



Special Commission of Inquiry into LGBTIQ hate crimes

Statement of Gregory Rath

May 2023

16/5/23

This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give to the Special Commission of Inquiry into LGBTIQ hate crimes ("the Inquiry") as a witness. The statement is true to the best of my knowledge and belief.

1. My name is Gregory Rath.
2. I was born in 1963. My address is known to the Special Commission of Inquiry. I am employed as a disability worker.
3. Paul Rath was my brother. I was 14 years old when Paul died. Paul, my brother Chris and I all went to high school at St Paul's Catholic College in Manly.

My last meeting with Paul

4. I gave a statement to police on 10 August 1977 (SCOI.02734.00015). In that statement I said that at about 4:30pm on 15 June 1977 I returned home from surfing at the beach, went to Paul's bedroom and asked him to help take off my wetsuit. He was listening to records in his room, was wearing trousers and a jumper. After he helped me, I went to have a shower and did not see him again. These statements were accurate.
5. I do not recall whether Paul used the phone that afternoon. Our house only had one landline by the stairs, and we did not use the phone that much. Because there were eight siblings, our father would sometimes put a lock on the phone.
6. In my statement I also said that Paul appeared to be in a happy mood when I last saw him. I do not agree with this statement.
7. I believe that my mother pressured me to say these things because she wanted to protect Catholic values. Before I was interviewed by the police, she told me to say that Paul was in a good frame of mind and that there was no reason to worry about his behaviour. Because I was only 14, I thought I

would just do what she said. But in the back of my mind and since then, I have thought about how that was not correct and not what I saw.

8. I did not think Paul was in a good frame of mind the last time I saw him. When I asked him to help take my wetsuit off, he was not making eye contact or saying anything to me. It felt like something was wrong. He seemed to be in a deep place, with something on his mind. He would usually pace up and down his room to relax.
9. At the time, I believe my mother and father thought Paul had committed suicide. They were looking for an outcome where Paul had not committed suicide, and I think that is why my mother coerced me into saying Paul was behaving normally.
10. In my statement, I also said that Paul never did or said anything to indicate to me that he would take his life. My impression at that time was that Paul just wasn't right; but I did not think he would go any further than that. He never said anything concrete to suggest he intended to take his own life, though he used to have moods caused by his medication.

The night of 15 June 1977

11. When Paul did not get home after 9pm on the evening of 15 June 1977, my mother and I got worried about his whereabouts. Paul never went out past a certain time of night, though when he had depressive episodes, he would go missing for periods of time.
12. I do not know of anywhere Paul might have gone. He used to go to church a couple of times a week. He also told me he had been to North Head a couple of times to pray, because it was quiet and he could get away from things. He did not have friends' houses to go to, as most of his friends lived in the outer suburbs.

Paul's mental health

13. Paul had a nervous breakdown around the time he left school. This wasn't spoken about openly. I know that some family members believe this may have been connected with some sort of trauma he may have gone through at school, and this may be correct.
14. Paul took medication and he used to walk very fast with his head down all the time. It would look a bit manic and strange in public, like he was on a mission and wouldn't look at you. That is why some people identified him as different.
15. When we were on holiday once, Paul went off his medication and started talking to kookaburras. We eventually found him with police.

Paul's friends

16. Paul had close male friends named [1263] and [1264]. Paul had some difficulty making friends because he had a nervous breakdown after he left high school.
17. Paul met [1263] at the 'House with no Steps', a disability support service where Paul did some work. [1263] also had a disability. [1263] used to come and visit Paul and stay overnight. There were two beds, and if my brother Chris was not there, [1263] would sleep over.
18. When [1263] would stay overnight, he and Paul would listen to music. He stayed over quite regularly, around every two weeks. My family welcomed [1263] as he was a nice, solid friend of Paul's.

Paul's sexuality

19. When I was 13, Paul said he wanted to show me something. He showed me a liquid that looked like sauce, and he said it came out after you masturbated. I was taken aback.
20. I asked Paul whether he was homosexual. He said he was. I said, "really?", and Paul replied with words to the effect of "yes, sometimes I get on top of [1263] and [1263] gets on top of me". I said "okay". I did not judge him. I felt sympathy for him because I knew that he had difficulties in relationships with women, he walked with difficulty and had mental issues. He was a nice brother.
21. We did not have any further conversations about his sexuality, and I did not tell my family about this conversation until recently.

North Head

22. I am familiar with North Head as I surfed at Fairy Bower a lot. I would paddle around from Shelly Beach or go from the rocks.
23. The carpark at the headland was in the same spot in 1977 as it is now, although there has been a lot of development, including new paths down to the shore. At that time, you could access the carpark by following the coastal track from Shelly Beach, or by driving to the end of Bower Street.

Signature:



Name:

GREGORY J RATH

Date:

16/5/23