



**CORONERS COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into the death of Cyril Levitsky
Hearing dates:	3 December 2024
Date of findings:	3 December 2024
Place of findings:	State Coroners Court, Lidcombe
Findings of:	State Coroner, Magistrate Teresa O’Sullivan
Catchwords:	CORONIAL LAW – Missing Person, Mental Health
File number:	2021/341067
Representation:	Advocate Assisting – Sergeant Durand Welsh

Findings:	<p>Identity of deceased: The deceased person was Cyril Levitsky</p> <p>Date of death: Mr Levitsky's date of death is unascertained</p> <p>Place of death: Mr Levitsky's place of death is unascertained</p> <p>Manner of death: The manner of Mr Levitsky's death is unascertained</p> <p>Cause of death: The medical cause of Mr Levitsky's death is unascertained</p>
------------------	--

Table of Contents

Introduction:	1
The Inquest:	1
The Evidence:	1
Findings required by s81(1).....	9
The identity of the deceased.....	9
Date of death	9
Place of death.....	9
Cause of death	9
Manner of death.....	9

The Coroners Act 2009 (NSW) in s81 (1) requires that when an inquest is held, the coroner must record in writing his or her findings as to various aspects of the death.

These are the findings of an inquest into the death of Cyril Levitsky.

Introduction:

In 1970, Cyril Levitsky was housed at the Callan Park Hospital in Rozelle, NSW. He was being treated for mental health conditions that included schizophrenia. On the 28 November 1970, Cyril left the premises and did not return. Although his death is reasonably suspected, no remains have been recovered.

The Inquest:

Where a death is reasonably suspected but no remains recovered, an inquest is usually required to be held so that a formal determination can be made as to whether the person is deceased. Proof that the missing person is deceased “must be clear, cogent, and exact” before a finding of the fact of death is made.¹

Should the coroner be satisfied on that issue, the time, place, date, manner and cause of the death will then be explored as per the requirements of section 81 of the *Coroner’s Act 2009*.

The Evidence:

The inquest took place on 3 December 2024. A brief of evidence was tendered and became exhibit one in the proceedings. The brief of evidence contained the statement of the officer in charge, Senior Constable Gozman, and documents relating to the investigation into Mr

¹ Briginshaw v Briginshaw (1938) 60 CLR 336

Levitsky's disappearance. Due to the historical nature of the case, some of the original records could unfortunately not be located. These missing documents included microfiche records misplaced in the 1990s and the original paper file.

Cyril Levitsky was born in Shanghai, China, on the 28 March 1933. He is believed to have entered Australia on the 15 January 1951.

In 1970 he was housed at the Callan Park Hospital for the Insane in Rozelle, NSW. He was being treated for mental health conditions that included schizophrenia. The Callan Park Hospital is no longer in operation and is now a heritage listed building.

On the 28 November 1970, Cyril left the premises and did not return. He intended to travel from North Ryde (possibly after being treated at Ryde Mental Health Hospital) to his uncle and aunt's residence at Lindfield or Roseville. Following his departure, he failed to make contact with any friends or relatives. Cyril's sister, Irene Little, was informed of his departure when she attended the facility to visit him. His uncle and aunt, identified as Mr and Mrs Stynes, reported him missing.

In August 2011, the NSW Missing Persons Registry were reviewing historical missing persons cases as part of Operation FIRENZE when they located an old paper file relating to Cyril's disappearance. The file consisted of a photocopy of the original missing person report and was sighted by Senior Constable Marsh, who was working in the Registry at the time. It was a photocopy from microfiche misplaced in the 1990s.

Senior Constable Marsh attempted to locate a next of kin and undertook some enquiries relating to whether Centrelink and other government departments had information regarding Cyril's whereabouts. He also made enquiries regarding an unidentified male located on the 15 December 1970, indicating that familial DNA was required for a comparison.

Senior Constable Marsh also searched police electronic holdings but could only locate an intelligence report that contained limited information.

Senior Constable Marsh made enquiries with persons having the last name Levitsky. None of Senior Constable Marsh's enquiries yielded information suggesting Cyril's whereabouts or indicating he was still alive.

Senior Constable Marsh left the Missing Persons Registry in 2012, but then returned in 2020. The original paper file had gone missing during this time. He attempted to follow up the matter by contacting various agencies including Centrelink and Medicare. All enquiries were unsuccessful.

Senior Constable Marsh believed that an unidentified male located in Concord on the 15 December 1970 was very likely Cyril Levitsky. The body was located partially in an open drain along the railway line in the Concord West area. The body was beneath a steel rail line post and alongside the body was a plastic belt broken into two pieces. In the opinion of police who investigated the scene in 1970, the scene suggested suicide, with the belt having been used as a noose.

The deceased was in an advanced state of decomposition. At the time, extensive enquiries were made around the Marrickville area to try and identify the deceased, but these were unsuccessful.

The deceased was male, 25-30 years old, medium build, fairish hair, and approximately 5'10 tall. The deceased was wearing an orange t-shirt, brown trousers, brown shoes and a pair of swimming trunks. He had a wristwatch, door key, a rail ticket from Marrickville to the City, and a blue Air-way bag containing a tea towel bearing the initials E.H.

Senior Constable Marsh based his opinion that the body was likely Cyril Levitsky on similarities in appearance and the location where the body was found, which is a short distance from the home of Mr and Mrs Stynes.

In 2021, investigators attached to the Missing Persons Registry commenced an investigation into Cyril's disappearance. The officer-in-charge of the coronial brief was Detective Senior Constable Gozman, who was allocated the case that year.

After assuming carriage of the case in 2021, Senior Constable Gozman completed the following enquiries in relation to Cyril's whereabouts and whether he was still alive.

- Follow-up was conducted with Interpol regarding knowledge of Cyril Levitsky. This enquiry yielded no result.
- Enquiries were made with the Russian Community in Sydney, including the Russian Club and Russian Orthodox diocese. These enquiries yielded no results.

- Enquiries were made with the Department of Home Affairs regarding Cyril Levitsky and his parents Eric Levitsky and Tatiana Levitsky. There was no result for Cyril but possible matches for Eric and Tatiana. However, further enquiries on police holdings using the information Home Affairs supplied regarding Eric and Tatiana did not yield relevant information.
- Enquiries were made with the Operational Information Agency. Senior Constable Gozman obtained Tatiana's NSW death certificate. The certificate listed Eric Levitsky as her husband and her children as Irina and Cyril. No death certificate was located for Eric Levitsky.
- A media release was conducted through the NSW Police Facebook page. No new information was received.
- Department of Home Affairs enquiries were made regarding Irina Levitsky resulted in Senior Constable Gozman locating an Irene Little, who was potentially the same person. Further enquiries traced her and a Robert Little to a Henry Kendall Nursing Home in Wyoming, where they had both been residents. They passed away in 2018.
- Enquiries were made with NSW Health to obtain any existing records for Cyril Levitsky. No such records could be located.

Senior Constable Gozman reviewed the Henry Kendall Nursing Home records and located a Marc Alexander listed in the next of kin details for

Irene Little. Senior Constable Gozman subsequently spoke with Marc on the phone and he identified himself as Cyril's nephew.

Marc stated he had met Cyril a few times at Callan Park Mental Health facility. He is the last of Cyril's blood relatives alive. He described Cyril as male, Caucasian, fair complexion, medium build, about 5'10, dark brown hair with a slightly receding hairline and having nicotine-stained fingers.

Marc recalled he was about 14 years of age when his grandparents went to visit Cyril at the Callan Park Mental Health facility where he was housed. Staff informed his grandparents that Cyril was missing. He believed that Irene and her parents went to the police to report the matter, but the police informed her that Cyril hadn't been missing long enough for a report to be taken. Marc recalls that staff at the facility and police did not help them look for Cyril at the time. After a year or a year-and-a-half, Cyril's family actively stopped searching for him.

Senior Constable Gozman arranged for Queensland Police to obtain familial DNA from Marc, and this was obtained on the 11 August 2021. The familial DNA was submitted to NSW Forensic and Analytical Science Service and a familial search was run with nil result.

Using photographs of Cyril that Marc provided, Senior Constable Gozman conducted a media release using NSW Police Facebook and also released the photograph to the Daily Telegraph who ran an article on Cyril.

Senior Constable Gozman conducted the standard signs of life checks, including checks on banking activity, Centrelink, Medicare and with the Department of Births, Deaths and Marriages. All enquiries were negative.

Investigators obtained familial DNA from Marc, which was compared against unidentified bodies and human remains. Investigators have not received a positive result to date.

With respect to the unidentified male located at Concord West on the 15 December 1970, Senior Constable Gozman conducted the following enquiries:

- He attempted to locate file photographs of the deceased. This was unsuccessful.
- He attempted to obtain a copy of a film from the Channel 9 show “Wanted” from the 70’s that had featured the deceased. He was unsuccessful.
- He requested records from police archives that related to the deceased. There were no records or documents found.
- He located a sketch and old photo of a male offender wanted for assault; this offender was believed to have been the unidentified male. Both sketch and photo were shown to Marc Alexander, but he could not be certain they were Cyril.
- He enquired about DNA samples taken from the unidentified male deceased. He was unsuccessful.

- He enquired with NSW Police Fingerprints Section about whether any fingerprints were on file for the unidentified deceased. He was unsuccessful.
- He enquired with Rookwood Cemetery about destitute burials with a view to potentially exhuming the body for DNA. There was no response from Rookwood Cemetery.

Senior Constable Gozman has also completed relevant “signs of life” checks, including with Medicare, Centrelink and the Department of Births, Deaths and Marriages.

In February 2022, Senior Constable Gozman engaged NSW Police Imaging technician Dallas Maher to apply age progression software to photographs of Cyril Levitsky. The intention was to use the age-progressed images in a fresh media release. However, when the images were shown to Marc Alexander, he stated that they did not resemble Cyril.

Cyril Levitsky’s information has been uploaded to the National Missing Persons and Victim System. Senior Constable Gozman has conducted searches on the system but has not found any likely matches for Cyril.

In Senior Constable Gozman’s opinion, Cyril Levitsky is deceased. He has been unable to confirm that the unidentified male located in Concord West is Cyril and believes the evidence is insufficient to support such an identification.

In the time since Cyril's disappearance on the 28 November 1970, there have been no indications that he is still alive. If he were still alive, he would currently be 91 years of age.

Findings required by s81(1)

As a result of considering all of the evidence heard at the inquest, I am satisfied that Cyril Levitsky is deceased and make the following findings in relation to his death.

The identity of the deceased

The deceased person was Cyril Levitsky.

Date of death

Mr Levitsky's date of death is unascertained.

Place of death

Mr Levitsky's place of death is unascertained.

Cause of death

Mr Levitsky's medical cause of death is unascertained.

Manner of death

Mr Levitsky's manner of death is unascertained

I close this inquest.

Magistrate Teresa O'Sullivan
State Coroner

3 December 2024

