [§ 87(2)(b)] Stephen Street, Paddington. There is no evidence to suggest that this address was a location where previous bias related crimes had occurred against homosexual men. Prior to his murder, CUTHBERT was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males (ST-531). There is no current information to ascertain if Spanners Bar was a known hangout or gathering place for homosexual men to meet or if there were previous bias related crime linked to this location.</p>
<ul style="list-style-type: none"> <i>Several incidents occurred in the same area and the victims were members of the same group</i> 	<p>There is no evidence to suggest that similar incidents had occurred against homosexual males at [§ 87(2)(b)] address.</p>
<ul style="list-style-type: none"> <i>Victim has received previous harassing mail, email, social media posts or phone calls or has been the victim of verbal abuse (anti-gay) based on his/her affiliation with a targeted group</i> 	<p>There is no evidence to suggest that CUTHBERT had been receiving harassing mail or phone calls prior because of his sexuality prior to his murder. Evidence suggests CUTHBERT had been living in Pennant Hills with five other Christian men prior to returning to [§ 87(2)(b)] address. "Gerry told me that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA" (TR-113). There is no evidence suggesting any of the people CUTHBERT had been living with in Pennant Hills had issue with him.</p>
<ul style="list-style-type: none"> <i>Recent bias incidents or crimes may have sparked retaliatory bias crime</i> 	<p>There is no evidence that a recent bias incident or crime sparked this murder.</p>

Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim’s and/or witnesses.	Yes

GENERAL COMMENT

CUTHBERT was murdered at his ex-partner [1212] address at [redacted] Stephen Street, Paddington. There is no evidence to suggest that this address was a location where previous bias related crimes had occurred against homosexual men. Prior to his murder, he was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males. There is no current information to ascertain if Spanners Bar was a known hangout or gathering place for homosexual men to meet or if there were previous bias related crime linked to this location. CUTHBERT had been receiving harassing mail or phone calls prior because of his sexuality prior to his murder. Evidence suggests CUTHBERT had been living in Pennant Hills with five other Christian men prior to returning to [1212] address. "Gerry told me that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA." There is no evidence suggesting any of the people CUTHBERT had been living with in Pennant Hills had issue with him.

6. Victim/Witness Perception

Prompts	Comment
<ul style="list-style-type: none"> Witnesses (actual) perceive that the incident was motivated by bias 	<p>Both residents of [redacted] Stephen Street, Paddington were away at a Christian camp over the weekend that CUTHBERT was murdered, and returned to find his naked body on [1212] bed (TR-113) (TR-110). There were no other witnesses identified and therefore there is insufficient information to determine if any person perceived the incident as being motivated by bias.</p>

Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim’s and/or witnesses.	Yes

GENERAL COMMENT

Both residents of [REDACTED] Stephen Street, Paddington were away at a Christian camp over the weekend that CUTHBERT was murdered, and returned to find his naked body on [REDACTED] bed. There were no other witnesses identified and therefore there is insufficient information to determine if any person perceived the incident as being motivated by bias.

7. Motive of Offender/s

Prompts	Comment
<ul style="list-style-type: none"> • <i>POI was previously involved in similar incident or is a member/associates with members of an OHG</i> 	No persons have been charged in this matter, and therefore there is insufficient information to ascertain if they had been involved in similar incidents or associated with an OHG.
<ul style="list-style-type: none"> • <i>The victim was in company of a member of the targeted group</i> 	No independent witnesses or suspects have been identified or charged in this matter. It is unknown if CUTHBERT was in company of any other person at the time of his murder. Prior to his murder, CUTHBERT was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males (ST-531). The males CUTHBERT was with prior to his murder have not been identified.

<ul style="list-style-type: none"> <i>The victim was perceived to be breaking from traditional conventions or working non-traditional employment</i> 	<p>According to [1212] CUTHBERT always wanted to become a porter and finally made this position at the Hilton Hotel whilst they were dating. After they broke up, [1212] stated that CUTHBERT informed him that he had "left the Hilton and had a job fencing with the friends from the Church called the Christian Faith Centre at Wahroonga." [1212] stated that just prior to his death, CUTHBERT was working, "as a storeman and packer for a material place in Dixon Street, Sydney" (TR-113). All of these jobs appear to be traditional employment with no evidence suggesting CUTHBERT was breaking from traditional conventions.</p>
<ul style="list-style-type: none"> <i>The POI has a history of previous crimes with similar MO and involving other victims of the same group</i> 	<p>No persons have been charged in this matter, and therefore there is insufficient information to ascertain if they have a history of previous crimes with similar MO targeting homosexual men.</p>
Indicators	(y/n)
<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>No</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>No</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>Yes</p>
GENERAL COMMENT	
<p>According to [1212] CUTHBERT always wanted to become a porter and finally made this position at the Hilton Hotel whilst they were dating. After they broke up, [1212] stated that CUTHBERT informed him that he had "left the Hilton and had a job fencing with the friends from the Church called the Christian Faith Centre at Wahroonga." [1212] stated that just prior to his death, CUTHBERT was working, "as a storeman and packer for a material place in Dixon Street, Sydney." All of these jobs appear to be traditional employment with no evidence suggesting CUTHBERT was breaking from traditional conventions. No suspects have been charged in this matter therefore there is insufficient information to ascertain if the offender/s had been involved in similar incidents or associated with an OHG. No It is unknown if CUTHBERT was in company of any other person at the time of his murder. Prior to his murder, CUTHBERT was seen by barman Warwick WHITFORD to be drinking at the</p>	

Spanners Bar with three other males. The males CUTHBERT was with prior to his murder have not been identified.	
8. Location of Incident	
Prompts	Comment
<ul style="list-style-type: none"> <i>The victim was in or near an area or place commonly associated with or frequented by members of a particular group e.g. beat</i> 	<p>CUTHBERT was found murdered at his ex-partner [REDACTED] address at [REDACTED] Stephen Street, Paddington. Although both CUTHBERT and [REDACTED] had been in a homosexual relationship in the past having resided together at this address, [REDACTED] was now a practising Christian along with their other flatmate and both were assisting CUTHBERT with his 'struggle with homosexuality'. There is no evidence to suggest that this address was used as a beat location. CUTHBERT had his own key to the location and was allowed to attend on his own will (TR-113). Prior to his murder, he was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males. In a statement, he comments, "Saturday the 17th of October 1981, I commenced work in the Spanners Bar at 8pm. Between 8.30pm and 9pm, the guy in the photograph (CUTHBERT) walked into the bar with three other men. They sat right at the end of the bar near the juke box and they were there at least two hours and I think they left about 11.30pm. They were all happy when they came in but I'm not in a position to say whether they were intoxicated or not. Whilst they were in my bar they consumed at least seven to eight schooners of Resch's beer. Why I remember the fellow in the photograph is because when he bought the beers in his shout, he would give me at least one to two dollars tip. He did talk to me, he asked if I was going to patches that night, but I can't remember the rest of the conversation. ...Towards the end of the evening another guy came up to them and was talking to the guy in the photograph, the other guy asked me for a piece of paper and a pen, which I gave him, and they both wrote something down which I assumed to be exchanging names and addresses. Not long after this, four of them including the man in the photograph, left my bar, but I am not sure whether the fifth guy left with them or not" (ST-531). There is no current information to ascertain if Spanners Bar was a known hangout or gathering place for homosexual men to meet.</p>

<ul style="list-style-type: none"> The location of an incident has specific significance to the victim or POI group e.g. cemetery, religious building, historical landmark, etc 	<p>The address was CUTHBERT'S previous address and [1212] allowed CUTHBERT to attend the location from time to time and occasionally stay as a refuge from his address at the YMCA (TR-113). It does not appear to have any specific significance to him other than a previous address and current address of his ex-partner [1212] who was not home at the time of the murder. WHITFORD made comment that he had never seen CUTHBERT prior to the night of his murder at the Spanners Bar (ST-531).</p>
Indicators	(y/n)
<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>No</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>Yes</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>No</p>
GENERAL COMMENT	
<p>CUTHBERT was found murdered at his ex-partner [1212] address at [REDACTED] Stephen Street, Paddington. Although both CUTHBERT and NORRIS had been in a homosexual relationship in the past having resided together at this address, [1212] was now a practising Christian along with their other flatmate and both were assisting CUTHBERT with his 'struggle with homosexuality'. There is no evidence to suggest that this address was used as a beat location. CUTHBERT had his own key to the location and was allowed to attend on his own will. It does not appear to have any specific significance to him other than a previous address and current address of his ex-partner [1212] who was not home at the time of the murder. Prior to his murder, CUTHBERT was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males. In a statement, he comments, "Saturday the 17th of October 1981, I commenced work in the Spanners Bar at 8pm. Between 8.30pm and 9pm, the guy in the photograph (CUTHBERT) walked into the bar with three other men. They sat right at the end of the bar near the juke box and they were there at least two hours and I think they left about 11.30pm. They were all happy when they came in but I'm not in a position to say whether they were intoxicated or not. Whilst they were in my bar they consumed at least seven to eight schooners of Resch's beer. Why I remember the fellow in the photograph is because when he bought the beers in his shout, he would give me at least one to two dollars tip. He did talk to me, he asked if I was going to patches that night, but I can't remember the rest of the conversation. ... Towards the end of the evening another guy came up to them and was talking to the guy in the photograph, the other guy asked me for a piece of paper and a pen, which I gave him, and they both wrote something down which I assumed to be exchanging names and addresses. Not long after</p>	

this, four of them including the man in the photograph, left my bar, bit I am not sure whether the fifth guy left with them or not." There is no current information to ascertain if Spanner Bar was a known hangout or gathering place for homosexual men to meet.

9. Lack of Motive

Prompts	Comment
---------	---------

<ul style="list-style-type: none"> <i>No clear economic or other motive for the incident exists</i> 	<p>According to Detective Sergeant JOHNSON who processed the Crime Scene, "The general appearance of the room did not give the appearance of being ransacked" (ST-526). There also appeared to be no forced entry to the premises and both other keys were accounted for leaving investigators with the assumption that CUTHBERT willingly led the murderer inside the unit (ST-526) (ST-527). [§ 87(2)(b)] contacted Investigators on 21 October, 1981 and informed them that a small black bag left on his bed, where CUTHBERT was found naked and murdered, was missing \$48.00 in bank notes (IN-161). There is no evidence to suggest that this money was the sole reason to murder CUTHBERT.</p>
--	--

Indicators	(y/n)
------------	-------

<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>Yes</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>No</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>No</p>

GENERAL COMMENT

According to Detective Sergeant JOHNSON who processed the Crime Scene, "The general appearance of the room did not give the appearance of being ransacked." There also appeared to be no forced entry to the premises and both other keys were accounted for leaving investigators with the assumption that CUTHBERT willingly led the murderer inside the unit. [I212] contacted Investigators on 21 October, 1981 and informed them that a small black bag left on his bed, where CUTHBERT was found naked and murdered, was missing \$48.00 in bank notes. There is no evidence to suggest that this money was the sole reason to murder CUTHBERT or that the money was in fact taken by the person responsible for killing CUTHBERT.

10. Level of Violence

Prompts	Comment
<ul style="list-style-type: none"> <i>The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type</i> 	<p>According to the post mortem, the cause of death for CUTHBERT was a "cut throat and multiple incised penetrating wounds of the chest." In relation to the wounds, the government medical officer "found that the back of the chest showed 48 separate stab wounds, the maximum widths of the wounds at the skin surface being 2cms. In outline the wounds appeared to have been caused by a knife having one sharp edge. 6 similar wounds were present on the left side of the chest and 8 on the left side of the neck and left shoulder. The throat had been cut for 10cm" (OD-249). Being stabbed a total of 62 times after having your throat cut completely was an extreme level of violence even for a standard murder with unknown motive.</p>
<ul style="list-style-type: none"> <i>Weapons of opportunity are used in the incident</i> 	<p>Detective Sergeant JOHNSON provided in his statement that his investigations revealed that it was, "suggested by Doctor that knife was sharp, and neck cut in one movement. (Thyroid cartilage cut above vocal chords). Stab wounds appear to be 1.75 wide, and tracks 9 to 10cms deep. Doctor suggests a single edged blade" (ST-526). There is no evidence that the murder weapon was recovered at the scene or if it was previously owned by CUTHBERT or his flatmates and obtained from the unit prior to his murder.</p>
<ul style="list-style-type: none"> <i>The number of POI's is greater than the number of victims and all POI's take an active role in the assault</i> 	<p>There is no evidence to determine how many offenders there were in this mater. It is unknown if more than one person was present or active in the murder.</p>

Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No
GENERAL COMMENT	
<p>According to the post mortem, the cause of death for CUTHBERT was a "cut throat and multiple incised penetrating wounds of the chest." In relation to the wounds, the government medical officer "found that the back of the chest showed 48 separate stab wounds, the maximum widths of the wounds at the skin surface being 2cms. In outline the wounds appeared to have been caused by a knife having one sharp edge. 6 similar wounds were present on the left side of the chest and 8 on the left side of the neck and left shoulder. The throat had been cut for 10cm." Being stabbed a total of 62 times after having your throat cut completely was an extreme level of violence even for a standard murder with unknown motive. Detective Sergeant JOHNSON provided in his statement that his investigations revealed that it was, "suggested by Doctor that knife was sharp, and neck cut in one movement. (Thyroid cartilage cut above vocal chords). Stab wounds appear to be 1.75 wide, and tracks 9 to 10cms deep. Doctor suggests a single edged blade." There is no evidence that the murder weapon was recovered at the scene or if it was previously owned by CUTHBERT or his flatmates and obtained from the unit prior to his murder. There is no evidence to determine how many offenders there were in this mater. It is unknown if more than one person was present or active in the murder.</p>	

SUMMARY OF FINDINGS

Indicator: Insufficient Information (II)

Comment: Gerard Leslie CUTHBERT was 37 years old when he was found murdered in [REDACTED] Stephen Street, Paddington, the address of his ex-partner [REDACTED]. According to [REDACTED] CUTHBERT and himself were in a homosexual relationship for approximately 5 years and lived together at the above unit. [REDACTED] continues that CUTHBERT had questioned his homosexuality after becoming a Christian. "About June, 1980, Gerry had friends from Auckland New Zealand, Mr. and Mrs. Paul and Vicki SAMPSON. They stayed with us for about a month. It was during this time that Gerry started to question his homosexual relationship with me and wanted to know what the bible said about having homosexual relationships. As a result of Gerry's relationship with Paul and Vicki he became a Christian and didn't want to continue his homosexual relationship with me. He told me he wanted to make a complete break from homosexuality. About a week after Paul and Vicki went back to New Zealand and went to [REDACTED] Fulbourne Road, Pennant Hills to live with five other Christian guys in a house. I remember the day he left because it was American Independence day the 4th July, 1980." In the months prior to his murder, CUTHBERT had been staying back with [REDACTED] in a 'friend's only relationship', as [REDACTED] too had become Christian. During this time, "Gerry told me that he was having problems with homosexuality again and I tried to tell him that it was wrong as I had now become a Christian myself and knew that those things were wrong. Because of problems, he was asked to leave Pennant Hills and then he moved to the YMCA." [REDACTED] and CUTHBERT had not had a homosexual relationship since 4 July, 1980. Evidence suggests that he was struggling with a decision between homosexuality and Christianity.

[REDACTED] other flatmate Simon CANT participated in a record of interview with Investigators however in this appears to be tolerant of CUTHBERT'S sexuality and was also assisting him in his desire to become Christian. Only CUTHBERT, [REDACTED] and CANT held keys to the unit. Investigators stated that there was no evidence of forced entry to the unit. CANT and [REDACTED] located the body of CUTHBERT and were both ruled out as suspects early on in the investigation.

Several suspects were listed throughout this investigation however each were ruled out for different reasons. Investigators at the time even scoured their records and interviewed persons known to target homosexual men for robberies however these suspects were too ruled out.

There is no evidence of any items or objects representing an OHG being located at the scene. No OHG'S were known to be active in the area at the time nor did any come forward to claim responsibility for the murder. According to the post mortem, the cause of death for CUTHBERT was a "cut throat and multiple incised penetrating wounds of the chest." In relation to the wounds, the government medical officer "found that the back of the chest showed 48 separate stab wounds, the maximum widths of the wounds at the skin surface being 2cms. In outline the wounds appeared to have been caused by a knife having one sharp edge. 6 similar wounds were present on the left side of the chest and 8 on the left side of the neck and left shoulder. The throat had been cut for 10cm." Being stabbed a total of 62 times after having your throat cut completely was an extreme level of violence even for a standard murder with unknown motive. There is no evidence that this attack is the specific MO of any known OHG'S.

There is no current information to ascertain if Spanners Bar was a known hangout or gathering place for homosexual men to meet or if there were previous bias related crime linked to this location. There is no evidence suggesting any of the people CUTHBERT had been living with in Pennant Hills had issue with him.

As no suspects have been charged in this matter there is insufficient information to ascertain if the offender/s had been involved in similar incidents or associated with an OHG. It is unknown if CUTHBERT was in company of any other person at the time of his murder. Prior to his murder, CUTHBERT was seen by barman Warwick WHITFORD to be drinking at the Spanners Bar with three other males. The males CUTHBERT was with prior to his murder have not been identified.

According to Detective Sergeant JOHNSON who processed the Crime Scene, "The general appearance of the room did not give the appearance of being ransacked." [REDACTED] contacted Investigators on 21 October, 1981 and informed them that a small black bag left on his bed, where CUTHBERT was found naked and murdered, was missing \$48.00 in bank notes. There is no evidence to suggest that this money was the sole reason to murder CUTHBERT or that the money was in fact taken by the person responsible for killing CUTHBERT.

There also appeared to be no forced entry to the premises and both other keys were accounted for leaving investigators with the assumption that CUTHBERT willingly led the murderer inside the unit. The motive for CUTHBERT'S murder is unable to be determined.