

IN THE CORONER'S COURT
OF THE NORTHERN TERRITORY
OF AUSTRALIA
AT ALICE SPRINGS

No. A0051/2019

Inquest into the death of Kumanjayi Walker

**RESPONSE TO AN APPLICATION AND SUBMISSIONS ON BEHALF OF ZACHARY ROLFE
(MR ROLFE) IN RELATION TO THE CONDUCT OF PROCEEDINGS AND
APPREHENSION OF BIAS**

1. Concerns have been raised by Mr Rolfe in relation to several matters affecting the conduct of the inquest including the Yuendumu visit and the amendment to non-publication orders without notice to parties which, it is submitted contribute to an apprehension of bias.
2. In line with its mandate to safeguard the welfare of its members, the Association has an inherent interest in ensuring that proceedings in which members are involved, and which have the capacity to affect their welfare, safety, and the performance of their duties are conducted properly, fairly and with appropriate transparency and impartiality.
3. The concerns raised by Mr Rolfe bear upon the interactions between members of the Northern Territory Police Force (NTPF), between members and the Coroner's office and staff (including those appointed pursuant to s.41(2) of the *Coroners Act 1993*), and the use of coercive powers in coronial investigations which may (it seems) impact on other aspects of a member's working conditions (including disciplinary proceedings).
4. Members must be able to have confidence that proceedings which have the capacity to impact their professional and personal reputations are conducted properly, impartially and in accordance with the accepted rules of procedural fairness. Members must have confidence that there is independence, accountability and transparency within disciplinary processes and assurance that

material obtained and sought to be relied upon by NTPF is obtained properly and in accordance with the law.

5. Noting that the interrelationship between various divisions of the NTPF, the NTPF and the Coroner's office, and the use which may be made of information or evidence obtained through the coronial investigation process has been the subject of evidence in the inquest, the various concerns raised by Mr Rolfe warrant careful examination and consideration.



Amanda Nobbs-Carcuro

Principal Legal Officer

Northern Territory Police Association

13 October 2023