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Sydney's gay hate bias review: 'I feel in my heart someone didn't push him'



By **Ava Benny-Morrison**

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It was just after sunrise on June 16, 1977, when a fisherman found Paul Edward Rath at the base of a cliff in Sydney's northern beaches.

The fisherman from Beacon Hill had parked his car at Fairy Bower, on the southern end of Manly, and was walking around the rocks when he spotted the body.

Mr Rath, who was found in a sitting position on the rocks, was 45 metres below a cliff ledge he often sat on to calm his nerves.

His trousers were down to almost knee level and his right shoe had also come off.



Elwyn and Catherine Rath's son died in North Head in Manly in 1977. JAMES BRICKWOOD

The rosary beads the devout Catholic carried with him were found nearby.

Almost 40 years on, his death is [one of 88 being reviewed by NSW Police](#) for any signs that his demise – deemed a misadventure in 1977 – was motivated by gay hate.

Mr Rath's death happened near a gay beat at Manly's north head, however there was no indication the 27-year-old catechist was homosexual.

His family said it wasn't unusual for Mr Rath to sit on the clifftop at either day or night with his rosary beads to relax after being diagnosed with a nervous condition in his teens.

According to statements included in a coronial file, they doubted he committed suicide because he was never really depressed and it would be contrary to his religious beliefs to take his own life.

Rather, his father told police at the time that Mr Rath was a clumsy person who before his death had complained about his legs aching.

"The medication he was on was inclined to over-balance him and we feel that is exactly what occurred," Elwyn Rath told Fairfax Media on Friday.

"He was inclined to get a bit dizzy and we were quite convinced that is what happened."

According to a statement by a constable at the time, police formed the opinion that Mr Rath went to Fairy Bower when it was almost dark and "whilst on the ledge apparently lost his footing and fell to his death".

However, it is understood questions were raised by a relative about how Mr Rath may have died after hearing a report in 2013 on 27-year-old Scott Johnson's death at North Head in 1988.

Mr Johnson's family do not accept the ruling that Mr Johnson, a bright mathematician and PhD student, took his own life and believe he may have fallen victim to violence in a gay hate crime.

It was around the same time three men disappeared (now presumed murdered) around a popular gay beat in Bondi, Sydney's eastern suburbs.

A coroner is set to hear a [third inquest this year into Mr Johnson's death](#) after a previous inquest overturned a finding of suicide in place of an open finding.

Catherine Rath, now in her 90s, doubts something sinister happened to her son otherwise she "would have been searching for answers all my life".

"I firmly believe he wasn't depressed or that anyone pushed him over," she said from her northern beaches home.

"It could have happened, I was not there, but I firmly believe it was his medication. I really feel in my heart that someone didn't push him."

Mr Rath's case is one of 88 dating back to the 1970s that Operation Parrabell is reviewing for any signs of gay hate bias. Surry Hills police are also assessing whether the police investigation at the time was thorough.

On that list – drawn from widely-cited research undertaken by former police gay liaison officer Sue Thompson and criminologist Stephen Tomsen – are deaths ruled as suicides, misadventures, drug overdoses and gay hate bashings.

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Ava Benny-Morrison is crime reporter with The Sydney Morning Herald. Connect via [Twitter](#) or [email](#).
