

IN THE MATTER OF THE EXTRADITION FROM THE UNITED STATES OF AMERICA
TO AUSTRALIA OF GREGORY JOSEPH SUTTON.

SUMMARY OF THE CASE IN SUPPORT OF THE REQUEST FOR EXTRADITION.

The extradition of Gregory Joseph SUTTON is sought pursuant to the terms of the Extradition Act 1988 in relation to offences against the laws of the State of New South Wales.

OFFENCES FOR WHICH EXTRADITION IS SOUGHT:

Gregory Joseph SUTTON is wanted in New South Wales to face 24 separate charges : -

11 counts of Sexual Intercourse without consent with a person under the age of 16 years and under his authority

12 counts of Assault with Act of Indecency with a person under the age of 16 years and under his authority

1 count of Committing an Act of Indecency with a person under 16 years of age.

Fourteen (14) Warrants for the Arrest of Gregory Joseph SUTTON were issued for these offences at the Lismore Local Court, on the 16 September 1992. A further ten (10) Warrants for his Arrest were issued from the same Court on the 28 January 1993.

DESCRIPTION OF GREGORY JOSEPH SUTTON:

Gregory Joseph SUTTON was born on the 19 March 1951. He is 43 years of age. He is approximately 5' 6" tall, medium build, medium complexion with brown hair. He had at the time of leaving Australia a moustache. He also wears glasses.

LOCATION OF GREGORY JOSEPH SUTTON:

Gregory Joseph SUTTON left Australia on the 18 August 1989 on a Continental Airlines flight to Los Angeles. He was travelling on Australian Passport No **REDACT** which was issued at Newcastle on the 12 November 1986 and is valid for ten (10) years. SUTTON was known to be living at 6449 North Newguard Avenue, CHICAGO, ILLINOIS. He left this address it appears sometime in 1992.

He has now been positively identified by the U.S. Marshall Service as residing in St Louis, MISSOURI.

OUTLINE OF OFFENCES COMMITTEDBACKGROUND:

It has been established through investigation that Gregory Joseph SUTTON was a teaching Brother with the Marist Brothers Order. (Order within the Catholic Religion). He taught at St Carthages Primary School, Lismore. During the period 1985 to 1987, SUTTON taught at the school and as such held a position of authority over each of the complainants.

Complaints have been received from four (4) students that each was sexually assaulted by the suspect SUTTON.

The brief details of the offences are as follows:

1ST CHARGE.

That Gregory Joseph SUTTON between the 24 March 1986 and the 30 April 1986 in a classroom at the St Carthages School Lismore did commit an act of indecency upon ACU [redacted] ACU [redacted], then aged 10 years whilst she was under his authority. SUTTON ran his hand over the girls vagina on the outside of her underwear. At the time the girl had been called out to the front of class and was standing in behind his desk.

2ND CHARGE.

That SUTTON between the 24 March 1986 and the 30 April 1986 at the residence of the Marist Brothers at Lismore committed an act of indecency upon ACU [redacted], who was then 10 years of age and under his authority by again rubbing his hand against her vagina on the outside of her underwear. The girl had been taken to the residence to look at a train set and have a milkshake.

3RD CHARGE.

That Sutton between the 24 March 1986 and the 30 April 1986 on leaving the Marist Brothers Residence as mentioned in the previous charge, took the girl ACU [redacted] in his motor vehicle to an area just out of Lismore where he committed an act of intercourse upon her by placing his fingers into her vagina. SUTTON had laid the girl across the front seat of the vehicle with her legs closest to him. He commenced by kissing the girl and rubbing his hand on her right leg and thigh.

4TH CHARGE.

That SUTTON between the 24th March 1986 and the 30th April 1986, later in the same week as charges 2 and 3 again took ACU [redacted] for a drive after school and in his motor vehicle, he removed her dress and commenced to kiss her in the area of her breasts. He then removed her underwear, kissed her again and had sexual intercourse with her by inserting two of his fingers into her vagina.

5TH CHARGE.

Shortly after committing charge 4 SUTTON forced the girl ACU to masturbate him until he ejaculated thus constituting the act of committing an indecency assault upon her whilst aged 10 and under his authority. SUTTON had grabbed the girls hand and on her rejection forced it onto his erect penis on the outside of his shorts. He then instructed the girl to unzip his fly and again forced her hand onto his penis. He removed her hand and masturbated himself, showing the girl the desired procedure. She then committed the act of masturbation as outlined.

6TH CHARGE.

That SUTTON between the 24th march 1986 and the 30th April 1986, some 4 days after committing charges 4 and 5, again took the girl ACU for a drive to the outskirts of Lismore where he removed the girls clothing, instructed her to remove his pants, commenced to kiss her and again penetrated the girl with his fingers in her vagina. ...

7TH CHARGE.

Whilst in the act of committing charge 6 the person SUTTON had the girl masturbate him until he ejaculated. She was then instructed to wipe up the semen with a towel and she was driven to the swimming club.

8TH CHARGE.

That SUTTON later in the same year between the 24th March 1986 and the 31st December 1986 at Lismore, took the girl ACU from school to the Marist Brothers residence where he again inserted his fingers into her vagina and massaged the clitoral area. He also kissed her on the breasts and stomach. On his attempting to kiss her vagina the victim closed her legs.

9TH CHARGE.

Shortly after the girl ACU closed her legs as outlined in charge 8, SUTTON forced open her legs and commenced kissing her vagina. He inserted his tongue inside the vagina and continued to kiss her in the clitoral area. The victim rolled over and told him to stop.

10TH CHARGE.

On the victim asking SUTTON to stop as outlined in charge 9 he then instructed her to suck his penis. He put his penis in her mouth and moved it in and out. Prior to ejaculation he took it from her mouth and had her masturbate him until ejaculation.

11TH CHARGE.

Later in the same day SUTTON had the girl ACU [redacted] massage his testicles, he had the girl remove her shorts and underwear. He then commenced to have sexual intercourse with her. After some time, he ceased prior to ejaculation informing the girl he didn't want her to fall pregnant.

12TH CHARGE.

At the completion of the act of sexual intercourse outlined in charge 11, SUTTON had the girl ACU [redacted] masturbate him until ejaculation.

13TH CHARGE.

Later in the same year between the 1st August 1986 and the 31st December 1986 after an outing to the beach, SUTTON again drove ACU [redacted] to the outskirts of Lismore.. He removed his swimming costume and that of the girl. SUTTON then commenced to place his fingers in the vagina of the victim.

14TH CHARGE.

Shortly after placing his fingers in the girls vagina as outlined in charge 13, SUTTON placed his penis in her vagina, having sexual intercourse with her. On the completion of the act he drove her to the residence of the Brothers, where she showered and was driven home.

15TH CHARGE.

Later in the same year between the 1st December 1986 and the 31st December 1986 at the commencement of the school holidays, SUTTON took the girl ACU [redacted] to the swimming pool at St Johns College, WOODLAWN via Lismore. Whilst in the pool SUTTON placed his hand inside the swimmers of the girl and put his fingers into her vagina. At this time he also placed the girls hand inside his swimming costume and onto his erect penis. At this time the girl was eleven (11) years old.

16TH CHARGE.

At the commencement of the first school term in 1987, that is between the 1st February 1987 and the 31 March 1987 SUTTON drove the girl ACU [redacted] from the school to her home. On arrival there it was seen that no person was home. SUTTON went with the girl into the home, where he sat her on the kitchen bench, removed her pants and commenced to place his tongue into her vagina. Shortly after the girls mother returned. SUTTON left the premises.