



Special Commission of Inquiry into LGBTIQ hate crimes

Statement of Caitlin Healey-Nash

18 May 2023

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. This statement has been prepared from my own knowledge and also from perusing the records of the Inquiry. The statement is true to the best of my knowledge and belief.

1. My name is Caitlin Clare Healey-Nash. My address is known to the Inquiry.
2. I am employed as a Senior Solicitor by the Inquiry.
3. In the course of my duties, I have reviewed and conducted inquiries in relation to the death of Paul Rath, who died on 15 or 16 June 1977 in Manly, NSW.

Site visit to the Fairy Bower headland

4. On 2 August 2022, William de Mars (Counsel Assisting the Inquiry), Elizabeth Blomfield (Senior Solicitor) and I conducted a site visit of the Fairy Bower headland and North Head in Manly.
5. Using scene photographs taken at the time of the original investigation (SCOI.82909; SCOI.82908), we were able to locate and visit the location at the base of the Fairy Bower headland where Mr Rath’s body was found. This location is marked on the maps attached to this statement as **Annexure A**. A photograph of the headland from which Mr Rath likely fell is attached as **Annexure B**.
6. While at the site, I took a number of photographs of the headland above. A photograph of the headland above the location of Mr Rath’s body is attached to this statement as **Annexure C**. An abseiling rope can be seen in the photograph, which shows the drop from the headland to the rocks below.
7. Further, we were also able to pinpoint the precise crevice between rocks at the base of the headland where Mr Rath’s body was found. Photographs of this area are attached to this statement as **Annexures D and E**. In particular, I note that there is a sloping area of vegetation near the base of the cliff, followed by rocks closer to the water.
8. Mr de Mars, Ms Blomfield and I also visited the top of the headland above where Mr Rath’s body was found. I noted that it was possible to access the edge of the headland from the walking path, and that there were no fencing or other structures along the edge of the headland.

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Conference with the Rath family

9. On 30 November 2022, Mr de Mars and I held a conference with five of Mr Rath's siblings: Chris, Liz and Helen (in person), and Gregory and Rosemary (on the telephone). Mr Rath's siblings provided information about Mr Rath's background, their recollections of the last occasion they saw him, and their recollections of the police investigation in the days following his death.
10. Following this conference, Mr de Mars and I attended a separate conference with Mr Rath's sister Helen Colman on 14 December 2022, and with Mr Rath's brother Gregory Rath on 16 March 2023. Statements were prepared by Ms Colman and Gregory Rath arising out of the matters discussed in these conferences.

Inquiries made regarding Dr O Reichard

11. In August 2022, I made inquiries regarding Mr Rath's treating psychiatrist, Dr O Reichard, who practiced in Sydney at the time of Mr Rath's death. Through the online Ryerson Index,¹ I identified a funeral notice for "Otto Reichard" who died in Springwood in October 2005.
12. On 19 September 2022, NSW Registry of Births, Deaths and Marriages produced the death certificate for Dr Reichard, who was a medical practitioner who died on or around 2 October 2005. I believe that Dr Otto Reichard was Mr Rath's treating psychiatrist. As Dr Reichard is deceased, no further inquiries were conducted by the Inquiry in relation to his treatment of Mr Rath.

Contact with Ross Parry

13. On 3 March 2023, I wrote to Ross Parry, who was the original officer in charge of the investigation into Mr Rath's death. I provided Mr Parry with a copy of his statement dated 10 August 1977 (SCOI.02734.00018) and invited him to speak with the Inquiry's Legal Team about Mr Rath's matter.
14. On 11 May 2023, Mr de Mars and I held a teleconference with Mr Parry. In that conference, Mr Parry advised that he had no independent recollection of Mr Rath's death or the surrounding investigation.
15. However, Mr Parry did confirm his understanding of the Fairy Bower headland being a location for gay men to meet in the 1970s and 1980s because there would be complaints made about such activities by members of the public to NSW Police from time to time. Mr Parry stated that the location he recalled was the bushland closer to the carpark off Bower Street, rather than up at North Head itself.

Signature:

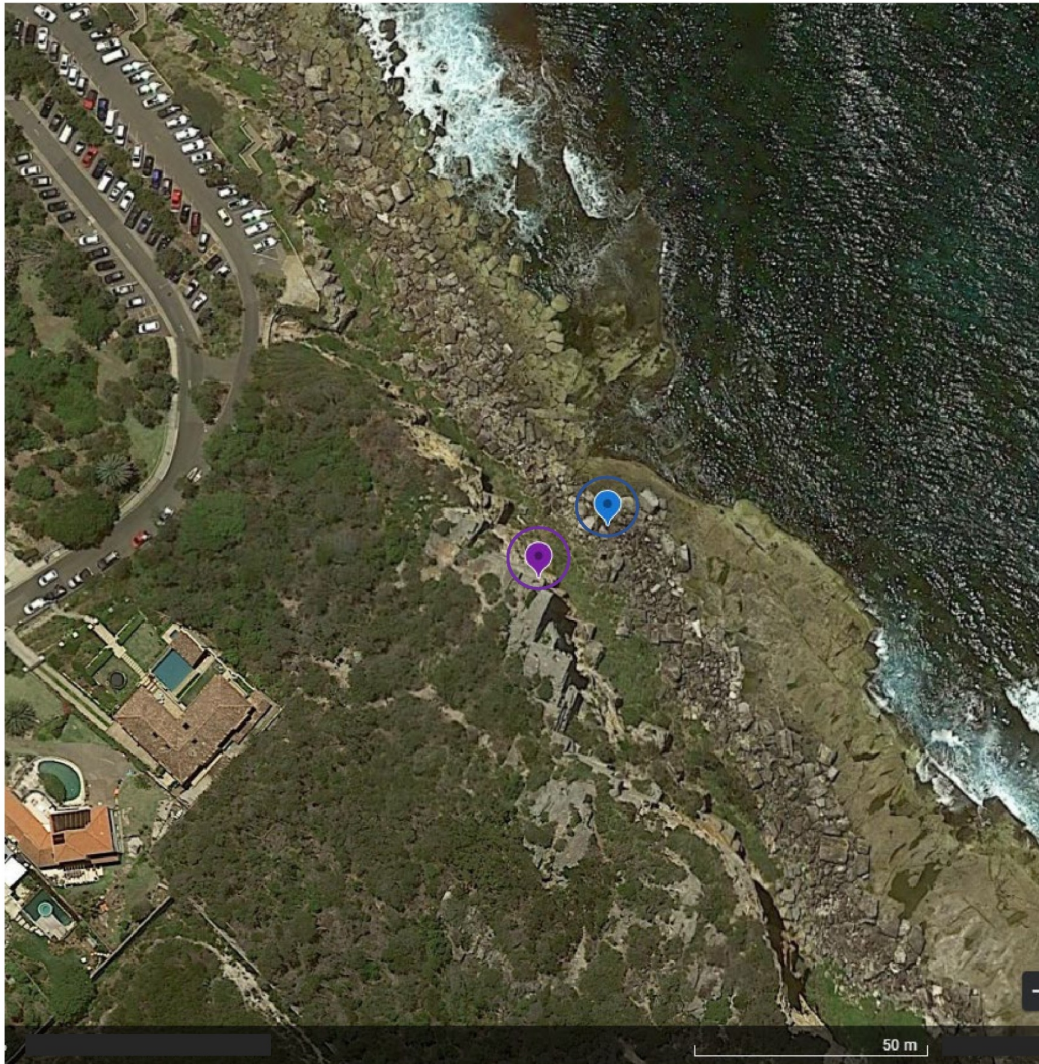


Name: Caitlin Healey-Nash

Date: 18 May 2023



¹ <https://www.ryersonindex.org/>

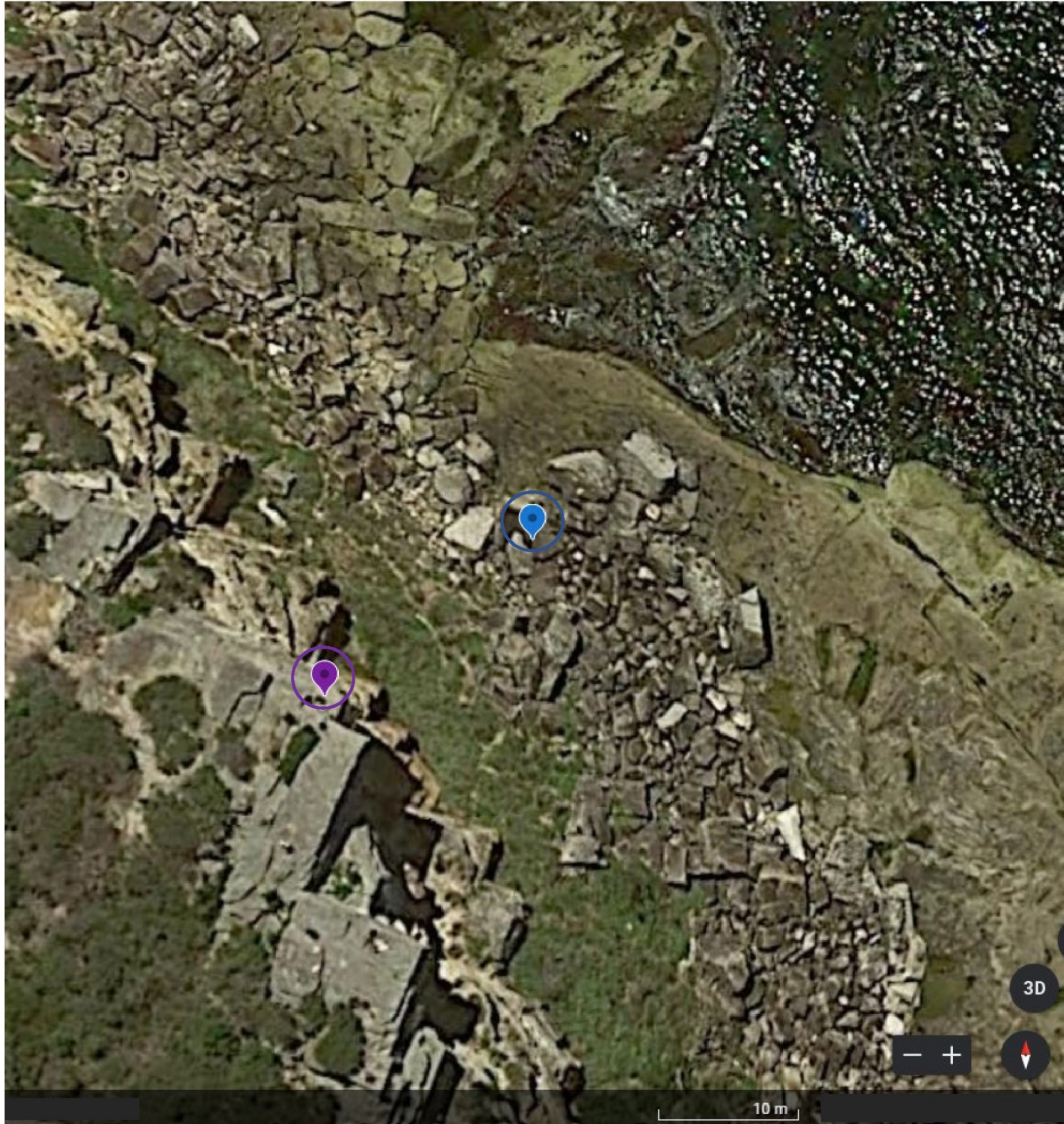
Annexure A



Map of Fairy Bower headland showing location of Mr Rath's body



Key:

-  Location of Mr Rath's body
-  Cliff top area Mr Rath likely fell from



Close-up map of Fairy Bower headland showing location of Mr Rath’s body

Key:

-  Location of Mr Rath’s body
-  Cliff top area Mr Rath likely fell from

Annexure B



Photograph showing cliff ledge Paul Rath fell from (circled in red)

Annexure C



Photograph from location of Mr Rath's body looking up towards the cliff ledge

Annexure D



Photograph showing rocks and vegetation where Mr Rath's body was found

Annexure E



Photograph showing rocks where Mr Rath's body was found