



Special Commission of Inquiry into LGBTIQ hate crimes

24 July 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: Gerald Cuthbert

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

The Inquiry would be grateful if the NSW Police Force (“NSWPF”) could indicate if they would be in a position to assist the Inquiry, by contacting the United States Federal Bureau of Investigations (FBI) to seek relevant information and to request the fingerprints in relation to Mr Cuthbert’s case be tested for matches on the FBI records.

Case details

On 18 October 1981, fingerprints were obtained from the crime scene at [REDACTED] 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.

On 6 March 2023 NSWPF provided to the Inquiry a Summary of Fingerprint Evidence prepared by Detective Leading Senior Constable Sandro Di Donato. This advised that in 2007 “unknown fingerprints sent for searching against FBI database in United States via Interpol”. It was further noted that “the latent fingerprints were too damaged for examination in the Latent Print Unit”.

The Summary of Fingerprint Evidence also advised the in 2022 a review was conducted utilising “improved digital photographs and new comparison software”, and that in 2023 previously unidentified fingerprints were able to be matched to the fingerprints of a known person ([REDACTED] 1212).

In the course of its investigations, NSWPF considered the possibility that Mr Cuthbert had been killed by a US naval officer, docked at Sydney, possibly on one of the following ships: The Alamo, The Okinawa, The Denver, or The Sechenectady.

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Fingerprint examinations

Request for information and further fingerprint examinations

Considering the apparent improvements in fingerprint comparison capabilities, the Inquiry considers it appropriate that further analysis be conducted on the fingerprints available in this matter by the FBI. As such, I would be grateful if you could make enquiries as to whether such an arrangement might be made with the FBI to have the following fingerprints tested against the FBI database for matches:

- Graph Exhibit B (81/8344) located at the exit door; and
- Graph Exhibit GNI (81/502) location not described.

Whilst it is not known which fingerprints were provided to the FBI in 2007, Graph Exhibits B and GNI are not noted to have been damaged in the Summary of Fingerprint Evidence.

The Inquiry has been in contact with Dean Chappell, the Legal Attaché at the US Consulate in Sydney, who has been notified that the NSWPF will be providing the fingerprints to the FBI shortly. Mr Chappell has consented to the provision of his contact details to the NSWPF. He can be contacted by email at [REDACTED] or via telephone on [REDACTED].

Timeframe for response

I would be grateful if you could please confirm your ability to assist the Inquiry by no later than **Wednesday, 26 July 2023**. If you are able to assist, I would be grateful if you could please advise that the above requests have been made and advise the Inquiry of the status of this matter by **4 August 2023**.

Thank you for your ongoing assistance to the Inquiry.

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

Yours faithfully,



Enzo Camporeale
Director, Legal

Solicitor Assisting the Inquiry