



Special Commission of Inquiry into LGBTIQ hate crimes

28 February 2023

Mr Patrick Hodgetts
 Senior Lawyer
 Office of the General Counsel, NSW Police Force
 Locked Bag 5102
 PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Mr Hodgetts,

Special Commission of Inquiry into LGBTIQ hate crimes

I refer to the above Inquiry, and to the death of Gerald Cuthbert who was found deceased on 18 October 1981 in Paddington.

Fingerprint examinations: Gerald Cuthbert

The Inquiry seeks the assistance of the NSW Police Force Forensic Evidence and Technical Services Command to conduct fingerprint examinations in relation to Mr Cuthbert's death.

Case details

On 18 October 1981, fingerprints were obtained from the crime scene at [REDACTED]/40 Stephen Street, Paddington. The exhibit number for the fingerprints taken is: 1981/8344. The NSWPF case number for the fingerprint analysis conducted at the time of the initial investigation is Major Crimes case no 113.

The Unsolved Homicide Team Review Case Screening Form in relation to Mr Cuthbert's death dated 11 October 2005 ("the review document") notes that "Fingerprints were detailed to conduct a review of the fingerprint case as a part of this review". The outcome of this review is not stated in the document. A copy of the review document is **enclosed**.

On 23 September and 25 November 2022, the Inquiry wrote to you to in relation to the location of various exhibits in relation to Mr Cuthbert's death. The statement of Detective Sergeant Neil Sheldon dated 18 January 2022, provided to this Inquiry in response to these letters, indicates that the fingerprint file was located by Forensic Evidence & Technical Service on 27 September 2022.

Request for information and further fingerprint examinations

Please provide the results of any review of the fingerprint case conducted as referenced in the review document. If no such review was actioned, please provide written confirmation as to same detailing the reasons for not actioning this review.

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Additionally, please conduct a comparative examination of latent fingerprints obtained from the crime scene in relation to Mr Cuthbert for a current re-run across the fingerprint database and advise whether any conclusive or inconclusive results are identified.

Timeframe for response

I would be grateful if you could please provide the results of the above examinations by close of business on **8 March 2023**. I note that this matter is proceeding to hearing in the week of 13 March 2023, and assistance is therefore requested on an urgent basis.

The results should be provided in the form of an evidentiary certificate capable of being tendered in evidence.

Thank you for your assistance.

Please do not hesitate to contact Francesca Lilly at [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director, Legal
for Crown Solicitor