

CITATION: *Inquest into the death of Kumanjayi Walker (Ruling No 8)*
[2023] NTLC 025

TITLE OF COURT: Coroners Court

JURISDICTION: Alice Springs

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Care and Protection of Children Act 2007 (NT), s301
Coroners Act 1993 (NT) ss 3, 4(2), 14(2), 12(1), 15(1)(a) and (b), 19, 20, 21, 24, 25(1), 26,
34, 35, 36, 40(3), 41(2), 43(1)
Police Administration Act 1958 (NT), s4(1), Part IV
Police Administration Regulations 1994 (NT), r 18

Annetts v McCann (1990) 170 CLR 596
Bauwens v The Territory Coroner [2022] NTSC 92
Charisteas v Charisteas (2021) 273 CLR 289
Dato Tan Leong Min v Insider Trading Tribunal [1999] 2 HKC 83
Decker v State Coroner of New South Wales (1999) 46 NSWLR 415
Domaszewicz v State Coroner (2004) 11 VR 237
Doomadgee v Clements [2006] 2 Qd R 352
Ebner v Official Trustee in Bankruptcy (2000) 205 CLR 337
Firman v Lasry [2000] VSC 240
Holmes v Commissioner of Police [2011] NTSC 108
Hot Holdings Pty Ltd v Creasy (2002) 210 CLR 438
Inquest into the death of Kumanjayi Walker (Ruling No 2) [2022] NTLC 017
Inquest into the death of Kumanjayi Walker (Ruling No 3) [2022] NTLC 019
Inquest into the death of Kumanjayi Walker (Ruling No 5) [2022] NTLC 024
Inquest into the death of Kumanjayi Walker (Ruling No 6) 2022 NTLC 027
Inquest into the death of Tanya Day Coroners Court Victoria, COR 2017 6424
Inquest into the death of Veronica Nelson (COR 2020 0021) [2023] VicCorC 28312
Johnson v Johnson (2000) 201 CLR 488
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Maules Creek Coal Pty Ltd v Environment Protection Authority [2023] NSWCCA 275
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Musumeci v. Attorney-General of New South Wales (2003) 57 NSWLR 193
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R v Doogan; Ex parte Lucas Smith (2005) 1 ACTR 1
R (Clarke) v Chairman of the Magnox Public Inquiry [2019] EWHC 3596
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Re Royal Commission on Thomas's Case [1982] 1 NZLR 252
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APPEARANCES:

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For Zachary Rolfe:	Mr L Officer Instructed by Tindall Gask Bentley Lawyers
For the Brown Family:	Mr G Mullins KC with Ms P Morreau Instructed by Streeton Lawyers
For the Walker, Lane and Robertson families:	Mr A Boe, Mr D Fuller and Ms G Boe Instructed by Hearn Legal
For the Northern Territory Police Force:	Dr I Freckelton AO KC with Ms A Burnnard Instructed by PFES Legal
For NAAJA:	Mr P Boulten SC with Ms B Wild and Mr J Murphy Instructed by NAAJA
For the Parumpurru Committee:	Mr J McMahon SC and Mr C O'Bryan Instructed by Doogue & George
For the Northern Territory Police Association:	Ms S Ozolins Instructed by Northern Territory Police Association
For Sergeant Bauwens:	Ms KN McNally Instructed by McNally & Co
For Sergeant Nankivell and Constable Kirstenfeldt:	Mr J Hunter KC Instructed by Gnech & Associates
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IN THE CORONERS COURT
AT ALICE SPRINGS IN THE NORTHERN
TERRITORY OF AUSTRALIA

No. A51 of 2019

In the matter of an inquest into the death of
Kumanjayi Walker

Introduction

1. On 9 November 2019 police members from the Alice Springs Immediate Response Team (IRT) travelled to Yuendumu. The IRT members encountered Kumanjayi Walker in House 511 Yuendumu. During an incident inside the house, one of the IRT members, Constable Zachary Rolfe, shot Kumanjayi Walker three times. Kumanjayi Walker was taken to the local police station where he passed away. Constable Rolfe was charged with murder. On 11 March 2022 he was acquitted of murder and two alternative charges of manslaughter and engaging in a violent act causing death. The inquest is inquiring into the circumstances of Kumanjayi Walker's death.

Background to the application

2. It was apparent from the brief of evidence that this would be a significant inquest inquiring into complex matters concerning the circumstances of the death, the care, supervision and treatment of the person being held in custody, matters connected with public health and safety, and the identification of recommendations with respect to the prevention of future deaths in similar circumstances. The coronial investigation report prepared by Commander David Proctor (retired) which identified and discussed, in a summary way, some of the issues likely to be considered was 170 pages in length.¹ Numerous draft coronial reports prepared by Superintendent Scott Pollock (retired) also identified issues likely to be considered.² Because of the number and complexity of the potential issues raised in the coronial investigation reports the inquest was listed to run from 5 September

¹ Coronial Memorandum of Commander David Proctor APM dated 31 August 2021 (Brief ID 1-1A).

² Draft Coronial Memoranda of Superintendent Pollock dated between November 2020 and January 2021 (Brief IDs 1-2, 1-3, 1-4, 1-5, 1-6).

2022 through to 25 November 2022. As at 6 September 2022, 80 witnesses were identified on a draft witness list circulated to the interested parties.

3. When investigating a death in custody the Coroner must appoint a person to assist the Coroner for the purpose of the inquest.³ Given the size and complexity of the brief of evidence a Counsel Assisting team was appointed consisting of Dr Peggy Dwyer (now SC), Mr Patrick Coleridge and, as solicitor assisting, Ms Maria Walz. That team is larger than those usually appointed for regular inquests in the Northern Territory, but is modest when compared to similarly large inquests interstate,⁴ and other inquiries of this scale. For the listed sittings of 23-27 October 2023 (since vacated) Ms Georgia Huxley was appointed as Counsel Assisting.
4. Since the first directions hearing on 29 March 2022, at least 19 persons or entities have been granted leave to appear or be represented at the inquest under s 40(3) of the *Coroners Act 1993* (NT) (**Act**). Some of those persons or entities have sought to be represented only for the purposes of giving evidence to the inquest. Many others have been regular attendees. Those granted leave to appear include the Brown family, the Walker, Lane and Robertson families (**WLR families**), Constable Zachary Rolfe, the Northern Territory Police Force (**NTPF**), the Department of Health, the Parumpurru Committee of Yuendumu (**Parumpurru Committee**), the North Australian Aboriginal Justice Agency (**NAAJA**), the Northern Territory Police Association (**Association**), Territory Families, Housing and Communities, Constable James Kirstenfeldt, Sergeant Paul Kirkby, Sergeant Lee Bauwens, Sergeant Paul Kirkby, Superintendent Scott Pollock, Constable First Class Anthony Hawkings and Constable First Class Anthony Eberl.
5. An electronic brief of evidence with a current index of items totalling 56 pages has been tendered in the proceedings. A copy of the current index is **Annexure A** to these reasons. Many of the brief items have sub-folders, containing multiple files. It has been estimated that the brief runs to possibly over a hundred-thousand pages.⁵

³ *Coroners Act 1993* (NT), s 41(2)(b).

⁴ See eg, *Finding into death with inquest of Veronica Nelson (COR 2020 0021)* [2023] VicCorC 28312.

⁵ Transcript of Proceedings on 13 September 2023, 368; Transcript of Proceedings on 21 November 2023, 3517.

Objections to the ‘receipt’ of evidence have been heard and ruled on as they arise, whether orally or in writing. Transcript of the oral hearings presently stands at close to 5000 pages.

6. In addition to the events in and around House 511 Yuendumu Community that in the most immediate sense resulted in Kumanjayi Walker’s death, issues covered by the evidence as identified in the submissions of the NTPF include:⁶
 - (a) police risk assessments and briefing processes;
 - (b) the ‘decoy plan’, initial decision to evacuate, and failure by police to tell community members of Kumanjayi Walker’s death in a timely manner;
 - (c) the updating of various NTPF General Orders and policies, and the new police handbook;
 - (d) the various use of force options including the use of police dogs, and the use of firearms by police generally and in remote communities;
 - (e) the alleged militarisation of policing in the Northern Territory;
 - (f) the establishment of CREC, the Aboriginal Liaison Officer (**ALO**) program, the mentoring program and mutual respect agreements;
 - (g) the role of Aboriginal Community Police Officers (**ACPO**) and ALOs.
 - (h) the training of NTPF members including in relation to use of force and matters such as unconscious bias, mental health first aid and cross-cultural training;
 - (i) the prevalence (or lack thereof) of racist attitudes within the NTPF;
 - (j) efforts by the NTPF to improve leadership and culture;
 - (k) the challenges of policing in a remote community, including fatigue;
 - (l) the challenges of running a health service in a remote community;

⁶ Submissions of the NTPF dated 13 October 2023, [18].

- (m) evidence from Territory Families;
- (n) the challenges of running concurrent criminal and coronial investigations;
- (o) the availability of support services and housing standards in Yuendumu, and the importance of such services for diverting young people, like Kumanjayi Walker, from crime;
- (p) police recruitment processes; and,
- (q) although it might be taken to be subsumed by item (j) of the NTPF list, the adequacy of processes for police discipline.

7. As I said in *Ruling No 3*,⁷ the inquest's examination of these 'issues' is not at large, and the 'issues' arise only insofar as they may bear upon my 'ultimate powers and duties to make findings, comments or recommendations at the conclusion of the inquest under ss 26, 34 and 35 of the Act' in relation to this death. Where I have 'received' evidence on a particular issue over objection, I have explained why I consider there to be a potential nexus between the evidence and the subject matters of ss 26, 34 and 35 of the Act.⁸
8. Part way through the sittings the Court visited Yuendumu on 14 and 15 November 2022 (the **Yuendumu Visit**). The sittings were extended to 30 November 2022 and by that date 54 witnesses had given evidence. The inquest was adjourned part-heard and resumed on 27 February 2023 through to 10 March 2023. During those sittings a further 16 witnesses gave evidence, bringing the total to 70. The inquest was again adjourned part-heard.
9. Since February 2023, only two witnesses remain to give evidence, Mr Rolfe⁹ and Sergeant Bauwens. Although both witnesses had been scheduled to give evidence

⁷ *Inquest into the death of Kumanjayi Walker (Ruling No 3)* [2022] NTLC 019, [21]-[30]; see also *Inquest into the death of Kumanjayi Walker (Ruling No 2)* [2022] NTLC 017, [9].

⁸ See eg *Ruling No 2* [2022] NTLC 017, [34]-[38] (evidence of text messages) and [49]-[54] (evidence of Claudia Campagnaro); *Ruling No 3* [2022] NTLC 019, [40]-[48] (dishonesty and recruitment), [49]-[71] (discriminatory attitudes), [72]-[77] (use of force and disciplinary history), [78]-[82] (drug use and procedures for drug and alcohol testing), [83]-[88] (possibly contamination of evidence of death).

⁹ Hereafter referred to as Mr Rolfe as he is no longer a member of the Northern Territory Police Force.

in the 2022 sittings, they objected to giving evidence shortly before they were due to be called on the basis that their answers might tend to expose them to a civil or disciplinary penalty (ie, penalty privilege). I dismissed the objections on 25 October 2022.¹⁰ An application for judicial review was commenced and heard by Justice Kelly on 23 and 24 November 2022. On 12 December 2022 her Honour dismissed the applications.¹¹ On 5 January 2023 Mr Rolfe filed a Notice of Appeal against Justice Kelly’s decision, with the practical result that he was not able to be called during the February 2023 sittings. The Court of Appeal heard the appeal on 11 April 2023. The Court of Appeal unanimously dismissed the appeal on 28 June 2023,¹² and issued a clarification of its decision on 1 August 2023.¹³ Mr Rolfe did not seek special leave to appeal to the High Court.

10. Allowing for the completion of the appeal process, the expiration of time to lodge an application for special leave to appeal, the availability of a court, and the timetabling of other inquests, the inquest was listed to resume on 23 October 2023 for the two final witnesses to give evidence. As it was desirable to avoid any further delays that might be caused by legal argument, on 21 September 2023 the interested parties were advised that if any interested party wished to make any further applications they were to be filed with supporting submissions by 6 October 2023 and any submissions in response were to be filed by 13 October 2023. It had been hoped that if any applications were forthcoming, a decision could be delivered without disrupting the allocated sitting week.
11. On 6 October 2023 Mr Rolfe filed an application for recusal, discussed below. Regrettably, and in light of late stage at which the application was made, that was beyond my capacity and the sitting week of 23 October 2023 was vacated. Pending

¹⁰ *Inquest into the death of Kumanjayi Walker (Ruling No 5)* [2022] NTLC 024. Strictly speaking, *Ruling No 5* concerned an objection by Sergeant Kirkby. However, as I noted at [6] of *Ruling No 5*, during the course of argument on Sergeant Kirkby’s objection, counsel for Mr Rolfe and Sergeant Bauwens supported Sergeant Kirkby’s objection and flagged that similar objections were likely to be taken by their clients. It was this ruling that was the subject of review in the Supreme Court and Court of Appeal.

¹¹ *Bauwens v The Territory Coroner* [2022] NTSC 92.

¹² *Rolfe v The Territory Coroner* [2023] NTCA 8.

¹³ *Rolfe v The Territory Coroner* [2023] NTCA 8.

the outcome of this and any further applications, the inquest is presently listed to resume on 26 February 2024 for one week.

The Production Application

12. On 16 August 2023 Mr Rolfe sought documents under two headings, ‘Materials relevant to the Spotlight Program/NPO’ and ‘Materials relevant to Yuendumu visit’ (the **Production Application**). Some of the requested documents were provided. In respect of some of the remaining documents, which included correspondence between myself and Counsel Assisting, by email dated 29 August 2023 Ms Walz stated that,

...

- (d) while there is no apparent forensic relevance to your request for correspondence between the Coroner and Counsel Assisting, that correspondence is subject to legal professional privilege in any event. (emphasis added)

The application for recusal

13. By application filed on 6 October 2023 Mr Rolfe invites me to recuse myself on the grounds of apprehended bias. In supporting submissions Mr Rolfe states that he is concerned ‘that the impartiality of the inquest is compromised’ on the basis of a number of matters, assessed cumulatively. The key matters are said to be:

- (a) The conduct of the Yuendumu Visit on 14 and 15 November 2022 and things said by Counsel Assisting and community members during the visit;
- (b) The amendment of a non-publication order on 23 March 2023 (**23 March NPO Amendment**); and,
- (c) The relationship between Counsel Assisting and the Coroner, in particular, the assertion of a client/legal advisor relationship in correspondence dated 29 August 2023.

14. Sergeant Bauwens, Sergeant Nankivell and Constable Kirstenfeldt join Mr Rolfe's application for recusal, and essentially or explicitly adopt his submissions.¹⁴ In these reasons where I refer to Mr Rolfe's submissions this should, unless stated otherwise, generally be taken to be a reference to the submissions of all of the applicant police officers. To the extent that the officers who have joined the application have raised some limited further arguments, I have done my best to identify and address them.
15. The WLR families, the Brown family, NAAJA, the Parumpurru Committee, and the NTPF filed submissions opposing the application for recusal.
16. Counsel Assisting filed submissions on 'the law and relevant considerations that are raised by Mr Rolfe's application'. The NTPA submitted 'that the various concerns raised by Mr Rolfe warrant careful examination and consideration'. Neither the NTPA nor Counsel Assisting submitted in favour of a particular outcome.
17. Mr Rolfe filed additional submissions on 13 October 2023 concerning the order in which his two applications should be determined. He seeks to have the recusal application determined before a determination on the application for the documents and Sergeant Bauwens joins in this submission. This creates some logical difficulties because the two matters are closely connected, as is demonstrated by Mr Rolfe's own submissions on the recusal application.¹⁵ However, as Mr Rolfe and Sergeant Bauwens have asked me not to rule on the application for production, I will not do so.
18. Having carefully considered Mr Rolfe's application for recusal, for the reasons that follow, I am not persuaded that a fair-minded lay observer might reasonably apprehend that I might not bring an impartial mind to the resolution of the issues arising under the Act. Accordingly, I decline to recuse myself from proceeding with the inquest.

¹⁴ Submissions of Sergeant Nankivell and Constable Kirstenfeldt dated 12 October 2023, [1]. Sergeant Bauwens advised the Court, by emails from Ms McNally dated 12 and 17 October 2023, that he 'adopts the submissions' in chief and reply of Mr Rolfe.

¹⁵ See, in particular, Submissions of Mr Rolfe dated 6 October 2023, [105]-[114].

Submissions regarding the timing of Mr Rolfe's application

19. More than one interested party was critical of Mr Rolfe for bringing his application shortly before the recommencement of the inquest when it had the potential to result in the sittings being vacated.¹⁶ These interested parties submitted that the delay was objectionable because most of Mr Rolfe's complaints concerned matters that had occurred months before the application was made.
20. For example, noting the particulars of Mr Rolfe's application, the NTPF identified that the application had been brought:
- (a) 325 days, or over 10 months, after the Yuendumu Visit;
 - (b) 185 days, or six months, after Mr Rolfe was dismissed from the NTPF;
 - (c) 161 days, or over five months, after the Directions Hearing at which the position regarding the 23 March 2023 NPO Amendment was clarified; and,
 - (d) 100 days, or over three months, after the Court of Appeal dismissed Mr Rolfe's appeal which had the effect of requiring him to give evidence.¹⁷
21. For these and other reasons, the NTPF, represented by Dr Freckelton AC KC and Ms Burnnard, submitted that the current application,

...appear[s] to constitute a further attempt on behalf of Mr Rolfe (and Sergeant Bauwens) to distract from and delay the inquest process. Brought, as they are, immediately before Mr Rolfe and Sergeant Bauwens are scheduled to give evidence from 23 October, in respect of which they have already made unsuccessful objections to giving evidence before the Territory Coroner and in appellate proceedings before a single judge of the Supreme Court and the Court of Appeal of the Northern Territory, they could be seen as the adoption of another forensic tactic and should be found to be without merit.¹⁸

¹⁶ On or before 20 October 2023, Mr Officer, on behalf of Mr Rolfe, advised the interested parties that, 'a review will be filed immediately in the event Mr Rolfe's application is refused, and a stay [of the inquest] will be sought': Supplementary Submissions of the WLR families dated 20 October 2023.

¹⁷ Submissions of the NTPF dated 13 October 2023, [8].

¹⁸ Submissions of the NTPF dated 13 October 2023, [4].

22. In addition, the Brown family, represented by Mr Mullins KC and Ms Morreau, submitted that the principles of waiver¹⁹ meant that,
- ...the unreasonable delay in bringing the objection since November 2022 operates to prevent Mr Rolfe from doing so now. The significant personal and institutional cost that would be incurred should the Coroner accede to the application inclines strongly against such a course.
23. Similarly, the WLR families submitted that it was ‘difficult to see [the application] as anything other than strategic’, although, ultimately, their position appears to have been that the application should simply be dismissed on its merits.²⁰
24. Mr Rolfe submitted in reply that the criticisms were ‘unjustified’, that his application was ‘premised upon a cumulative sequence of events concerning the conduct of this inquest’ including Ms Walz’s statement made 29 August 2023 regarding legal professional privilege.²¹ If that were correct it would appear to amount to a concession by Mr Rolfe that the ‘concerns’ arising from the Yuendumu Visit and the 23 March 2023 NPO Amendment would not, without more, give rise to a reasonable apprehension of bias.
25. I also have some doubt about Mr Rolfe’s suggestion that he could not bring this application until ‘late August’²² at the earliest. Mr Rolfe’s original submissions stated that the ‘concerns arising from interactions during the Yuendumu visit’ when coupled with the 23 March 2023 NPO Amendment gave rise to the ‘concern that the impartiality of the inquest is compromised (viewed from the perspective of a fair-minded lay observer).’²³ Those concerns were not expressed as being dependent on the statement about LPP in Ms Walz’s 29 August 2023 email, as they now seem to be. In response, the WLR families submitted that, ‘presumably because of the spectre of waiver,’ Mr Rolfe’s reply submissions ‘place much greater emphasis on

¹⁹ See, Submissions of the Brown family dated 13 October 2023, [19], citing *Michael Wilson & Partners v Nicholls* (2011) 244 CLR 427, [84].

²⁰ Submissions of the WLR families dated 13 October 2023, [13], [38]-[39].

²¹ Reply Submissions of Mr Rolfe dated 17 October 2023, [13]; see also, [14].

²² Reply Submissions of Mr Rolfe dated 17 October 2023, [13].

²³ Submissions of Mr Rolfe dated 6 October 2023, [6].

the LPP [legal professional privilege] issue than appeared in [the] earlier submissions.’²⁴

26. This is not the first time another interested party has criticised Mr Rolfe for the ‘lamentably and inexplicably’ late stage at which he has brought key applications.²⁵ Although I have determined each of these applications on their merits, I have previously made comments about the ‘regrettable timing’ of Mr Rolfe’s applications and observed that, as a matter of fact, their ‘lateness ... has disrupted the efficient progress of this lengthy and complex inquest.’²⁶
27. Ultimately, for the reasons that follow, I am persuaded that I do not need to and, therefore, should not determine whether Mr Rolfe’s delay in bringing this application is unjustified or whether the principles of waiver are engaged. Accordingly, I will put these submissions from my mind.

Legal Principles

The test for recusal on the ground of apprehended bias

28. There was substantial agreement between the parties as to the relevant principles, as well as their application to coronial proceedings.²⁷
29. In *QYFM v Minister for Immigration*,²⁸ the High Court considered the principles to be applied when determining an application for recusal on the ground of apprehended bias. Chief Justice Kiefel and Gageler J said:²⁹

The criterion for the determination of an apprehension of bias on the part of a judge was definitively stated in *Ebner [v Official Trustee in Bankruptcy]*³⁰ by reference to previous authority and has often been repeated [citations omitted].

²⁴ Supplementary Submissions of the WLR families dated 20 October 2023, [10].

²⁵ See eg, Submissions of NAAJA dated 11 September 2023 (on Mr Rolfe’s objections to ‘issues’ and evidence), [3]; Submissions of the WLR families dated 7 September 2023 (on scope of ‘issues’), [2]; Submissions of NAAJA dated 28 September 2023 (on Mr Rolfe’s further evidentiary objections), [3]-[13].

²⁶ See, *Inquest into the death of Kumanjaya Walker (Ruling No 2)* [2022] NTLC 017, [6]-[7]; *Inquest into the death of Kumanjaya Walker (Ruling No 3)* [2022] NTLC 019, [7]-[9].

²⁷ As to which, see *R v Doogan; Ex parte Lucas Smith* (2005) 1 ACTR 1 at [10].

²⁸ (2023) 97 ALJR 419.

²⁹ *QYFM* (2023) 97 ALJR 419, [37].

³⁰ (2000) 205 CLR 337.

The criterion is whether “a fair-minded lay observer might reasonably apprehend that the judge might not bring an impartial mind to the resolution of the question the judge is required to decide. The “double might” serves to emphasise that the criterion is concerned with “possibility” (real and not remote), not probability.

30. The application of the test is to be approached in three stages, and requires:³¹
 - (a) identification of the factor which is said might lead a judge to resolve the question other than on its legal and factual merits;
 - (b) articulation of the logical connection between that factor and the apprehended deviation from deciding that question on its merits; and
 - (c) assessment of the reasonableness of that apprehension from the perspective of a fair-minded lay observer.
31. The first step requires the identification of some incompatibility, association, conduct or interest. The second step requires an explanation of ‘how the existence of the incompatibility, association, conduct or interest (or other identified matter) might be thought by the fair-minded lay observer possibly to divert the judge from deciding the case on its merits’.³² The third step must be undertaken after that logical connection has been articulated.³³
32. The test is objective, in the sense that it requires a reasonable apprehension that the judicial officer may not decide the case impartially. Moreover, it is not sufficient that the judicial officer is expected to decide the matter in a manner adversely to a party. As Mason J said in *Re JRL; Ex Parte CJL*:³⁴

It needs to be said loudly and clearly that the ground of disqualification is a reasonable apprehension that the judicial officer will not decide the case impartially or without prejudice, rather than he will decide the case adversely to one party. There may be many situations in which previous decisions of a judicial officer on issues of fact and law may generate an expectation that he is likely to decide issues in a particular case adversely to one of the parties. But this does not mean either that he will approach the issues in that case otherwise than with an impartial and unprejudiced mind in the sense in which

³¹ *QYFM* (2023) 97 ALJR 419, [38] (Kiefel CJ and Gageler J).

³² *QYFM* (2023) 97 ALJR 419, [81] (Gordon J).

³³ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [8].

³⁴ (1986) 161 CLR 342, 352.

that expression is used in the authorities or that his previous decisions provide an acceptable basis for inferring that there is a reasonable apprehension that he will approach the issues in this way. In cases of this kind, disqualification is only made out by showing that there is a reasonable apprehension of bias by reason of prejudice and this must be “firmly established”.

33. The test is ‘founded on the need for public confidence in the judiciary.’³⁵ Accordingly, a judicial officer should not automatically stand aside when requested to do so as this would amount to an abdication of the judicial function and encouragement of procedural abuse.³⁶ As Gleeson CJ, McHugh, Gummow and Hayne JJ said in *Ebner*:³⁷

Judges have a duty to exercise their judicial functions when their jurisdiction is regularly invoked and they are assigned to cases in accordance with the practice which prevails in the court to which they belong. They do not select the cases they will hear, and they are not at liberty to decline to hear cases without good cause. Judges do not choose their cases; and litigants do not choose their judges. If one party to a case objects to a particular judge sitting, or continuing to sit, then that objection should not prevail unless it is based upon a substantial ground for contending that the judge is disqualified from hearing and deciding the case.

34. Nevertheless, the authorities recognise that a judge who is not persuaded that they are disqualified from continuing to hear a case may decide that it is prudent that they not continue to sit.³⁸ The rationale for this practice appears to be that, in ‘a case of real doubt’, a decision not to sit could ‘avoid the inconvenience that could result if an appellate court were to take a different view on the matter of disqualification.’³⁹ In such a case, in determining whether to decline to sit a judicial officer may properly have regard to factors including ‘the stage at which the objection is raised, the practical possibility of arranging for another judicial officer to hear the case, and the public ... role of the court before which the proceedings are being conducted.’⁴⁰ Given the advanced stage of this coronial investigation, I do not understand any party is submitting that I should cease to investigate the

³⁵ *Johnson v Johnson* (2000) 201 CLR 488, [12].

³⁶ *Livesey v New South Wales Bar Association* (1983) 151 CLR 288, 294; *Re JRL, Ex Parte CJL* (1986) 161 CLR 342, 352.

³⁷ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [19].

³⁸ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [20].

³⁹ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [20].

⁴⁰ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [21].

death of Kumanjayi Walker if I am not disqualified from doing so. In any event, I am not satisfied that this is a case ‘of real doubt’.

35. In addition, the High Court noted in *Ebner* that as ‘a matter of prudence and professional practice, judges should disclose interests and associations if there is a serious possibility that they are potentially disqualifying.’⁴¹ While this ‘does not depend simply on whether the judge considers that the matter would not be disqualifying’, the test of “‘serious possibility” involves some degree of judgment being brought to bear, on which different people may reasonably take different views.’⁴²
36. Finally, the rule against bias is subject to the exception of waiver,⁴³ which applies ‘with particular force to a party represented by counsel.’⁴⁴ In *Michael Wilson & Partners Ltd v Nicholls*,⁴⁵ the High Court said that a party or lawyer who ‘knows of the circumstances’ that can support a bias claim ‘but acquiesces by not taking objection ... will likely be held’ to have waived their right to object.⁴⁶ Similarly, in *Smits v Roach*,⁴⁷ Kirby J accepted as settled law that:⁴⁸

where a litigant, aware of circumstances providing a ground for objection on the basis of disqualification, fails to object promptly, that litigant will be taken to have waived the objection and cannot later rely on it.

37. Having noted those authorities, I reiterate that it is unnecessary for me to consider whether the principles of waiver are engaged in this case.

⁴¹ *Ebner v Official Trustee in Bankruptcy* (2000) 205 CLR 337, [69].

⁴² *Maules Creek Coal Pty Ltd v Environment Protection Authority* [2023] NSWCCA 275, [113].

⁴³ *Smits v Roach* (2006) 227 CLR 423, [43] (Gleeson CJ, Heydon and Crennan JJ).

⁴⁴ Aronson, Groves and Weeks, *Judicial Review of Administrative Action and Government Liability* (Lawbook Co, 2022, 7th Ed), 699 [10.370], citing *Vakauta v Kelly* (1989) 167 CLR 568, 572 (Brennan, Deane and Gaudron JJ); *Smits v Roach* (2006) 227 CLR 423, [43]-[49] (Gleeson CJ, Heydon and Crennan JJ).

⁴⁵ (2011) 244 CLR 427.

⁴⁶ *Michael Wilson & Partners Ltd v Nicholls* (2011) 244 CLR 427, [76] (Gummow ACJ, Hayne, Crennan and Bell JJ).

⁴⁷ (2006) 227 CLR 423.

⁴⁸ (2006) 227 CLR 423.

The qualities of a fair-minded lay observer

38. The construct of a ‘fair-minded lay observer’ provides the ‘standard by which the courts address what may appear to the public served by the courts to be a departure from standards of impartiality and independence which are essential to the maintenance of public confidence in the judicial system.’⁴⁹ In *QYFM* the fair-minded lay observer was described by Kiefel CJ and Gageler J as, in substance, person who is:⁵⁰
- (a) neither complacent nor unduly sensitive or suspicious;
 - (b) cognisant of human frailty and aware of the reality that the judge is human;
 - (c) understands that information (and attitudes) consciously and conscientiously discarded might still sometimes have a subconscious effect on even the most professional decision-maker;
 - (d) nevertheless taken to understand that the judge, by reason of professional training and experience and fidelity to the judicial oath or affirmation will have a greater capacity than most to discard irrelevant, immaterial or prejudicial material and to discharge the judicial function uninfluenced by professional relationships;
 - (e) not assumed to have a detailed knowledge of the law or of the character or ability of a particular judge;
 - (f) not so abstracted and dispassionate as to be insensitive to the impression that the circumstances in issue might reasonably create in the mind of the actual party who is asserting the apprehension of bias;⁵¹ and,
 - (g) aware of the identity of the party asserting bias and the nature and significance of the decision for that party. Hence, an applicant in proceedings seeking the review of a decision to cancel the applicant’s visa ‘might understandably

⁴⁹ *QYFM* (2023) 97 ALJR 41, [45] quoting from *Charistead v Charistead* (2021) 273 CLR 289, [21].

⁵⁰ *QYFM* (2023) 97 ALJR 41, [49] (Kiefel CJ and Gageler J).

⁵¹ *QYFM* (2023) 97 ALJR 41, [47]-[49] (Kiefel CJ and Gageler J).

experience a justifiable sense of disquiet in seeing his former prosecutor turn up as one of his judges.’

39. Above all, the fair-minded lay observer is also taken to be reasonable and does not make snap judgments.⁵² In *Johnson v Johnson*, Kirby J said that although the fair-minded lay observer was not a lawyer:⁵³

Yet neither is he or she a person wholly uninformed and uninstructed about the law in general or the issue to be decided. Being reasonable and fair-minded, the bystander, before making a decision important to the parties and the community, would ordinarily be taken to have sought to be informed on at least the most basic considerations relevant to arriving at a conclusion founded on a fair understanding of all the relevant circumstances. The bystander would be taken to know commonplace things, such as the fact that adjudicators sometimes say, or do, things that they might later wish they had not, without necessarily disqualifying themselves from continuing to exercise their powers. The bystander must also now be taken to have, at least in a very general way, some knowledge of the fact that an adjudicator may properly adopt reasonable efforts to confine proceedings within appropriate limits and to ensure that time is not wasted. The fictitious bystander will also be aware of the strong professional pressures on adjudicators (reinforced by the facilities of appeal and review) to uphold traditions of integrity and impartiality. Acting reasonably, the fictitious bystander would not reach a hasty conclusion based on the appearance evoked by an isolated episode of temper or remarks to the parties or their representatives, which was taken out of context. Finally, a reasonable member of the public is neither complacent nor unduly sensitive or suspicious.

40. Finally, a fair-minded lay observer is taken to be aware of “the nature of the decision and the context in which it was made⁵⁴ as well as to have knowledge of the circumstances leading to the decision.⁵⁵”

The nature of coronial proceedings

41. In light of that final point, it is necessary to say something about the jurisdiction exercised by a Coroner under the Act, and the relationship between a Coroner, her Counsel Assisting and such ‘interested parties’ as are granted leave to appear or be represented under s 40(3) of the Act.

⁵² *Johnson v Johnson* (2000) 201 CLR 488, [12]-[14].

⁵³ *Johnson v Johnson* (2000) 201 CLR 488, [53].

⁵⁴ *Hot Holdings Pty Ltd v Creasy* (2002) 210 CLR 438 at 459 [68].

⁵⁵ *Stollery v Greyhound Racing Control Board* (1972) 128 CLR 509 at 519.

42. These proceedings arise from a death in custody and the Act requires the Coroner to investigate the death⁵⁶ and hold an inquest.⁵⁷ The inquest forms a part of the investigation.⁵⁸ The Coroner bears the sole responsibility for assessing evidence, making findings, and reporting on mandatory and discretionary matters.⁵⁹ The inquest must be conducted in accordance with the principles of natural justice.⁶⁰
43. Although a Coroner's Court shares some features with other 'courts',⁶¹ and its functions involve the administration of justice,⁶² an inquest is 'of an investigative nature, quite unlike that which a court undertakes in the ordinary course of things.'⁶³ Significantly, a Coroner does 'not adjudicate upon proceedings *inter partes*' and any 'findings which they make do not determine legal rights.'⁶⁴
44. In addition, and unlike a judge, the Coroner's inquisitorial and investigative functions commence long before the matter reaches the inquest hearing. These functions are supported by broad investigative powers including those of entry, search and seizure,⁶⁵ the giving of directions for autopsies and exhumation,⁶⁶ the giving of 'directions to police officers for the purpose of investigating the death',⁶⁷ and directions requiring the giving of information.⁶⁸ Although the inquest must generally be held in public,⁶⁹ there is no similar requirement⁷⁰ concerning the

⁵⁶ Act, s 14(2), noting s 12(1) and sub-(a)(iv) and (vii) of the definition of 'reportable death'.

⁵⁷ Act, s 15(1)(a) and (b).

⁵⁸ Act s 3, definition of 'investigation'.

⁵⁹ See *Priest v West* [2012] VSCA 327, [3] (Maxwell P and Harper JA), [167]-[172] (Tate JA).

⁶⁰ Act, s 40(3).

⁶¹ *Decker v State Coroner of New South Wales* (1999) 46 NSWLR 415, [6], [15].

⁶² *Musumeci v. Attorney-General of New South Wales* (2003) 57 NSWLR 193, 199 (Ipp JA).

⁶³ *Domaszewicz v State Coroner* (2004) 11 VR 237, [37]. See also, *Decker v State Coroner of New South Wales* (1999) 46 NSWLR 415, [6].

⁶⁴ *Ibid.*

⁶⁵ Act, s 19.

⁶⁶ Act, ss 20, 21 and 24.

⁶⁷ Act, s 25(1).

⁶⁸ Act, s 36.

⁶⁹ *Coroners Act* s 43(1).

⁷⁰ Or at least no express requirement.

broader investigative powers. Nothing in the Act suggests that those broader investigative powers cease when the inquest starts.

45. The unique nature of the coronial jurisdiction was recently discussed by the Court of Appeal in *Rolfe v The Territory Coroner*.⁷¹ There, Grant CJ, Barr and Brownhill J noted that:⁷²

[53] ... Coronial inquests are proceedings which by their very design and purpose eschew the ordinary rules of procedure and evidence in favour of a system directed to discovering the causes, both direct and systemic, of a death or disaster. As Lord Lane observed in *R v South London Coroner; Ex parte Thompson*:

Once again it should not be forgotten that an inquest is a fact-finding exercise and not a method of apportioning guilt. The procedure and rules of evidence which are suitable for one are unsuitable for the other. In an inquest it should never be forgotten that there are no parties, there is no indictment, there is no prosecution, there is no defence, there is no trial, simply an attempt to establish the facts. It is an inquisitorial process, a process of investigation quite unlike a trial where the prosecutor accuses and the accused defends, the judge holding the balance or the ring, whichever metaphor one chooses to use.

[54] Similarly, in *Mirror Newspapers Ltd v Waller*, Hunt J observed:

The other section of the *Coroners Act* to which I referred was s33, which provides that the coroner is not bound to observe the rules of procedure and evidence applicable to proceedings before a court of law. The need for such a departure from the rules of procedure is obvious, because an inquest or an inquiry does not have parties, and there are no pleadings, charges or indictments which define the issue to be tried. Although usually there are legal representatives for the interested parties, the coroner must consider the interests not only of those parties but also of other persons as well. It is often left to the coroner himself to maintain a vigilant eye upon the relevance of evidence, and objections to the evidence are not always readily apparent. The absence of defined issues is of paramount importance in relation to this question. Their absence necessarily requires the adoption of different procedures to those applicable to proceedings before the ordinary courts of law.

46. As a result of the process being ‘much less rigid than a trial proper whether civil or criminal’⁷³ and the Coroner’s broad discretions as to how to conduct an

⁷¹ [2023] NTCA 8.

⁷² *Rolfe v The Territory Coroner* [2023] NTCA 8, [53]-[54].

⁷³ *Maksimovich v Walsh* (1985) 4 NSWLR 318, 335-6 (Samuels JA)

investigation (which includes the inquest),⁷⁴ the Coroner may receive a wide range of information, including information that will ultimately be found by the Coroner to be of ‘little, if any, probative value’.⁷⁵ Ultimately, in dealing with any information, the Coroner, who is also a judge of the Local Court,⁷⁶ is required by training, tradition and oath or affirmation to act judicially and discard the irrelevant, the immaterial and prejudicial.⁷⁷

47. Coronial proceedings investigate a death. Family members of the deceased have a positive interest in the conduct of an inquest.⁷⁸ The ‘interest’ of family members is not inherently greater or lesser than that of others with interests in the inquest, and their views are not inherently more or less important. But of all the interested parties it is the family who will likely find the process most distressing and traumatic. That is one reason why coronial practice applies principles of therapeutic jurisprudence. The practise is concerned with the well-being of all people who have been affected by the death, but in particular recognises and responds to those who are grieving, who are commonly family.
48. Family and affected community members are encouraged to attend and participate in inquests. Families, of whatever race or ethnicity, are frustrated when there are inadequate opportunities to participate in the process.⁷⁹ Some families require support to meaningfully participate in proceedings in a culturally safe way. One example of meaningful participation is sessions directed to the airing of family impact statements, which have been described as not ‘remotely unusual’.⁸⁰ Ultimately, appropriate engagement may take different and flexible forms depending on the needs and circumstances of the family.
49. Family concerns about a death are likely to be particularly acute when the death is of an Aboriginal man held in police custody. It is important that all stages of the

⁷⁴ *Coroners Act 1993* s 3 definition of Investigation.

⁷⁵ *Doomadgee v Clements* [2006] 2 Qd R 352, [53] (Muir J).

⁷⁶ *Coroners Act* s 4(2).

⁷⁷ *Johnson v. Johnson* (2000) 201 CLR 488, [12].

⁷⁸ *Annetts v McCann* (1990) 170 CLR 596, [23].

⁷⁹ Coronial Council of Victoria, *Review into the experience of bereaved families with the coronial process* (Final report, March 2022), 51.

⁸⁰ *Kontis v Coroners Court of Victoria* [2022] VSC 422, [247].

coronial process remain alert to the impacts of institutional and intergenerational trauma and are sensitive to cultural needs and grief.⁸¹ Jurisdictions in Australia are finding ways to engage Aboriginal peoples meaningfully in the inquest process, and to respect and recognise their unique cultural considerations.⁸² For example, the *Inquest into the death of Tanya Day*⁸³ opened with an acknowledgement of country by a Yorta Yorta Elder and sand from the riverbanks of Dhungalla was poured onto the court bench where it remained until the conclusion of the proceedings, when it was returned to the Dhungalla.⁸⁴ Even so, courtrooms may not always be considered a safe or culturally appropriate place for Aboriginal families who have experienced a death in custody.

50. In recognition that coronial practice should do more to meet the needs of Aboriginal and Torres Strait Islander families, dedicated Aboriginal Engagements Units have been established in Victoria and New South Wales, and have been funded in the Australian Capital Territory, Queensland and Western Australia.⁸⁵

The role of Counsel Assisting

51. Section 41(2) of the Act provides that:

(2) A coroner:

- (a) may appoint a person to assist the coroner for the purpose of an inquest; or

⁸¹ Coronial Council of Victoria, *Literature review into improving the experience of bereaved families within the coronial process*, August 2021, 15.

⁸² See, for example, in New South Wales, the “State Coroner’s protocol; supplementary arrangements applicable to section 23 deaths involving First Nations Peoples” at [3.1] https://coroners.nsw.gov.au/documents/practice-notes/Final_First_Nations_Protocol_9.3.22.pdf and in Victoria, “Practice Direction 6 of 2020; Indigenous Deaths in Custody”, [7.1].

⁸³ *Inquest into the death of Tanya Louise Day* Coroners Court Victoria, COR 2017 6424

⁸⁴ Coronial Council of Victoria, *Literature review into improving the experience of bereaved families within the coronial process*, August 2021 p15 citing Newhouse, G., Ghezelbash, D., & Whittaker, A (2020) *The experience of Aboriginal and Torres Strait Islander participants in Australia's coronial inquest system: reflections from the front line*, International Journal for Crime, Justice and Social Democracy, 9(4), 76-89.

⁸⁵ Dudgeon, P., McKenna, V., Smith, D., Ketchell, M., Tabuai K., Tabuai A., Manada, A., Robotham, J. (2023) *Coronial responses to Suicides of Aboriginal and Torres Strait Islander People*, Research Report, 28.

- (b) must appoint a person to assist the coroner for the purpose of an inquest into a death in custody.

52. Later in these reasons, I will return to Mr Rolfe’s claim that the ‘assistance’ to which this provision refers is limited to direct assistance ‘with the conduct of an inquest *in public*’⁸⁶ and that it is inconsistent with the text, context and purpose of the Act for Counsel Assisting to provide ‘private and confidential advice’ to a Coroner.⁸⁷
53. Beyond recognising that the ‘relationship’ between Counsel Assisting and those they assist ‘could not be said to be analogous to that which exists between counsel and a judge’,⁸⁸ there is limited authority on the ‘role’ of Counsel Assisting or his or her relationship with a Coroner. Accepting that the scope of the role may depend on the terms of the statute that creates it, the limited commentary and authority on this topic suggests that Counsel Assisting’s functions include:⁸⁹
- (a) the management and administration of inquiry processes and procedures;
 - (b) the development of investigation strategies and investigation programmes;
 - (c) working with other investigators to assemble the inquest brief, direct avenues of inquiry, identifying witnesses and assisting them to complete statements;
 - (d) an ‘advisory role’ which ‘requires counsel assisting to advise the commissioner on the conduct of hearings’, such as whether they ‘should be conducted initially in private or in public or both’;
 - (e) the proper and effective conduct of commission hearings (in public or, as appropriate, in private), including the calling and questioning of witnesses, and the raising and addressing of issues of law that may arise;

⁸⁶ Submissions of Mr Rolfe dated 6 October 2023, [126].

⁸⁷ Submissions of Mr Rolfe dated 6 October 2023, [128].

⁸⁸ *Firman v Lasry* [2000] VSC 240, [26].

⁸⁹ See generally, Judicial Commission of New South Wales, Local Court Bench Book – *Coronial Matters*, [44-100], Judicial College of Victoria, Coroners Bench Book - *Working with counsel assisting*, [9.6.1]; the Hon Justice Peter Hall, ‘The role of counsel assisting in commissions of inquiry’ (2005) *Bar News* 29, 29.

- (f) making opening and closing submissions on the evidence, the key issues, and the findings, comments and recommendations that may be appropriate; and,
- (g) within strict constraints, assisting the Coroner in the report writing phase, for instance by providing chronologies and neutral summaries of the facts.

54. Regarding the report writing phase, in *R v Doogan*, the Full Court of the Supreme Court of the Australian Capital Territory heard an appeal from an application for judicial review of the decision of a coroner on a ground of apprehended bias (among others). A particular of the apprehended bias ground was that Counsel Assisting, Mr Lasry, had noted in open court that he had set aside time to assist the Coroner in writing the final report.⁹⁰ The appellants submitted that ‘any sharing of that responsibility with counsel who had been advocating propositions that were contrary to the interests of the [appellants] would inevitably give rise to a reasonable apprehension of bias.’⁹¹

55. The Full Court rejected this submission, and dismissed the ground:⁹²

[165] While ... a coroner cannot delegate his or her responsibility to weigh the evidence and make appropriate findings, that does not mean that he or she must write the report unaided. On the contrary, a coroner is entitled to have counsel assisting or an associate undertake a range of tasks, such as providing a summary of the evidence, an outline of the relevant statutory provisions and references to authorities.

[166] In the present case, the evidence does not suggest that Mr Lasry intended to trespass into areas that were exclusively the responsibility of the first respondent, and we are unable to see how the terse note upon which [the appellants’] submissions had been founded could provide any support for the [appellants’] contentions.

56. Mr Rolfe drew my attention to a decision of the New Zealand Court of Appeal⁹³ and a decision of the Hong Kong Court of Appeal,⁹⁴ which he said contained statements contrary to those in *Doogan*.⁹⁵ He also sought to distinguish a decision of the High

⁹⁰ *R v Doogan* (2005) 158 ACTR 1, [164].

⁹¹ *R v Doogan* (2005) 158 ACTR 1, [164].

⁹² *R v Doogan* (2005) 158 ACTR 1, [165]-[166].

⁹³ *Re Royal Commission on Thomas’s Case* [1982] 1 NZLR 252.

⁹⁴ *Dato Tan Leong Min v Insider Trading Tribunal* [1999] 2 HKC 83.

⁹⁵ Submissions of Mr Rolfe dated 6 October 2023, [23]-[24].

Court of England and Wales⁹⁶ that, like *Doogan*, appeared to permit the participation of a commissioner's assistant in at least an early 'stage' of the report writing process.⁹⁷

57. Ultimately, the issue of whether Counsel Assisting may assist in the preparation of a final report does not arise and nor did Mr Rolfe suggest that it did. In those circumstances, I will not attempt to resolve the differences, if any, between these authorities.

58. In *Doogan* the Full Court also noted that although Counsel Assisting should be 'guided by the overriding principle that their goal is the attainment of justice rather than the achievement of a preconceived objective', Counsel Assisting has a duty to vigorously test the evidence, and may advance tentative conclusions because:⁹⁸

... justice is not always, nor even usually, attained by a forensically passive approach in which counsel assisting eschew any responsibility to explore particular possibilities actively or to test assertions which may or may not be accurate. On the contrary, coroners are entitled to expect that counsel assisting them will actively pursue the truth and that will almost inevitably involve identifying particular possibilities or tentative conclusions and testing the evidence with a view to determining whether it can be confirmed or discounted.

59. The rule against bias does not apply to Counsel Assisting but evidence of bias on the part of an assistant may lead to an inference of bias on the part of a Coroner, where the Coroner adopts or condones the assistant's actions.⁹⁹ However, in *Doogan*, the Full Court also observed that 'there is no general principle requiring judges and magistrates to intervene whenever counsel is shown to have made some intemperate or otherwise unfortunate remark in relation to the proceedings.'¹⁰⁰

60. I will now consider the 'particulars' of the application for recusal.

⁹⁶ *R (Clarke) v Chairman of the Magnox Public Inquiry* [2019] EWHC 3596.

⁹⁷ Submissions of Mr Rolfe dated 6 October 2023, [25].

⁹⁸ *R v Doogan* (2005) 158 ACTR 1, [162].

⁹⁹ *R v Doogan* (2005) 158 ACTR 1, [159]; see also *Firman v Lasry* (2000) VSC 240, [27]-[29] considering the conduct of Counsel Assisting in the context of a Royal Commission.

¹⁰⁰ *R v Doogan* (2005) 158 ACTR 1, [160].

The Yuendumu Visit

Mr Rolfe's concerns regarding the Yuendumu Visit

61. Mr Rolfe contends that the Yuendumu Visit provides a 'background of concerns' to the 23 March 2023 NPO Amendment. In summary, the 'background of concerns' appears to be that:
- (a) Dr Dwyer and I had ochre placed on our foreheads during a scheduled ceremony performed by senior Warlpiri women;
 - (b) some community members made comments in the presence of myself and Dr Dwyer to the effect that Mr Rolfe ought to lose his job as a NT police officer and that there was a need for customary 'payback', and that Dr Dwyer and I did not immediately, and affirmatively, condemn or disassociate ourselves from those comments;
 - (c) Counsel Assisting:
 - (i) enquired with community members about how 'justice' could be achieved;
 - (ii) stated that the views of community members, expressed during the Yuendumu Visit, 'will be taken into account';
 - (iii) offered to obtain more information for the community in respect of the criminal trial in response to their concerns about the feeling they had of injustice about its processes; and,
 - (iv) stated that she 'understood' that the community wants justice and 'We will see what we can achieve together.'
62. In light of Mr Rolfe's submissions that he was taken by surprise by these events, I will now discuss the planning for the Yuendumu Visit.

Community engagement and planning for the Yuendumu Visit

63. The inquest followed a trial and acquittal which had received significant media attention. Some family and community members had expressed their grief about the

death, their concerns about the trial process and the justice system more broadly, and these matters were widely reported in the media. It was in this context that at the first directions hearing on 29 March 2022, the trauma and grief suffered by the family and community arising from the passing of Kumanjayi Walker was acknowledged. I said:¹⁰¹

While much has been said about this death, I recognise that the family's and the community's voices have not yet had an opportunity to be heard and understood. This inquest cannot undo the past. We will, however, provide the family and the community with the opportunity to express their distress, their fears and concerns, and their hopes for the future. We will endeavour to not simply hear them, but to understand them. In a fair and balanced way, we will seek to better understand what happened on 9 November 2019 and why it happened, with the goals of determining the truth and making recommendations which may assist in preventing future deaths in similar circumstances.

64. As is usual in coronial proceedings, the Counsel Assisting team met with family and affected community members to assist them to engage in the coronial process, to identify any issues or concerns that were important to them, and to identify relevant witnesses. The Counsel Assisting team went to Yuendumu and spoke to community members. In a second directions hearing conducted on 26 May 2022 this process of engagement with family and community members was expressly raised and encouraged. I said:¹⁰²

At the last directions hearing I acknowledged that the families and community's voice had not yet been heard. That remains true. But I understand that some of you have now had the opportunity of meeting my counsel assisting, Dr Peggy Dwyer and Mr Patrick Coleridge. I sincerely thank you for welcoming them warmly into your community over the last few days. We are genuinely seeking to understand and give a voice to your grief and loss and hopes for the future. I understand you have much to share and say and Peggy and Paddy will continue to meet and work with the family and the community to provide a pathway for your full participation in this inquest.

...

¹⁰¹ Transcript of Proceedings on 29 March 2022 (Directions Hearing), 9.

¹⁰² Transcript of Proceedings on 26 May 2022 (Directions Hearing), 2.

Your participation, the family and the community's participation, is an essential feature of this proceeding and you are very warmly welcomed here today.

65. Discussions between the parties, the Counsel Assisting team and family and community members continued. These discussions included matters such as how the family and community could be supported to participate in the inquest which was to be held in Alice Springs and not at Yuendumu, the location of the death. Although the Local Court does sit in Yuendumu as part of a 'bush circuit', the community infrastructure was insufficient to accommodate extended coronial sittings involving numerous parties. In those circumstances, the possibility of a visit by the Court to Yuendumu was raised by family and community members with the Counsel Assisting team.
66. Through discussions with the Counsel Assisting team and interested parties, community members extended an invitation to the Court to visit Yuendumu at the commencement of the inquest. The invitation was communicated to all interested parties and noted on the draft witness lists that were circulated on 1 and 5 August 2022 as follows:

Opening of Inquest in Yuendumu. Coroner and parties to meet in Yuendumu to pay respect to Kumanjayi, his family and community and to hear from family and community leaders about aims for inquest. Culture and ceremony to be advised by Yuendumu elders and Kumanjayi's family.

67. At a third directions hearing on 15 August 2022,¹⁰³ Dr Dwyer informed the Court of the invitation that had been extended by community members, who wished to speak to the Court in Yuendumu in an unhurried and informal way about how they felt. Dr Dwyer made it clear that the visit would not be formal evidence and the possibility of 'ceremony' was raised. Although that invitation had been extended, Counsel for the Brown and WLR families submitted that the community was not presently able to facilitate the visit at the outset of the inquest, due to recent community unrest. Accordingly, I decided that the inquest would commence in Alice Springs on 5 September 2022. However, the need for there to be a 'view' in Yuendumu at a later stage in the proceedings was raised, together with the possibility that such a visit might provide an opportunity for less formal community

¹⁰³ Transcript of Proceedings on 15 August 2022 (Directions Hearing).

engagement. As the inquest was now commencing in Alice Springs, Mr McMahon SC informed the Court that one or more members of the Parumpurru Committee wished to make an ‘opening statement’ and I indicated that I was open to contributions from the community.

68. There were no objections during the various directions hearings to the proposals for ‘opening statements’ from community members or a visit to Yuendumu at some point in the future to conduct a view and meet with family and community informally.
69. The ‘final’ draft witness list produced prior to the commencement of the inquest identified that the inquest would commence with informal opening statements from three community members, followed by a presentation by a former employee of the Northern Territory Aboriginal Interpreter Service, Ms Jodie Clarkson, and cultural advisor and interpreter, Ms Valda Naparrula Shannon, on ‘two-way listening’, which explained some of the difficulties associated with interpretation especially concerning legal concepts and practices for which there was no Warlpiri cultural equivalent.¹⁰⁴ During the inquest further steps were taken to enhance cultural competency. These included: engaging an interpreter and cultural adviser, Ms Valda Naparrula Shannon, live streaming into Yuendumu, and providing information via a website, which included Warlpiri interpretations of some parts of the proceedings.
70. Through their engagement with community members in preparation for the inquest, the Counsel Assisting team identified that there were many longstanding confusions, misunderstandings and misapprehensions on the part of many community members about the inquest. Community members said that they did not know what would happen during the inquest or how it differed from the trial. In an effort to clarify some of these matters, a ‘Community Education Key Messages’ document was produced with the assistance of an interpreter. The information in written English was uploaded to the coronial website, as was a spoken Warlpiri recording of that information. The recording was also played in Alice Springs and Yuendumu over local radio. The written English document is **Annexure B**.

¹⁰⁴ Transcript of Proceedings of 5 September 2022, 17-22.

71. On 5 September 2022 the inquest commenced in Alice Springs. The community members made their ‘opening statements’ which were not received as evidence. They spoke about issues that were of concern to them and placed those issues in a cultural and historical context.¹⁰⁵ In summary:
- (a) Mr Ned Jampijinpa Hargraves provided some insights into Warlpiri culture, Warlpiri punishment (including spearing through the legs), parumpurru which means justice, the values of yapa (Warlpiri), the need to work together to make a community that is safe for our children and karrinjarla muwajarri (meaning ‘ceasefire’), which was said to reflect the desire of some members of the Yuendumu community that police not be permitted to carry firearms in their community;
 - (b) Mr Robin Japanangla Granites described the pain of losing a young Warlpiri life and drew a link between the trauma of Kumanjayi’s death and the trauma suffered by Warlpiri during the Coniston Massacre. He expressed dissatisfaction with the Australian justice system and with some of the reporting in the media of the events and the trial. At the end of his statement, Mr Granites extended a fresh invitation to the Court ‘to come out and sit with Warlpiri elders, and talk to us. We invite you to Tanami Desert, in Warlpiri country, to be part of our culture and lore.’ I indicated that we would ‘work towards finding a way where we can accept that invitation’; and,
 - (c) Ms Samara Fernandez-Brown explained the profound impact Kumanjayi’s death had on the community, and its desire not for a particular outcome, but for ‘truth’.
72. The approach taken at the commencement of the inquest was a sign of respect for and acknowledgement of the culture and country of the deceased, his family and community. As was explained in the two-way listening presentation, by receiving ‘opening statements’ from Warlpiri Elders, the Court demonstrated a respectful acknowledgement of the gerontocracy of the Warlpiri people.¹⁰⁶ Counsel for Mr Rolfe (Mr Edwardson KC and Mr Merenda) and his solicitor (Mr Officer) were

¹⁰⁵ Transcript of proceedings on 5 September 2022, 5-11.

¹⁰⁶ Transcript of Proceedings of 5 September 2022, 17.

seated at the bar table throughout and have not raised any concerns about what occurred.

73. Discussions continued between the Counsel Assisting team and the interested parties concerning the deferred visit to Yuendumu. On 3 November 2022 a draft schedule for a proposed two-day visit was circulated to the interested parties, a copy of which is **Annexure C**.
74. On 4 November 2022, Mr McMahon addressed the Court in respect of the proposed visit.¹⁰⁷ Mr McMahon explained that the Parumpurru Committee was inviting myself and all interested parties to Yuendumu so that the community could speak directly in a way not normally possible in a court proceeding and ‘share their voice about ...at least some of the matters that have led to this inquest.’¹⁰⁸ The Court was also told that the community wanted me to listen to them speak about Warlpiri culture and lore including concepts of justice, grieving and sorry business.¹⁰⁹ Mr McMahon explained that it was ‘going to be essentially a listening experience.’¹¹⁰
75. Mr McMahon also outlined a plan for the visit noting that it was not a strict schedule. On the first day he said there would be two welcomes by the Yuendumu Cultural Authority, a visit to House 511 known as ‘Memory House’, a community meeting or ‘what is locally known as a truth telling meeting’, which would involve a microphone being passed around and community members saying ‘what is on their mind’, and possibly some dance and a community barbecue. On the second day there would be a view of locations relevant to the inquest and a general orientation of Yuendumu. There would then be a ‘yarning circle’. He said that things might go ‘unexpectedly in some conversations.’¹¹¹ Mr McMahon made it clear that what was said would not be recorded or received as evidence.¹¹²

¹⁰⁷ Transcript of Proceedings of 4 November 2023, 3253-3256.

¹⁰⁸ Transcript of Proceedings of 4 November 2023, 3253.

¹⁰⁹ Transcript of Proceedings of 4 November 2023, 3253.

¹¹⁰ Transcript of Proceedings of 4 November 2023, 3253.

¹¹¹ Transcript of Proceedings of 4 November 2023, 3256.

¹¹² Transcript of Proceedings of 4 November 2023, 3256.

76. Mr McMahon extended ‘a genuine invitation...to all the lawyers here and encourage[d] them to come’.¹¹³ At the conclusion of the explanation and invitation interested parties were invited to respond but none chose to do so and no objections to either the visit or the proposed plan were raised.
77. On 12 November 2022, Ms Hollway (solicitor for the Parumpurru Committee) emailed all parties to advise, as a matter of procedural fairness, that it was now proposed that some parts of the events of the visit to Yuendumu would be recorded. Apparently a local media organisation ‘PAW Media’, wished to record some parts of the visit for posterity. Ms Hollway stated ‘we do not of course anticipate such recordings going to matters which might be regarded as disputed facts. Rather, they may go to areas of cultural knowledge of value to the inquest’. If at some stage any of the recordings were sought to be tendered Ms Hollway noted that this would be addressed in the usual way in court (that is, with an application, submissions and, if necessary, a ruling). However, since the visit there has been no application that any of the recordings be tendered.
78. On 13 November 2022, the final plan for the Yuendumu visit was circulated to the parties, a copy of which is **Annexure D** to these reasons. It specified that on the first day there would be a cultural welcome from the Senior Men, followed by a cultural welcome from the Senior Women.
79. Mr Rolfe did not and has not objected to the visit or what was planned for the visit. His lack of objection together with the engagement of the interested parties in the visit itself, including by Mr Officer on behalf of Mr Rolfe, indicates an acceptance by all interested parties of the visit being an appropriate part of the coronial process.

The conduct of the visit and consideration of Mr Rolfe’s ‘concerns’

80. The two-day visit ran largely consistent with the plan. The only significant variations were that I visited House 511, ‘Memory House’, on the first day instead of the second day. On day two, there was insufficient time to visit the pool or the

¹¹³ Transcript of Proceedings of 4 November 2023, 3256.

grave site as planned and a “cleansing” ceremony was performed with native plants at the police station.

81. Although the plan was substantially followed, the application for recusal is raised in respect of some things that are said to have occurred during the visit. Significantly, Mr Rolfe’s ‘concerns’ arise in circumstances where his legal representative, Mr Officer, was present on Day 1 of the visit, but chose not to remain for Day 2. There is no evidence that Mr Officer took any steps to inform the Counsel Assisting team that he had decided to leave Yuendumu. I do not recall when I became aware of his absence on Day 2.

Day 1 (14 November 2022)

82. As planned, the day commenced with a cultural and formal welcome by the Senior Men. This welcome was conducted by way of singing, clap sticks and spears, observed by myself, Counsel Assisting and all those attending. At the conclusion of the welcome Counsel Assisting and myself were introduced to and shook hands with the men that were present and I expressed my condolences for their loss.
83. Following the men’s ceremony myself, Counsel Assisting, and all those attending were welcomed by the Senior Women. This welcome included myself and Dr Dwyer (and some other women) having ochre applied to the forehead by a Female Elder who I had not previously met, and who was introduced to me as Kumanjayi Walker’s mother.
84. Counsel Assisting and myself were then introduced to and shook hands with each of the women present and I expressed my condolences for their loss. A photo of Counsel Assisting being introduced to and shaking hands with a Senior Female is also annexed to the application for recusal. We were then escorted to House 511, ‘Memory House’, by some of the women.
85. Concerning the first day, the first ‘concern’ is that ochre was applied to my forehead by the mother of the deceased. The second ‘concern’ is said to be a photo of Counsel Assisting ‘holding the hand of a community member’. Mr Rolfe’s submissions give the impression that his legal representatives learned of these matters from the

photographs published in the media which he annexed to his application.¹¹⁴ They do not acknowledge that each of these events occurred in full view of Mr Officer who was standing with a further 20 or more legal representatives some metres away, having accepted the invitation to participate.

86. Both the ochre and the ‘hand holding’ occurred in accordance with the plan for a cultural welcome by Senior Women. In contrast, the cultural welcome by Senior Men, conducted with song, clapsticks and spears, does not cause Mr Rolfe concern. Why one form of welcome gives rise for concern, but the other does not, is unexplained.
87. Kumanjayi Walker’s biological mother is deceased. I understood that the Senior Woman who placed ochre on my forehead was his mother in a cultural way. In any event, I was not concerned as it is not unusual in coronial proceedings to meet family members of the deceased, engage with them in culturally appropriate ways, and express condolences to them, and that was one of the purposes of the visit.
88. The description of Counsel Assisting ‘holding hands with a community member’ is disingenuous. Following each ceremonial welcome myself and Counsel Assisting were introduced to, shook hands with, and expressed condolences to all the community members present, both men and women. All of these greetings occurred in the presence of Mr Officer. One of those greetings was to an elderly lady in a wheelchair. Dr Dwyer ‘shook hands’ with this frail lady by gently taking her right hand and she leaned in to speak in a sensitive way. Why one such greeting gives rise for concern, and yet none of the others does, is unexplained.
89. A fair-minded lay observer would have understood, and Mr Rolfe knew, that the visit provided an opportunity for cultural welcomes and for family and community members to meet myself and the Counsel Assisting team. A fair-minded lay observer would appreciate that, by permitting our foreheads to be painted in ochre and by greeting community members in full view of all of the interested parties, myself and Dr Dwyer were simply respectfully receiving the cultural welcome that was being extended to us.

¹¹⁴ Submissions of Mr Rolfe dated 6 October 2023, [30]ff.

90. In my view, these ‘concerns’ fail at the first, second and third stage of the *Ebner* test. I am not persuaded that Mr Rolfe has identified any relevant ‘incompatibility, association, conduct or interest’. Nor has Mr Rolfe articulated how my participation in one discreet aspect of the welcome ceremonies, and the ‘shake of one hand by Counsel Assisting, might cause me to deviate from making findings or recommendations on their legal and factual merits. That is to say nothing of the reasonableness of any such apprehension.

Day 2 (15 November 2022)

91. Mr Rolfe is concerned about certain things community members said and certain responses by Counsel Assisting. Noting that Mr Officer chose not to attend the second day of the visit, Mr Rolfe’s concerns arise from his understanding of events as described in reports in the media, from photos depicted in the media which are annexed to his application, and from a review of audio recordings of events provided by the Coroner’s Office. The general tenor of those concerns is set out above at [61].
92. Before responding to those concerns, I note that Mr Rolfe complains that he had ‘no forewarning’ that there was a ‘potential’ that the family of Kumanjayi Walker, and the broader community of Yuendumu, might express views about the events that led to Kumanjayi’s death, a desire for ‘payback’, perceptions of the processes adopted during the criminal trial, or other ‘contentious issues’ that had arisen in the inquest.¹¹⁵ This is said to have occasioned him ‘prejudice’.
93. I do not accept this. During his outline of the anticipated visit, Mr McMahon emphasised that there would be no strict schedule of events, or ‘defined list of issues’ for discussion, and that things might go ‘unexpectedly in some conversations.’ The matters complained of had already been raised by community members during their opening statements, in media reporting, and in some sworn evidence.¹¹⁶ In those circumstances, it was readily understood that Mr McMahon’s reference to ‘discussions about matters that have led to the inquest’ could cover a broad range of topics which were important to the Elders, including topics specific

¹¹⁵ Submissions of Mr Rolfe dated 6 October 2023, [27]-[29] and [33].

¹¹⁶ See below at [95].

to Mr Rolfe, payback and spearing, and concerns about the trial, even if those topics fell outside the issues to be resolved in the inquest. Indeed, on Day 1 many of the same issues were discussed in Mr Officer's presence during the 'truth telling session' and these discussions have not given rise for concern. Ultimately, Mr Rolfe should have, and any fair-minded lay observer would have, anticipated that the family and community of Kumanjayi Walker may wish to express views about these matters.

94. In any event, I do not accept that the mere fact that community members expressed their views about such matters, in my presence, might cause a fair-minded lay observer to reasonably apprehend that I might not impartially determine the issues arising at the inquest. The Yuendumu Visit was, as Mr McMahon explained, 'essentially a listening experience'. That is what I did. A fair-minded lay observer would understand that it is normal, especially for a person with judicial training, to listen to someone express grief, or anger, without being 'overborne' by those expressions. It was on that basis that an apprehended bias application was dismissed, in comparable circumstances, by the Supreme Court of Victoria in *Kontis v Coroners Court of Victoria*.¹¹⁷
95. Additionally, as NAAJA submitted, the vast majority of the information discussed during the Yuendumu Visit, including the statements giving rise to Mr Rolfe's concerns, has not only been traversed in the media,¹¹⁸ but has regularly been raised in open court in the inquest, whether in evidence or otherwise.¹¹⁹ For example, the transcript records statements about some community members' desire for payback by spearing;¹²⁰ the community's views of what have been described as 'racist' text messages;¹²¹ the community's concern that Mr Rolfe is still a member of the police force;¹²² and the community's difficulty in understanding why evidence heard in the

¹¹⁷ [2022] VSC 422, [234]-[271], esp at [258]-[259].

¹¹⁸ Submissions of NAAJA dated 13 October 2023, [22].

¹¹⁹ Submissions of NAAJA dated 13 October 2023, [21].

¹²⁰ Transcript of Proceedings on 28 November 2022, 3771; Transcript of Proceedings on 5 September 2022, 6; see also Transcript of Proceedings on 21 November 2022, 3589.

¹²¹ Transcript of Proceedings of 28 November 2022, 3805.

¹²² Transcript of Proceedings on 5 September 2022, 9.

inquest was not heard at the trial.¹²³ Mr Rolfe does not raise any complaint in respect of those statements.

96. Nor do I accept that the statements made by Counsel Assisting during the yarning circle give rise to a reasonable apprehension of partiality on her behalf, let alone that any such apprehension could be imputed to me. On this point, the main complaint appears to be that Dr Dwyer told the community that she ‘understood’ certain of their concerns, that the community’s views would be ‘taken into account’, and that she ‘actively enquired’ about the community’s views of ‘justice’, which was of ‘particular concern’.¹²⁴ In my view, these submissions take many of Dr Dwyer’s statements out of context and ‘imput[e]’ to the fair-minded lay person ‘a propensity to draw the most sinister of implications.’¹²⁵

97. For example, a fair-minded lay observer would understand that many of Dr Dwyer’s references to ‘justice’ were an attempt move the discussion *away* from Mr Rolfe and towards more restorative forms of justice. After referring to statements made the day before (in the presence of Mr Officer) about ‘justice’ and ‘payback’, Dr Dwyer asked,

If you put spearing to one side, is there anything else that payback or justice could involve? *For example, are there better services for the community? Is there more things that you would like that would be part of justice that you could tell us about?*

98. Similarly, I reject the suggestion that Dr Dwyer’s comments were ‘liable to create an impression that the purpose of the inquest is to meet concerns expressed by the Yuendumu community.’ For Dr Dwyer to tell Kumanjayi Walker’s family, and community, that their views will be ‘taken into account’ or that they were being ‘understood’ did not convey that those views will be accepted, or preferred, or transform those views into ‘evidence’. A fair-minded lay observer would understand these comments for what they were: an attempt to reassure the

¹²³ Transcript of Proceedings of 25 November 2022, 3727; see also Transcript of Proceedings on 5 September 2022, 9.

¹²⁴ Submissions of Mr Rolfe dated 6 October 2023, [33](b).

¹²⁵ See, *Kontis*, [261].

community of Yuendumu that the inquest was committed to considering the issues arising at the inquest from all perspectives, including theirs.

Submissions regarding the recordings of the Yuendumu Visit

99. Much of the remainder of Mr Rolfe's submissions on the Yuendumu Visit are concerned with his request for, and the Counsel Assisting team's provision of, an audio-recording of some of the visit. It is not entirely clear how Mr Rolfe presses this issue on the recusal application, in circumstances where I have not ruled on his entitlement to this material, and where he objects to me doing so before I have determined the recusal application. However, in light of Mr Rolfe's submission that there has been a 'lack of transparency' about what occurred during the Yuendumu Visit it is necessary to make some observations.
100. As it was never intended that the visit to Yuendumu would form part of the evidence in the inquest, there were no formal arrangements to record the proceedings. Ms Hollway for the Parumpurru Committee advised the parties that 'PAW Media' had decided to record some of the events.¹²⁶ A number of larger, or national, media organisations were also present and I understood they were permitted to record some events. There is no evidence that Mr Rolfe has made any request of those organisations for their recordings.
101. From the Court's perspective, a decision was made to attempt to capture audio of the main community gatherings in the event it might prove useful for other purposes, such as academic research. I am not aware of this being advertised to the parties. Arrangements for this purpose were unsophisticated and involved a junior court officer operating a small hand-held recording device. Unfortunately, because the court officer walked, or was seated, in close proximity to me, the recordings often captured private and irrelevant conversation between myself, Counsel Assisting and the court officer, including at times when I did not know I was being recorded.
102. On 19 November 2022, Mr Officer requested copies of:

¹²⁶ Although Dr Dwyer made a reference, during the visit, to an intention to obtain the PAW Media recordings, this was before a discussion regarding the licensing fees had occurred.

- (a) all video recordings of 14 and 15 November 2022;
- (b) all audio recordings of 14 and 15 November 2022; and,
- (c) all notes taken on 14 and 15 November 2022.

103. On 14 February 2023, Ms Walz substantially agreed to Mr Officer's request. I set out her email in full:

Dear colleagues,

As requested by some parties, I advise that I have just uploaded the following material to the electronic brief (in folder "Yuendumu visit recordings"):

1. "Yuendumu time log": the notes taken by the Coroner's clerk as typewritten by the Coroner's clerk. We are advised that these are a true copy of the handwritten notes; indeed, as you will see, they have not been edited to remove errata, or notes by the clerk to herself;
2. Those parts of the audio recording of the visit to Yuendumu that were understood by the parties to be appropriate for recording, that is, public discussions/ceremony, edited to remove private conversations between the Coroner and other persons, such as her legal team (emphasis added). The recordings cover:
 1. The public ceremonies on the morning of Monday 14 November 2022 ("Yuendumu 14 November 2022 – part 1");
 2. The public forum or "Community Truth Telling Meeting" on the afternoon of Monday 14 November 2022 ("Yuendumu 14 November 2022 – part 2");
 3. The public forum or "Yarning Circle" on the morning of Tuesday 15 November 2022 ("Yuendumu 15 November 2022").
3. The document entitled "Coroner's Visit to Yuendumu", which was kindly prepared by the Parumpurru Committee setting out what would take place, and which was distributed prior to the Yuendumu visit. We note that there was no opposition, or alternative suggestion from any party.
4. Relevant email correspondence between the parties about the visit, and the transcript of the discussion of what would take place, and what would be recorded, as outlined by Mr McMahon SC on 4 November 2022, which confirmed, without objection from any party, that, beyond the public ceremony and forums, the visit to Yuendumu was not anticipated to be the subject of 'recording'. We note that that

was the basis upon which each party was invited, and indeed encouraged, to attend all aspects of the Coroner's visit to Yuendumu.

With respect to the matters that were recorded, we note the specific comment by Ms Hollway on behalf of Parumpurru that: "We do not of course anticipate such recordings going to matters which might be regarded as disputed facts. Rather, they may go to areas of cultural knowledge of value to the inquest."

Please note that the Counsel Assisting team does not propose to tender any recordings from the Yuendumu visit, given that the statements made are not being received as evidence and do not bear upon the Coroner's determination of any contentious factual issues in the inquest.

If you have any difficulties accessing the material in the Sharepoint folder, please get in touch with [the Coroner's clerk] or me.

Kind regards,

Maria

104. On 15 February 2023, Mr Officer wrote to Ms Walz, asking her to confirm that the recordings had been edited and if so, when, how, by whom, and on what basis. He also asked Ms Walz to confirm whether the Coroner's Office was in possession of any video recordings.
105. On 17 February 2023, Ms Walz responded as follows (emphasis added):

Good afternoon Luke,

Thank you for your email below.

I can confirm the assisting team is not in possession of any video recordings of the Yuendumu visit.

Parties have been provided with audio recordings of the three significant public forums that took place at the Yuendumu visit. As indicated below, editing was conducted by the assisting team to remove irrelevant or private conversations, including those between the Coroner and her legal team. The edited portions are short and typically last less than a minute.

In relation to your question about the legal basis for editing, I note that the Coroner's visit to Yuendumu was not conducted to take evidence or form part of the Coroner's determination of contentious evidence in the inquest. The recordings will not be tendered by the assisting team. It was made clear in advance of the hearing that private conversations would not be recorded.

If there is some concern about the editing process, the Coroner is open to a written request to obtain a transcript so that the length and reason for each edit can be identified with more precision; however, I note that such a process

would involve some significant time and expense and that it is unconventional for transcripts to be made of coronial views and cultural learning events which do not form part of the evidence before the Court. (emphasis added)

I hope this is of assistance. I am able to discuss the matter further if you consider it necessary.

Kind regards,

Maria

106. Mr Rolfe did not express any further concern about the editing process, nor request that the Court obtain a transcript. He sent no further correspondence on the issue until 16 August 2023, some six months later, when he provided the parties with the Production Application.
107. Ultimately, and in circumstances where Mr Rolfe has expressly objected to me ruling on the Production Application, the most I can say is that a fair-minded lay observer would not be surprised that Counsel Assisting edited the recordings so that they did not capture irrelevant and private conversations. As NAAJA noted, while this was in no way a ‘court transcript’, ‘a fair-minded lay observer would also be aware that court transcripts normally do not capture bar-table conversations – or conversations of a judge over the bench to their associate – and when they do, they are regularly removed by transcribers.’ The fair-minded lay observer’s view would be fortified by the expressed willingness to provide further information about the edits, and even to put the Court to the expense of ordering a transcript, if a request was made. But no such request was made.

The Amendment of the non-publication order on 23 March 2023

108. Mr Rolfe’s next concern is the 23 March 2023 NPO Amendment. This was an amendment to an existing NPO, dated 24 November 2022 (the **24 November 2022 NPO**). The effect of the amendment was to clarify that the November 2022 NPO was not intended to, and did not, prevent the Professional Standards Command (**PSC**) of the NTPF from using material contained in the coronial brief for the purpose of its statutory functions.
109. Mr Rolfe objected to the amendment in circumstances where the interested parties had not been notified in advance of the intention to amend the NPO, and now

complains that the amendment on 23 March 2023 and the failure to notify the parties in advance gives rise to an apprehension of bias. He speculates about my motives for making the 23 March order.

110. Before turning to the circumstances, and purpose, of the amendment, I will say something about the NPOs which have been made in this proceeding.

NPOs during the proceeding

111. From the outset it was clear that the coronial brief contained a significant amount of material that either ought to have been the subject of a NPO under the Act, or that was subject to a prohibition on publication arising under another law.¹²⁷ But the size of the coronial brief presented a practical difficulty. It was not possible at the commencement of the inquest to review the many thousands of discrete brief items and make a decision about whether there should be a prohibition on publication on an item-by-item basis.
112. Doing my best to balance open justice with the need to ensure that sensitive material was not inadvertently published beyond the interested parties, the approach I adopted was to make a broad NPO over the entire coronial brief, with a broad exception for evidence given or tendered in open court, or made publicly available on the coronial website. In practice, the effect of that order was to allow a decision to be made about the sensitivity of evidence as it was actually given. Where there was a legitimate concern about the sensitivity of material, more targeted NPOs were made. That NPO is annexed to these reasons as **Annexure E** (its annexure omitted).
113. This approach, although initially convenient, ultimately proved to be burdensome and problematic. Many documents were referred to during the course of examination and it was difficult to consistently upload these to the website. Accordingly, while some documents did transition out of the non-publication order, a large number of documents that could not properly be described as ‘sensitive’ did not.

¹²⁷ For example, in the case of the identity of children in care under s 301 of the *Care and Protection of Children Act 2007* (NT), material giving rise to legitimate public interest immunity concerns or a claim of legal professional privilege.

114. In addition, although the order permitted the disclosure of the brief of evidence to the Commissioner of NTPF and his legal representatives for the purposes of the inquest, read literally, the NPO prohibited the use of the material by the PSC of the NTPF for the purposes of ensuring the good conduct and discipline of members of the NTPF under Part IV of the *Police Administration Act 1958* (NT) (**PAA**). That was not intended.
115. The limitation provisions in the PAA set strict time limits for the commencement of disciplinary proceedings following the ‘discovery’ of a serious breach of discipline by the Commissioner of Police or a ‘prescribed member’.¹²⁸ A ‘prescribed member’ is a member holding the ‘prescribed rank’ of Senior Sergeant or above.¹²⁹ A large number of ‘prescribed members’ were involved in the inquest, and had access to the brief of evidence, whether as witnesses, as staff of the NTPF legal team or support persons for its witnesses, or as coronial investigators. I was concerned that if evidence of potential breaches of discipline became known to one or more prescribed members during the course of the inquest, the limitation period under the PAA might start to run, in circumstances where the NPO unintentionally prohibited the PSC from being informed and taking steps under the PAA about that evidence.
116. To address these concerns, on 24 November 2022, I amended the NPO to expressly permit the disclosure of the brief of evidence to the PSC. Until this time, an exception to the broad prohibition on disclosure in Order 1 permitted disclosure to the ‘Commissioner of NT Police and his legal representatives’ (Order 2(a)(ii)), as it did in respect of all other parties granted leave to appear or be represented at the inquest: Order 2(a)(i), (iii). The 24 November 2022 NPO added an additional subparagraph, permitting disclosure to ‘the NT Police Professional Standards Command’: Order 2(a)(vi). The 24 November 2022 NPO is **Annexure F** to these reasons. It was available to the parties in the electronic brief on 24 November 2022 and made publicly available on the coronial website on 25 November 2022.

¹²⁸ See, *Holmes v Commissioner of Police* [2011] NTSC 108; (2011) 30 NTLR 195.

¹²⁹ PAA, s 4(1), definition of ‘prescribed member’; *Police Administration Regulations 1994* (NT), r 18.

117. I do not have a view about whether any of the evidence received during the inquest warrants a PSC investigation or disciplinary proceedings. That is a matter for the PSC. I amended the order on 24 November 2022 because I considered that a prohibition on disclosure to the PSC could impede the scheme established by Part IV of the PAA for ensuring the good conduct and discipline of Northern Territory police officers.
118. Despite my intention, by 24 November 2022 successive amendments to the NPO meant that it was becoming increasingly confusing. Its relationship to other NPOs was unclear, and it contained redundancies.¹³⁰ More importantly, when sub-par (vi) is read in light of the introductory words in Order 2(a), the literal meaning of the amendment prohibited what I had intended to permit: use by the PSC for the performance of its functions under the PAA. In hindsight, this seems obvious but at the time I was working under pressure, and I did not appreciate that the literal meaning of the order was contrary to my intention. I did not appreciate that there was any uncertainty about the purpose or effect of the 24 November 2022 NPO until 23 March 2023.

The amendment

119. During the February 2023 sittings, I became increasingly concerned that the broad NPO was no longer appropriate. By this stage of the inquest, when almost all witnesses had given evidence, the matters I noted at [113] meant that there was a significant body of evidence that remained the subject of the prohibition on publication despite the fact that no concerns as to its sensitivity had been positively identified. I requested that Counsel Assisting liaise with the parties, inform them of my intention to revisit the structure and content of the NPO, and to fix a timetable for submissions on the items that should be the subject of a new, and more targeted, NPO. Given the workload of the Counsel Assisting team, those instructions were not prioritised.

¹³⁰ For example, Orders 2(a)(i) and (ii), which respectively permitted the disclosure of the brief to the NTPF and the family of Kumanjayi Walker, were clearly redundant in the face of Order 2(a)(iii), which permitted disclosure to any persons ‘granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives.’

120. On 20 March 2023 Dr Dwyer raised an issue with me about the terms of Order 2(a)(iv). She informed me that she had been contacted by the PSC, who were concerned that the terms of my order of 24 November 2022 did not permit the PSC to use the brief material for purposes under the PAA Act. Dr Dwyer stated that she had informed the PSC that that was not the intent of the order but accepted that the concern was understandable in light of the phrase ‘for the purposes of these coronial proceedings’ in paragraph 2(a) of Order 2.
121. As I have already stated, I agree with Dr Dwyer that the terms of Order 2(a)(vi) of the 24 November 2022 did not accurately reflect my intention when making it. Accordingly, I informed Dr Dwyer that I was content to make a ‘temporary fix’ to the 24 November 2022 NPO. I reiterated my intention to withdraw the broad NPO, and repeated my request that a timetable be fixed for submissions from the interested parties as to what, if any, material ought to be included in any new, and more focussed order.
122. When I communicated this to Dr Dwyer, and when I subsequently settled and signed the 23 March 2023 NPO Amendment, I thought I was correcting a slip in Order 2(a)(vi). Perhaps wrongly, I thought this would be clear to the interested parties. That was because, if Order 2(a)(vi) was read literally, it was pointless. As the PSC has never been an interested party granted leave to be represented at the inquest, I am not sure what use the PSC could have made of the brief material ‘for the purposes of these coronial proceedings’. Additionally, the PSC was a part of the NTPF, which, through the Commissioner, was already authorised to receive the brief of evidence for the purposes of the inquest by Order 2(a)(i). In those circumstances, I did not think the amendment controversial.
123. Ms Walz wrote to the parties on 23 March 2023 and expressly brought the fact of the amendment to the interested parties’ attention and foreshadowed my intention to replace the broad NPO with a more targeted order in due course. Ms Walz invited indications from the interested parties as to the subject of that more targeted order.
124. On 24 March 2023, Mr Officer wrote to Ms Walz asking why the order had been amended, noting that Mr Rolfe had not been heard on it. When I was told that Mr Officer was troubled that his client had not been heard on the amendment, I

requested that Ms Walz advise the parties that I would revoke the 23 March 2023 NPO Amendment immediately, with the practical result that the 24 November 2022 NPO remained in force. By return email dated 24 March 2023 Ms Walz informed Mr Officer that I would withdraw the amendment. Ms Walz noted that the Counsel Assisting team's view was that the order had become confusing and reiterated that I proposed to rescind the 'blanket NPO' and replace it with a more targeted 'NPO over individual items upon application.'

125. After some back and forth, and a deferral of the original date on which it had been proposed to rescind the blanket NPO, a directions hearing was listed for 28 April 2023 to hear from the parties as to the material to be included in the new, and more targeted, NPO, as well as to ventilate any persisting concerns about the 23 March 2023 NPO Amendment.
126. The majority of the 28 April 2023 Directions Hearing was dedicated to applications for inclusion within the new, and targeted, NPO and Dr Dwyer responded to Mr Officer's queries about the 23 March 2023 NPO Amendment. She explained that the interim non-publication order was amended at her suggestion to remove confusion in relation to the exception granted to the Professional Standards Command. She explained that in respect of the Professional Standards Command the words 'for the purposes of these proceedings,' 'that didn't make any sense' as they were not an interested party in the inquest. She said:¹³¹

...there was no formal application to your Honour and it was not the subject of a submissions process. That was my suggestion to clear up the obvious confusion. Your Honour has always intended that the parties have procedural fairness and that they are given an opportunity to comment on any change.

...

I regret the confusion caused by that your Honour. My intent was to suggest a clarification, not a change to the non-publication order. And I should have suggested that parties have an opportunity to comment, even if it was a clarification rather than a change. My intention was then and is always to allow procedural fairness to all parties. So that was an administrative error on my part. That was corrected as quickly as humanly possible.

¹³¹ Transcript of Proceedings on 28 April 2023 (Directions Hearing), 4908-4909.

In any event, the order was not published on the website. We are not aware of it affecting any rights or interests. I take full responsibility for it and I'm conscious that your Honour is always, always very mindful in this court it is shown that all parties have procedural fairness.

So in my respectful submission, parties have now been given ample opportunity to comment on the non-publication order. But in any event, the issue of an amendment to the existing order is now moot, since the whole of that broader non-publication order would be gone. It would be replaced by a much more restricted order.

127. When Mr Officer addressed me on the issue, he informed me that the purpose of his requests for information about the 23 March 2023 NPO Amendment was to assist me to ensure that the PSC was not using material contrary to my orders or, possibly, contrary to a *Harman* undertaking it owed to the Coroner's Court. He then said that, to the extent that his queries were relevant to the conduct of the inquest at all, they were 'relevant to the sense of how your compelled material is being used in other proceedings without your consent, your Honour.'¹³²
128. This was the first time this issue had been raised. Mr Officer had not put Counsel Assisting or the Court on notice that there were additional matters that he wished to raise in the Directions Hearing, even though he had taken the time to write to Counsel Assisting on several occasions. There was no evidence concerning whether some other entity might have contravened a NPO and it was not clear to me what Mr Officer was asking me to do or how his concerns were relevant to the issues in the inquest. At no point did Mr Officer indicate that his concern was, in fact, whether the 23 March 2023 NPO Amendment gave rise to a concern about my impartiality.
129. Accordingly, I said:¹³³

THE CORONER: None of this seems to be relevant to my Inquest proceedings. I have – and Dr Dwyer has clarified the non-publication order that has been in place. And if anyone wishes to take some other application or measure or something because they view there's been some breach or otherwise of that non-publication order, then, you know, it's a matter for them. Or material can

¹³² Transcript of Proceedings on 28 April 2023 (Directions Hearing), 4926.

¹³³ Transcript of Proceedings on 28 April 2023 (Directions Hearing), 4926.

be put before me but at this stage, I note Mr Officer's concerns. But that's all I propose to do at this stage.

MR OFFICER: Thank you, your Honour.

130. Ms McNally, on behalf of Sergeant Bauwens, then seemingly sought to re-agitate the issue. The Directions Hearing was being conducted in difficult circumstances via teams with several technical difficulties interrupting the proceedings.¹³⁴ The transcript contains many 'inaudibles'. I reiterated that I did not understand how the issue was relevant to the inquest, rather than (potentially) relevant to some other proceeding. Ms McNally ought to have understood, and a fair-minded lay observer would have understood that, although I would not deal with the issue now, I was willing to receive further material on the issue and would deal with it on another occasion, if the issue was said to be relevant to the inquest. However, neither Mr Rolfe nor Sergeant Bauwens took any further step in relation to the 23 March 2023 NPO Amendment for at least five months.
131. Finally, neither Mr Officer, nor any of the legal representatives for the other police members, have ever disputed that the amendment to permit access to the brief by the PSC for purposes under the PAA was inappropriate. In that regard, Dr Dwyer expressly submitted at the Directions Hearing that:¹³⁵

... a non-publication order in this court shouldn't, is not intended and cannot inadvertently restrict or delay the important investigative roles that other organisations in the Northern Territory have.

I won't name all of those investigative bodies. But they include, for example, SafeWork NT, or Police Professional Standards Command. So – perhaps the Ombudsman (inaudible) as well. And there are others. So the non-publication order will, in my respectful submission, or should be drafted in a way that allows those bodies to continue their important work.

¹³⁴ See for example Transcript of Proceedings on 28 April 2023 (Directions Hearing), 4894, 4899, 4900, 4901.

¹³⁵ Transcript of Proceedings on 28 April 2023 (Directions Hearing), 4907.

132. Dr Dwyer submitted that the new NPO should be subject to two clearly expressed exceptions, in the following terms:

- 2) the order does not prevent the Police Force of the Northern Territory from using or disclosing material for the purpose of performing its statutory functions; and,
- 3) the order does not prevent disclosure where required by law or where disclosure is to a statutory entity for the purpose of them performing their functions.

133. As I have noted, no party submitted against this at the Directions Hearing, or expressed any concerns about these exceptions in the exchange of correspondence in the weeks after the Directions Hearing in which the scope of the order was settled. The more limited NPO was made on 4 May 2023 and is **Annexure G**.

Consideration

134. In summary, the 23 March 2023 NPO Amendment was made in circumstances where:

- (a) I thought I was merely correcting a slip in an order;
- (b) I did not think the amendment was controversial;
- (c) The Solicitor Assisting notified the interested parties that I had made the amendment on the day; and,
- (d) It was not unusual in the inquest for me to make NPOs on my own motion and then to inform the interested parties about the order and, if necessary, to hear any submissions about it.¹³⁶

135. Given the extent and complexity of the brief, a fair-minded lay observer would understand that the Counsel Assisting team and the Coroner are human beings working under considerable pressure. Counsel Assisting are not on a retainer and juggle other workloads between sittings. I am the Coroner for the whole of the Northern Territory and must attend to other administrative and legal duties.

¹³⁶ See for example, Transcript of Proceedings on 5 September 2023, 46; see also, Transcript of Proceedings on 28 October 2023, 2739-2740.

Management of the NPO's was complex as is evident from the summary of the NPOs which is **Annexure H**. I made a decision to amend a NPO when Counsel Assisting brought to my attention that the existing order did not properly reflect my intention. When Mr Officer raised concerns on 24 March 2023, the 23 March 2023 NPO Amendment was immediately revoked and the status quo was restored. A Directions Hearing was set and all parties were put on notice that it was my intention to rescind the existing NPO and that matters concerning the NPO would be discussed at that time. All parties were invited to seek any further NPOs they considered appropriate.

136. Mr Rolfe does not suggest that it would be appropriate for a NPO under the *Coroners Act* to effectively prohibit the PSC from performing its functions under the PAA. I reiterate that I have no view about how the PSC should perform its functions. My only concern, since 24 November 2022, has been that the scheme established by Pt IV of the PAA should not be undermined by one of my orders.
137. Ultimately, even if it would have been preferable for me to have heard any of the interested police members on the 23 March 2023 NPO Amendment (an amendment I considered to be in the nature of a clarification, that I immediately withdrew, and which Mr Rolfe did not ultimately oppose) I am not persuaded that a fair-minded lay observer might, as a result, reasonably apprehend that I might not impartially determine the issues arising at the inquest.

The relationship between Counsel Assisting and the Coroner, in particular, the assertion of a client/legal advisor relationship

138. After taking no steps to seek further information, or raise concerns, about the Yuendumu Visit¹³⁷ or the March 2023 NPO Amendment, on 16 August 2023 Mr Rolfe emailed the Production Application to Counsel Assisting and all interested parties.
139. The terms of the Production Application were as follows:

¹³⁷ So far as I am aware, the last correspondence with Mr Officer on this issue was Ms Walz's email of 17 February 2023, to which Mr Officer did not respond.

2. Mr Rolfe makes two applications:

Materials relevant to Spotlight program/NPO

- 2.1. Production of all correspondence between Professional Standards Command ('PSC') investigators with the Northern Territory Police Force ('NTPF'), and investigators with the Coronial team relating to Spotlight Transcripts at brief items 20-50 through to 20-55.
- 2.2. Production of all correspondence between PSC investigators with the NTPF, and investigators with the Coronial team relating to the amendment of the NPO dated 24 November 2022 (and the subsequent amendment that occurred on or about 23 March 2023);
- 2.3. Production of all correspondence between lawyers for the NTPF and PSC and/or the Coronial counsel assisting team relating to spotlight transcripts at brief items 20-50 through to 20-55;
- 2.4. Production of all correspondence between lawyers for the NTPF and PSC and/or the Coronial counsel assisting team relating to the amendment of the NPO dated 24 November 2022 (and the subsequent amendment that occurred on or about 23 March 2023);
- 2.5. Production of all correspondence between the Counsel Assisting team and the Coroner relating to spotlight transcripts at brief items 20-50 through to 20-55;
- 2.6. Production of all correspondence between the Counsel Assisting team and the Coroner relating to the amendment of the NPO dated 24 November 2022 (and the subsequent amendment that occurred on or about 23 March 2023); and
- 2.7. Production of the summons served on Channel 7 relating to the spotlight transcripts.

Material Relevant to Yuendumu visit

- 2.8. Production of a complete set of records whether in hard copy or electronic form, all video, audio and notes from the visit to Yuendumu on 14 and 15 November 2023.

3. The matter be listed for argument for no more than one hour in the event objections are taken to the Application.

140. The Production Application did not identify any provision or rule under which the application was brought, the purpose of the application, or the basis on which Mr Rolfe said he was entitled to the documents. NAAJA submitted that the 'the

compelling inference to be drawn from the narrative and communications in Mr Rolfe’s own submissions is that the animating purpose of [the] application ... [was] to elicit information for the purposes of advancing his interests in *disciplinary* proceedings, or a challenge to the legality thereof’, which could be an improper or ulterior purpose.¹³⁸ In circumstances where Mr Rolfe submits that I cannot resolve the Production Application until I have determined the recusal application, I express no view on this submission.

141. The present relevance of the Production Application is that, on 29 August 2023, Ms Walz wrote to Mr Officer as follows:

Dear Mr Officer,

I refer to your email of 16 August attaching an “application for material”.

As you would appreciate, your application is analogous to a subpoena in *inter partes* litigation. Of course, by contrast to inter partes litigation, this is an inquisitorial jurisdiction, rather than an adversarial one.

Your application and email provide no explanation as to why the information is sought. It is not readily apparent from the material requested what legitimate forensic purpose those documents would serve or how they are relevant to the proceedings.

In particular:

- a. in relation to your request 2.1 and 2.3, on 18 October 2022 we served all parties with all of the Spotlight footage of your client that was produced by Channel 7, and it is not apparent why correspondence relating to the transcripts of that footage has any relevance to the coronial proceedings,
- b. in relation to your request 2.7, I attach a copy of the summons,
- c. in relation to your request 2.8, my emails of 14 February 2023, and again to you on 17 February 2023 addressed the cultural event at Yuendumu [sic] on 14 and 15 November (to which all parties were invited and about which recordings have been provided to you). It was made clear in advance of that event that recordings would be limited and would not be tendered in proceedings. The nature of the event was outlined on the record on 4 November, and
- d. while there is no apparent forensic relevance to your request for correspondence between the Coroner and Counsel Assisting, that

¹³⁸ Submissions of NAAJA dated 13 October 2023, [50]-[51].

correspondence is subject to legal professional privilege in any event.
(emphasis added)

The matter is next listed in the week of 23 October 2023, when we will hear the evidence of Mr Rolfe and Sergeant Bauwens. As you are aware, and with no criticism intended, by that time the proceedings will have been delayed for almost one year to allow for all legal avenues of appeal to be exhausted by your client. It is essential that we finish the evidence in that week, and we anticipate being pressed for time, such that stopwatch orders may be required.

If you consider it necessary to press this application, her Honour requires written submissions to be filed by no later than 6 October 2023. Those submissions should:

- a. identify, expressly and precisely, the legitimate forensic purpose for seeking the material;
- b. in particular, identify how it is ‘on the cards’ that the requested material could assist her Honour in the discharge of her statutory functions, particularly identifying the cause and circumstances of the death of Mr Walker; and
- c. any relevant case law supporting your application.

Her Honour proposes to circulate your submissions to all parties and will provide those parties with an opportunity to be heard if they so wish. Any submissions in response should be provided by 13 October 2023.

Finally, you will recall that at the conclusion of his evidence on 16 November 2022, your client was advised that he had not been released from his summons, and he was still obliged to appear as required for further examination. Your client indicated that he understood that he would be advised, through you, about when he would be required to appear for that further examination. Would you please confirm that you have advised him that he is required to appear on 23 October for that purpose?

Yours faithfully,

Maria

142. Mr Rolfe contends that the mere statement by Ms Walz that correspondence between Counsel Assisting and myself is subject to LPP, gives rise to a reasonable apprehension of bias. He submits that a ‘lawyer-client relationship is underlined by confidence and trust’ and that ‘[t]hese characteristics of themselves raise a reasonable apprehension that the Coroner may approach questions of law and fact in this inquest in a way that is partial to the views expressed by her legal advisor(s).’ He submits that for Counsel Assisting to give ‘private and confidential advice’ to

a Coroner is ‘inconsistent with the assistance that may be permissibly provided by a person appointed pursuant to s 41(2).’ In effect, he submits that s 41(2) should be read down so as only to permit assistance ‘with the conduct of an inquest in public’.¹³⁹

143. In my view, the statement by Ms Walz regarding LPP was likely misconceived. I doubt that through the mere act of appointing Counsel Assisting, the Coroner becomes Counsel Assisting’s ‘client’, or that Counsel Assisting provides the kind of ‘legal advice’ which attracts LPP. I have some doubts about whether LPP could attach to communications exchanged in confidence between a Coroner and Counsel Assisting. In light of Mr Rolfe’s request that I not rule on the Production Application, I will say nothing further about this.
144. However, I do not accept the premise of Mr Rolfe’s submission that ‘private and confidential’ communications between Counsel Assisting and the Coroner are ‘of themselves’ incompatible with the Act. Section 41(2) does not say that, and nothing else in the text or structure of the Act points to that conclusion. Significantly, although s 41(2) provides that Counsel Assisting may be appointed to ‘assist for the purpose of an inquest’, and although an inquest must be conducted in open court, that is a very different to saying that the assistance Counsel Assisting provides may only be provided in open court.¹⁴⁰
145. The text and structure of the Act does not support this limitation. It is also at odds with statements concerning the role of Counsel Assisting in the extrinsic materials to the Act. As discussed in *Ruling No 3*, the Act was enacted in 1993 for the express purposes of ‘implement[ing] various recommendations of the Royal Commission into Aboriginal Deaths in Custody’ (**Royal Commission**),¹⁴¹ as well as ‘improv[ing] and modernis[ing] the coronial process’.¹⁴² Relevantly, the Attorney-General stated

¹³⁹ Submissions of Mr Rolfe dated 6 October 2023, [126].

¹⁴⁰ Cf, Submissions of Mr Rolfe dated 6 October 2023, [126].

¹⁴¹ *Ruling No 3* [24], citing Northern Territory, Parliamentary Debates, Legislative Assembly, 3 March 1993, 78977899 (Mr Stone, Attorney-General).

¹⁴² Royal Commission into Aboriginal Deaths in Custody (Final Report, 15 April 1991), Vol 5, Recommendation [27].

during the bill's second reading that the provision for the appointment of Counsel Assisting 'implements recommendations 27, 28 and 30' of the Royal Commission.

146. Recommendation 27 provides that the 'person appointed to assist the Coroner may be a salaried officer of the Crown Law Officer', or, [w]here, in the opinion of the ... Coroner, the complexity of the inquiry or other factors necessitates' it, 'counsel'.¹⁴³ I set out recommendations 28 and 30 in full:

Recommendation 28:

That the duties of the lawyer assisting the Coroner be, subject to direction of the Coroner, to take responsibility, in the first instance, for ensuring that full and adequate inquiry is conducted into the cause and circumstances of the death and into such other matters as the Coroner is bound to investigate. Upon the hearing of the inquest the duties of the lawyer assisting at the inquest, whether solicitor or barrister, should be to ensure that all relevant evidence is brought to the attention of the Coroner and appropriately tested, so as to enable the Coroner to make such findings and recommendations as are appropriate to be made.

...

Recommendation 30:

That subject to direction, generally or specifically given, by the Coroner, the lawyer assisting the Coroner should have responsibility for reviewing the conduct of the investigation and advising the Coroner as to the progress of the investigation.

147. These recommendations contemplate that the relationship between a Coroner and Counsel Assisting will be different to that of an ordinary judge and party, in the sense that Counsel Assisting undertakes duties for the purpose of assisting the Coroner and subject to the Coroner's directions. The recommendations envisage that the duties of Counsel Assisting extend beyond calling and testing evidence, and making submissions, at the hearing of the inquest, and include a broader responsibility for the 'full and adequate' investigation into the cause and circumstances of the death that 'culminates'¹⁴⁴ in the inquest. Counsel Assisting performs duties long before the inquest starts that do not occur in public, and those

¹⁴³ Royal Commission into Aboriginal Deaths in Custody (Final Report, 15 April 1991), Vol 5, Recommendation [27].

¹⁴⁴ That the hearings of the inquest are the 'culmination' of the broader inquiry or investigation is confirmed by Recommendation 11.

duties do not cease when the inquest commences. Additionally, in fulfilling Counsel Assisting's responsibility for the conduct of the broader investigation, Counsel Assisting is expected to 'advise' the Coroner as to its progress. This is consistent with reputable commentary on the role of Counsel Assisting in other jurisdictions, like New South Wales.¹⁴⁵

148. I agree with Mr Rolfe that 'legal issues and questions relevant to dispositive orders' should be 'dealt with by submissions by Counsel Assisting in open court and not private and confidential advice.'¹⁴⁶ An interested party might have a legitimate sense of grievance if contentious issues arising at the inquest were the subject of private submission or advice by Counsel Assisting.
149. But there is a significant difference between Counsel Assisting privately submitting or 'advising' on legal and factual issues that have arisen during the course of the inquest, and Counsel Assisting privately communicating with the Coroner regarding the progress of the broader coronial investigation. Legitimate communication might, for example, concern the progress of any ongoing evidence gathering by coronial investigators, the issuing or answering of summonses, administrative and logistical matters, the programming of witnesses and topics for examination. There is no reason to think that the correspondence here has strayed beyond such matters. In addition, and although Mr Rolfe objects to me determining whether he would be entitled to the correspondence before I determine the recusal application, it is sufficient at this stage to note that there may be good reasons why he would not be entitled to it. Some reasons identified by the interested parties as to why Mr Rolfe may not have an entitlement to such correspondence included that: he has no legitimate forensic interest in it; it is immune from production as a result of the terms of the Act, including the prohibiting on the Coroner being called to give evidence; it is covered by PII, or an analogous species of confidentiality.
150. This particular complaint attributes a level of legal knowledge, and technicality, to the fair-minded lay observer that the authorities caution against. Mr Rolfe's

¹⁴⁵ See eg, Judicial Commission of New South Wales, Local Court Bench Book – Coronial Matters, [44-100], 'Working with counsel assisting'; the Hon Justice Peter Hall, 'The role of counsel assisting in commissions of inquiry' (2005) *Bar News* 29, 29.

¹⁴⁶ Submissions of Mr Rolfe dated 6 October 2023.

submissions ignore the likelihood that Ms Walz was mistaken when she characterised any confidentiality attaching to the correspondence as being in the nature of LPP. Such a mistake would not be surprising, given that no party suggested that there was any clear authority on this issue. In addition, if this were a bona fide claim of LPP, it was mine to claim; and I did not give any instructions to that effect. Indeed, apart from the indication that, if pressed, I would require submissions on the Production Application, the email did not purport to express my views. There is voluminous correspondence between the Counsel Assisting team and interested parties which reflects my broad instructions and direction but which I do not peruse.

151. For these reasons, I am not persuaded that a fair-minded lay observer might reasonably apprehend that, as a result of this isolated reference to LPP, I might not impartially determine the issues arising at the inquest.

The 10 October 2023 interim NPO

152. Mr Rolfe, Sergeant Bauwens, Sergeant Nankivell and Constable Kirstenfeldt are concerned about the making of an interim NPO over the application and submissions in support of the recusal application. While it was not clear to me whether each applicant relies upon this as a ground of their recusal application I will assume they do.

The interim NPO

153. On 10 October 2023, the solicitor assisting wrote to the parties and indicated that,
- ...in the interests of open justice, all submissions filed in relation to the application will be released to the media and posted on the Inquest website when the Coroner's decision is released.
154. Shortly afterwards, the Solicitor Assisting wrote to the parties, attaching a minute of order, signed by me, prohibiting the publication of certain documents, being the application, and associated submissions, on an interim basis. The Solicitor Assisting's covering email reiterated that the proposal was to revoke the order when all relevant submissions were received, and asked that the interested parties to advise if they had any objection to the interim order.

155. On 13 October 2023 Mr Rolfe and Sergeant Bauwens objected to the interim non-publication order. On receipt of that objection, the Solicitor Assisting wrote to the other interested parties to indicate that they had 24 hours to respond to the objections and that, if there were no further submissions, I would rescind the interim non-publication order and all submissions would be uploaded to the inquest website immediately. There were no further submissions and that is what occurred.

My reasons for granting the interim NPO

156. The interim non-publication order made on 10 October 2023 was made in accordance with s 43(1)(b) *Coroners Act*. That provision obliges me to make a non-publication order if I reasonably believe that publication would be contrary to the administration of justice.

157. At the time I made the interim order on 10 October 2023, I had hoped to release a decision on the recusal application within a short period of time, and before the next listed sitting date, on 23 October 2023. It was never intended that the submissions would not be publicly available for scrutiny and comment, which was clear from the correspondence. Nor did the interim order prohibit publication of the fact of Mr Rolfe's application. The limited proposal was that a NPO be in effect until the publication of my ruling, and the order I made on 10 October 2023 was intended to 'preserve the status quo' to enable interested parties to be heard on that proposal. It was provided to the parties along with an express invitation to that effect.

158. Throughout the inquest, significant steps, such as 'live streaming' and a dedicated website, have been taken to make these proceedings as publicly available as possible. Unfortunately, from time to time a product of the significant public interest in these proceedings has been reporting that has been criticised, by a number of interested parties, as factually inaccurate, defamatory of witnesses and the deceased, and contemptuous of the Court and its processes.¹⁴⁷ I do not express

¹⁴⁷ See eg Transcript of Proceedings on 5 September 2022, 23-29; Transcript of Proceedings on 27 February 2022, 4034-4043; Submissions of the NTPF dated 10 March 2023 on Referral for Contempt; Submissions of the WLR Families regarding Contempt dated 3 March 2023.

a view about those criticisms, but I have previously cautioned the media about the ‘selective’ reporting of evidence.¹⁴⁸

159. For this reason, during the course of the inquest interim non-publication orders have been made, including on my own motion, to protect witnesses from having certain oral or documentary evidence published before they have had an opportunity to respond to issues raised by it. On occasions I have made these orders to protect the interests of Mr Rolfe and other police officers. For example, one purpose of the limited non-publication order made on 4 May 2023 was to give that same protection to Mr Rolfe and Sergeant Bauwens.¹⁴⁹ I have made orders in this inquest to protect the identities of police officers.¹⁵⁰ In practice, once a witness has been called and given evidence the interim non-publication orders have been reconsidered.
160. This order was made in a similar vein. As I noted in *Ruling No 6*,¹⁵¹ one way in which open justice serves the ‘administration of justice’ is by ‘[e]xposing judicial officers to public scrutiny, which increases judicial accountability’.¹⁵² However, I also had concerns that it may be contrary to the administration of justice for written submissions from one party to be made public when the other interested parties had not had an opportunity to respond to those submissions, particularly given the contentious nature of the application.

Conclusion on apprehension of bias (to the extent necessary)

161. To the extent that it was pressed as a ground of the recusal applications, knowing those matters a fair-minded lay observer could not reasonably apprehend that as a result of the making of this interim NPO I might not impartially determine the issues arising in the inquest.

¹⁴⁸ See eg Transcript of Proceedings on 5 September 2022, 29; Transcript of Proceedings on 27 February 2022, 4043.

¹⁴⁹ Transcript of Proceedings on 28 April 2023, 4907.

¹⁵⁰ See eg Transcript of Proceedings on 13 September 2023, 369.

¹⁵¹ *Inquest into the death of Kumanjaya Walker (Ruling No 6)* 2022 NTLC 027.

¹⁵² *Inquest into the death of Kumanjaya Walker (Ruling No 6)* 2022 NTLC 027, [9].

Consideration of the concerns as a whole

162. Although I have set out my reasons in relation to the particulars of the application separately, I have not overlooked the need to consider them cumulatively. For substantially the reasons I have already given, I do not consider that the particulars, considered cumulatively, mean that a fair-minded lay observer might reasonably apprehend that I might determine the issues arising at the inquest otherwise than on their factual and legal merits. In my view, to the extent that there was a connection between the various particulars or strands of the recusal application, that connection was tenuous, at best.

163. In addition, when considering the particulars of the application cumulatively, they must also be considered in the context of the inquest as a whole. As the Full Court noted in *R v Doogan*, the cumulative effect of the particulars:¹⁵³

must be weighed with due recognition of the length of the inquiry and volume of evidence adduced. Even a series of acts and decisions may seem less indicative of an underlying attitude if understood as consisting of comparatively isolated incidents in a hearing spanning [many] days and generating [many thousands of] pages of transcript.

164. That observation is significant in the context of this application and this inquest. As I have already noted, during the course of the inquest, the Court has:

- (a) sat for a total of 58 hearing days, not including directions and other procedural hearings;
- (b) produced almost 5000 pages of transcript;
- (c) heard evidence from 70 witnesses; and,
- (d) now produced a total of eight, written rulings, in addition to other *ex tempore* rulings.

165. It is in those circumstances that the Brown family submits that:¹⁵⁴

Notably absent from the [Rolfe] submissions and their factual context is any suggestion that there has been a statement by the Coroner that indicates that

¹⁵³ *R v Doogan* (2005) 158 ACTR 1, [52].

¹⁵⁴ Submissions of the Brown family dated 13 October 2023, [22]-[23].

she is likely to decide the issues on the inquest ‘*other than on its legal and factual merits*’.

To the contrary, after many weeks of evidence, Mr Rolfe is unable to identify any statement or conduct of the Coroner that indicates that she has ‘prejudged’ an issue or is likely to decide the case other than on its legal and factual merits.

166. I agree. Mr Rolfe has not identified any statement by me in the transcript or the written rulings that shows a bias against him. Furthermore, his submissions overlook the care taken to ensure that the process is fair to him. For example, he has not mentioned the non-publication orders I have made at his request.¹⁵⁵ Nor does he mention the expert evidence I excluded, on his joint application and in the face of opposition, in part out of a concern that it mischaracterised and exaggerated his use of force history, or unfairly described him as having a ‘violent criminal history.’¹⁵⁶ Where I have given rulings against him, there is no mention of the time I have allowed his counsel, at cost and inconvenience to other interested parties and the Court, to consider whether he wished to institute proceedings in the Supreme Court for review.¹⁵⁷ With the exception of *Ruling No 5*, which was in relevant part upheld by both the Supreme Court and the Court of Appeal, Mr Rolfe has never challenged any of my rulings or orders.
167. I am not immune from a finding of apprehended bias simply because the inquest is long and complex. But the length and complexity of the inquest, and the absence of any broader complaint about my statements or conduct, is part of the context in which the application for recusal is to be considered. In my view, that context would be understood by the fair-minded lay observer to demonstrate my commitment to the vigorous but impartial pursuit of my statutory duties to determine the cause and circumstances of Kumanjaya Walker’s death, and to make findings, comments and recommendations directed towards preventing similar deaths in the future.¹⁵⁸
168. Considering the particulars of the application for recusal, separately, cumulatively, and in the context of the inquest as a whole, I am not persuaded that a fair-minded

¹⁵⁵ Non publication order made 4 May 2023, Annexure A, items listed at 17, 19 and 20.

¹⁵⁶ *Inquest into the death of Kumanjaya Walker (Ruling No 7)* 2023 NTLC 11, [6(e)].

¹⁵⁷ Transcript of Proceedings of 13 September 2022, 369.

¹⁵⁸ And making such other findings, comments and recommendations required of me by ss 26, 34 and 35 of the Act.

lay observer might reasonably apprehend that as a result of these relatively isolated matters I might determine the issues arising in the inquest otherwise than on their factual and legal merits.

Conclusion

169. Accordingly, I dismiss the application for recusal.

170. Finally, I have considered the submission of the WLR families, made on 20 October 2023, that the Court should convene to hear oral argument on the application. While I accept that by 20 October 2023, an oral hearing would not have delayed the further hearing of this inquest, the submission overlooked the very significant hearing commitments of the Coroner's Court in other inquests, and the cost and inconvenience of reconvening this inquest. In light of the 14 sets of detailed written submissions I received on this application¹⁵⁹ and the fact that no party identified a submission that was not or could not be made in writing, I was not persuaded that this was necessary, particularly in circumstances where the written submissions were published on the Coronial website.

Dated this 22 day of November 2023.

ELISABETH ARMITAGE
TERRITORY CORONER

¹⁵⁹ **Annexure J** is a list of the written submissions received in relation to this application.

LIST OF ANNEXURES

	Description
A.	Index to Coronial Brief of evidence as at 27 April 2023
B.	“Community Education Key Messages” document in written English
C.	draft schedule for 2 day visit to Yuendumu, circulated to parties on 3 November 2022
D.	Final plan for the 2 day visit to Yuendumu, circulated to parties on 13 November 2022
E.	Non publication order made 12 September 2022
F.	Non publication order made 24 November 2022
G.	Non publication order made 4 May 2023
H.	Table summarising NPOs made during the Inquest proceedings
J.	List of written submissions received in relation to this application



INDEX TO BRIEF MATERIAL

AS AT 27 APRIL 2023

Inquest into the death of Kumanjayi WALKER

PART 1 INTRODUCTORY MATERIAL		
Police Memorandum – Officer in Charge of Coronial investigation		
1 - 1	Coronial Memorandum of Commander David PROCTOR APM (Redacted) (170p)	31 AUG 2021
1 – 1A	Coronial Memorandum of Commander David PROCTOR APM (170p) (unredacted)	31 AUG 2021
1 - 2	Coronial Memorandum of Commander POLLOCK – DRAFT (LPP Redacted) (78p)	NOV 2020
1 - 3	Coronial Memorandum of Commander POLLOCK – DRAFT with Cmr PROCTOR comments (LPP Redacted) (64p)	NOV 2020
1 - 4	Coronial Memorandum of Commander POLLOCK – DRAFT (LPP Redacted) (77p)	JAN 2021
1 - 5	Coronial Memorandum of Commander POLLOCK – DRAFT with further handwritten comments (LPP Redacted) (84p)	JAN 2021
1 - 6	Coronial Memorandum of Commander POLLOCK – DRAFT reformat and amendment of Report (LPP Redacted) (84p)	JAN 2021
1 - 7	Coronial Memorandum of Commander PROCTOR – Consultative DRAFT (59p)	
1 - 8	Coronial Investigation report of Commander David PROCTOR APM - Consultative DRAFT 19042021 (LPP Redacted) (84p)	19 APR 2021
1 - 9	Statement Index (36p)	
1 - 10	Timeline – Shooting of Arnold Walker (15p)	
1 - 11	Timeline of telephone calls documenting critical decisions made by Northern Territory Health Department – Author: Helen GILL (On-Call Manager for Remote Health) (6p)	09 NOV 2019 - 10 NOV 2019
1 – 11A	Email Dole to Anticich - Synopsis of health involvement (2p)	22 JAN 2019
Identification Documents		
1 - 12	Affidavit of Pauline Setter - Identification of Deceased person (1p)	10 NOV 2019
1 - 13	Summary post-mortem report of Dr Marianne TIEMENSMA (2p)	12 NOV 2019
1 - 14	Summary post-mortem report of Dr Marianne TIEMENSMA (2p)	13 NOV 2019
1 - 15	Post-mortem examination report of Dr Marianne TIEMENSMA	21 JAN 2020

	(23p) (sensitive photos redacted)	
1 - 16	Additional statement of Dr Marianne TIEMENSMA (2p)	01 MAY 2020
1 - 17	Toxicology summary report of Heather Joy LINDSAY (3p)	06 DEC 2019
1 - 18	Supplementary toxicology summary report of Heather Joy LINDSAY (3p)	06 JAN 2020
1 - 19	Supplementary toxicology summary report of Heather Joy LINDSAY (2p)	06 APR 2020
1 - 20	Birth Certificate of Charles Arnold Walker (1p)	19 SEP 2018
1 - 21	Email Authority for Autopsy – Jean Brown (1p)	10 NOV 2019
1 - 22	PROMIS 9126489 re unlawful entry 06.11.19	06 NOV 2019
1 – 22A	PROMIS No.9126489 photographs x5	
1 - 23	PROMIS 9128959 re unlawful entry 09.11.19	09 NOV 2019
1 - 24	PROMIS 9129310 re unlawful entry 09.11.19	09 NOV 2019
1 – 24A	PROMIS No.9129310 photograph x 1	
1 - 25	PROMIS 9129313 re unlawful entry 09.11.19	09 NOV 2019
PART 2 BACKGROUND MATERIAL – WALKER		
<i>Chronologies and summaries</i>		
2 - 1	History of Charles Arnold WALKER (54p)	
2 - 2	Timeline of the life of Charles Arnold Walker (104p)	
2 - 3	Chronology – KUMANJAYI WALKER aka Arnold WALKER – Territory Families (17p)	
2 - 4	Genogram supplied by Leanne OLDFIELD (1p)	02 JUL 2001
2 – 4A	Walker’s family tree (2p)	
2 – 4B	Walker timeline 15.10.19-10.11.19 (3p)	
2 – 4C	Walker – Criminal history	
<i>Health Records</i>		
<i>Inpatient Admission Records</i>		
2 - 5	Inpatient Admission Record - NT Health – Arnold WALKER (6p)	13 OCT 2000
2 - 6	Inpatient Admission Record – NT Health – Arnold WALKER (43p)	29 OCT 2000
2 - 7	Inpatient Admission Record – NT Health – Arnold WALKER	04 MAR 2001

	(28p)	
2 - 8	Inpatient Admission Record – NT Health – Arnold WALKER (35p)	12 MAY 2001
2 - 9	Inpatient Admission Record – NT Health – Arnold WALKER (27p)	17 JUN 2001
2 - 10	FACS CASE PLAN authored by Kathleen LEAHY (2p)	27 JUN 2001
2 - 11	Inpatient Admission Record – NT Health – Arnold WALKER (27p)	06 SEP 2001
2 - 12	Inpatient Admission Record – NT Health – Arnold WALKER (17p)	19 OCT 2001
2 - 13	Inpatient Admission Record – NT Health – Arnold WALKER (24p)	25 NOV 2001
2 - 14	Inpatient Admission Record – NT Health – Arnold WALKER (16p)	12 FEB 2002
2 - 15	Inpatient Admission Record – NT Health – Arnold WALKER (27p)	26 SEP 2002
2 - 16	NT Health Growth charts (3p)	2000-2003
<i>Katherine Hospital Medical Records</i>		
2 - 17	Katherine Hospital Medical Records (61p)	12 JAN 2009
2 - 18	Student Enrolment History (1p)	2007-2014
2 - 19	Inpatient Admission Record – NT Health – Arnold WALKER (14p)	21 JUL 2018
2 - 20	Remote Health Medical Records Client Summary report (140p)	25 JUL 2018 - 30 JUN 2019
2 - 21	Wurli Wurlinjang Health Service Patient Summary (22p)	06 AUG 2020
2 - 22	Drug & Alcohol Services Australia (DASA) – Intervention History Email from Yasitha MALALASEKARA, Residential Manager (9p)	08 OCT 2020
<i>Alice Springs Hospital records</i>		
2 - 23	Alice Springs Hospital Records 13 October 2000 – 10 November 2019 a. Inpatient admission records, b. Correspondence, c. Pathology reports, d. Radiology reports, e. Diagnostics, f. Emergency Department records,	13 OCT 2000 - 10 NOV 2019

	g. Outpatient records, h. Referrals	
<i>CAAPU records</i>		
2 - 24	Central Australian Aboriginal Alcohol Programmes Unit (CAAPU) Records date 07 December 2018 – 29 October 2019	07 DEC 2018 - 29 OCT 2019
Central Australia Health Service file –		
2 - 25	Central Australian Health Service file (605p)	13 OCT 2000 – 13 JUL 2019
<i>Police/ Corrections/Custodial history</i>		
2 - 26	IJIS Watch house custody reception and offender journal – IJIS Episode Number 715712 (4p)	09 JAN 2014
2 - 27	Statutory Declaration of Kerri-Anne CHILVERS (4p)	07 MAY 2014
2 - 28	Statutory Declaration of Police Officer Trent BERRY (6p)	13 MAY 2014
2 - 29	NT Community Corrections Integrated Offender Management System (IOMS) Contact Summary List (146p)	30 APR 2014 – 14 NOV 2019
2 - 30	Custody Incident or Illness Report (CIIR) - PROMIS Case: 6359757 (4p)	13 MAY 2014
2 - 31	Letter from Kerri-Anne CHILVERS to Magistrate (3p)	05 JUN 2014
2 - 32	NT Community Corrections Pre-Sentence Report authored by Kelly MADDICK(8p)	24 JUL 2014
2 - 33	NT Police PROMIS Case 6411693 – Assault on Arnold WALKER (4p)	24 JUL 2014
2 - 34	Letter of Melissa MAY, BushMob Incorporated, to Magistrate re: Discharge from BushMob Program (2p)	22 DEC 2014
2 - 35	Statutory Declaration of Rekeshia ROBERTSON (8p)	15 APR 2016
2 - 36	NT Police PROMIS Case 7911791 – Resist Arrest / Agg assault (Rekeshia ROBERTSON) (16p) (a) Statutory Declaration of Rekeshia ROBERTSON – Date: 12/8/2016 (b) Photo Index: Injuries of Rekeshia ROBERTSON – Date: 12/8/2018 (c) Statutory Declaration of Lottie ROBERTSON – Date: 12/8/2016 (d) Statutory Declaration of Breanna BONNEY – Date:	12 AUG 2016

	19/8/2016	
2 - 37	Community Corrections Bail Assessment Report, authored by Kelly MADDICK – Ordered for: 19/8/2016 (5p)	18 AUG 2016
2 - 38	Letter of Daniel Ryan, Papunya Youth Development, to Kerri-Anne Chilvers (2p)	11 NOV 2016
2 - 39	Community Corrections Assessment of Offender Suitability for General Supervision, authored by Katie MURPHY (3p)	17 NOV 2016
2 - 40	IJIS Watch house custody reception and offender journal – IJIS Episode Number 823234 – Aggressive episode in cells (6p)	12 FEB 2017
2 - 41	NT Police PROMIS Case 8076895 – resist arrest (16p) (a) Use of Force – Case Note Entry, (b) Statutory Declaration of Cedric EGAN, (c) Statutory Declaration of Helen HOLCROFT, (d) Statutory Declaration of James ROSE	18 FEB 2017
2 – 41A	Dog bite – PROMIS	05 MAR 2017
2 – 41B	Dog bite – statement of facts	05 MAR 2017
2 – 41C	Dog bite – Use of Force case note	05 MAR 2017
2 - 42	NT Police PROMIS Case 8089676 – resist arrest (18p) (a) Use of Force – Case Note Entry – Colin ROBSON, (b) Statutory Declaration of Colin ROBSON, (c) Statutory Declaration of Elizabeth WILLIAMS, (d) Statutory Declaration of Franco CAPOLONGO	06 MAR 2017
2 - 43	Letter of Sergeant Greg Burns, Alice Springs Youth Diversion Unit, to Probation and Parole Officer Marion WALKER (1p)	09 MAR 2017
2 - 44	Community Corrections Pre-Sentence Report, authored by Scott WEILY (11p)	20 MAR 2017
2 - 45	Department of Children and Families Court Report of Agnes Kenyunyuzi – Youth Justice Act s51 (8p)	12 APR 2017
2 - 46	Report of Kate CRAWLEY, Forensic Psychologist for Northern Territory Community Corrections (p)	02 MAY 2017
2 - 47	NT Community Corrections - Movement History – Completed Offender movement only (4p)	14 JUL 2017 - 21 OCT 2019
2 - 48	NT Police PROMIS Case 8661550 – Resist Police / Assault Police (24p) (a) Statutory Declaration of Brad SERCOME (b) Statutory Declaration of Regan RANDLE	16 JUL 2018

	(c) Case Note Entry - CIIR V2 – Author: Emma MERKER (d) Case Note Entry - Use of Force – Author: David MUNRO (e) Case Note Entry – CIIR V2 – Author: David MUNRO	
2 - 49	Letter from Kerri-Anne CHILVERS to Magistrate (-)	17 JUL 2018
2 - 50	NT Community Corrections Youth Detention Centre Case Notes, authored by Christabelle ROBERTS (6p)	07 SEP 2018
2 - 51	Transcript of Proceedings (Sentencing Remarks) – Judge J. BAMBER (6p)	02 OCT 2018
2 - 52	Alice Springs Correctional Facility Prisoner Telephone System (PTS) - 1/6/2019 to 6/11/2019 (3p)	01 JUN 2019 – 6 NOV 2019
2 - 53	Transcript of Proceedings – Sentencing Remarks of Judge BIRCH (4p)	26 JUN 2019
2 - 54	Alice Springs Correctional Facility Through Care Plan – Author: D. WILLIAMS (9p)	13 AUG 2019
2 - 55	Assault Police incident 06 Sep 2019 (55p)	
2 - 56	Breach Order Investigation (34p)	29 OCT 2019
2 - 57 2	Community Corrections Application for breach of order suspending sentence and related paperwork (9p)	05 NOV 2019
2 - 58	NT Police PROMIS Case 9191115 - Case Note Entry 0235 Telephone conversation with Maxine BOLLARD (2p)	11 AUG 2020
2 - 59	BushMob Intervention History - email from Nirajan DHAREL, Facility Manager (3p)	08 OCT 2020
2 - 60	NT Police Promis Case note (11p)	
2 - 61	IOMS records	
2 – 61A	Warrant of imprisonment documents (49p)	26 JUN 2019
2 – 61B	Email David McLean, On Call Electronic Monitoring re request for arrest (20p)	29 OCT 2019
2 – 61C	Walker – Crystal report (5p)	
2 – 61D	Criminal history and PROMIS involvements (40p)	
2 – 61E	Custodial episode history (2p)	
2 – 61F	IOMS Contact summary (3p)	01 NOV 2019
2 – 61G	IOMS Corrections document (142p)	
2 – 61H	All Youth Justice documents (3258p)	

<i>Territory Families Reports</i>		
2 - 62	Territory Families Progress Note (130p)	03 APR 2001 - 26 MAY 2018
2 - 63	FACS Intake Form (3p) – Phil Hassall	19 FEB 2002
2 - 64	Department of Children and Families Initial Referral Report – Child Protection Teams (4p)	19 FEB 2002
2 - 65	Department of Children and Families Initial Referral Report – Child Protection Teams - Case ID: 70675 (3p)	21 MAY 2002
2 - 66	Department of Children and Families General Case Closure Summary, authored by Veronica LYNCH – Case ID: 70675 (4p)	9 APR 2003
2 - 67	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 264193 (2p)	12 MAY 2014
2 - 68	Territory Families Child Protection Report, authored by Selesitine MAUGATAI (6p)	07 NOV 2014
2 - 69	Department of Children and Families General Case Closure summary, authored by Megan HUSSEY (2p)	24 MAR 2015
2 - 70	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 380542 (2p)	11 SEP 2015
2 - 71	Department of Children and Families General Case Closure Summary, authored by Melissa MAYBERY (3p)	15 DEC 2015
2 - 72	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 410959 (2p)	16 APR 2016
2 - 73	Territory Families Child Protection Investigation summary Report, authored by Gemma GERBICZ (5p)	16 JUN 2016
2 - 74	Department of Children and Families General Case Closure summary, authored by Liz MAPSTONE (3p)	13 JUN 2017
2 - 75	Department of Children and Families Child Protection Investigation Summary Report, authored by Liz MAPSTONE (35p)	20 SEP 2017
2 - 76	Department of Children and Families General Case Closure summary, authored by Kerstin WAY (3p)	03 NOV 2017
2 - 77	Territory Families Bail Assessment Report, authored by Richard KRUGER (3p)	17 MAY 2018
2 - 78	Territory Families Child Protection Report, authored by Monika JEDNOUS (11p)	26 MAY 2018
2 - 79	Territory Families Pre-Sentence Report, authored by Richard	29 JUN 2018

	KRUGER (11p)	
2 - 80	Territory Families Pre-Sentence Report, authored by Petina RICE (7p)	01 OCT 2018
2 - 81	Territory Families Confidential Bail Assessment Report, authored by Richard KRUGER (3p)	06 DEC 2018
2 - 82	Territory Families Compliance Report, authored by Richard KRUGER (9p)	12 MAR 2019
2 - 83	DV history between Leanne OLDFIELD and Sampson ANTHONY (3p)	23 SEP 2020
2 - 84	DV history between Selena LANE and Ricky ROWE (2p)	23 SEP 2020
2 – 84A	Office of the Children’s Commissioner letter to Territory Families (1p)	11 JUL 2017
2 – 84B	All child protection documents (722p)	
<i>Relevant legislation</i>		
2 - 85	Community Welfare Act – In Force between 12/07/2000 to 9/12/2002 (49p)	
2 - 86	Care and Protection of Children Act – In Force between 12/4/2017 to 14/11/2018 (27p)	
PART 3 BACKGROUND MATERIAL – CONSTABLE ROLFE		
<i>Recruitment and Training</i>		
3 - 1	NT Police Recruitment File reference check- Corinne Smith	
3 - 2	Email Correspondence and certificates- Trojan Securities (12p)	
3 - 3	Statement Sgt Kevin Agnew	23 JAN 2020
3 - 4	NT Police Application- Rolfe	
3 - 5	Statement Superintendent Sharma	
3 - 6	AIFP Psychiatric profiling Report	
3 - 7	NT Police Interview Panel recommendations	
3 - 8	NT Police Interview Notes	
3 - 9	Police Recruit Training- Exam 1	
3 - 10	Squad rec Timetable	
3 - 11	Police Recruit Training- Exam 6	
3 - 12	Scenario Skill Technique	

3 - 13	Squad 129 Exam Results	
3 - 14	Statement Snr Sgt Marshall re Police training	24.2.2020
3 - 15	Statement Snr Sgt Megan Blackwell re Police training	3.3.2020
3 - 16	Constable Bradley Lynch re training with Constable Rolfe	
3 - 17	Statement Constable M Lanigan (3p)- Recruit on Squad 129	2.3.2020
3 - 18	Statement Constable Patrick Smith (4p)- Member of squad 129	24.2.2020
3 - 19	Statement Constable Lesley Anderson (4p) - Member of squad 129	24.2.2020
3 - 20	Calls for EOI for IRT training	
3 - 21	IRT SOP including approval memos	
3 - 22	IRT Induction Course material	
3 - 23	TRG assignment	
3 - 24	HR RECRUITMENT FILE	
3 - 25	Career Review - Const Zachary ROLFE	
3 - 26	Email correspondence CEO Ronin	
3 - 27	Statement Superintendent Virginia Read	
3 - 28	Police Gazette	
3 - 29	Bravery article	
3 - 30	AXON records	
3 - 31	ANZPAA – Deploy of Police to High Risk Situations	
3 - 32	Statement – Senior Sergeant James Gray-Spence, re IRT	23/10/20
3 - 33	TRIM file- IRT	
3 - 34	EOI Cordon and Containment course	
3 - 35	Email corro – Comd Currie – SSgt Williams	
3 - 36	IRT Induction Course – Joining Instructions	
3 - 37	TRG Training records	
3 - 38	PROMIS Case Note Entry – 8854742	
3 - 39	TRG Training Transcript	
3 - 40	TRG Training Transcript	
3 - 41	TRG Training Transcript	

3 - 42	Load Bearing Vest – Business Case	
3 - 43	Patrol Rifle – Business Case	
3 - 44	Operation Moor Review	
3 - 45	ABC News – militarisation of police	
3 - 46	Ben Beede – Paramilitary and Militarized Police	
3 - 47	Soldiers as Police Officers Police Officers	
3 - 48	David Baker, Crime Law Society, 2009	
3 - 49	Rolfe Bath Street Medical Centre records	
3 - 50	Pharmaceutical Benefit Scheme records	
3 – 50A	NT Police recruitment file for Zachary Rolfe (88p)	
3 – 50B	NT Police employment person location record (1p)	27 FEB 2020
3 – 50C	Rolfe training record (2p)	
3 – 50D	ABC News article “Alice Springs police officers swim through floodwaters to rescue two stranded tourists”	28 DEC 2016
3 – 50E	ABC News article “Police officers recognised with national bravery medals for dangerous Alice Springs river rescue”	29 MAR 2018
3 – 50F	The Canberra Times article “Zach Rolfe, son of Richard and Debbie, receives highest bravery award”	05 APR 2018
<i>Interstate and Federal records</i>		
3 - 51	Vic Pol Recruitment Correspondence	
3 - 52	Email from Inspector Caroline West, Victoria Police (4p)	20 MAY 2020
3 - 53	Statement Caroline West, Victoria Police (73p)	25 JUN 2020
3 - 54	Extract of Rolfe’s application for Victoria Police (2p)	
3 - 55	Email Giannulidis Victoria Police – no criminal history (4p)	05 JUN 2020
3 - 56	Expression of Interest for Queensland Police (14p)	01 FEB 2016
3 - 57	Email Terry Poole – QLD Police – no intelligence holdings (6p)	09 JUN 2020
3 - 58	QLD Police Report – involving Rolfe – 23/12/2011 (1p)	23 DEC 2011
3 – 58A	Email from Stephen Quinn QLD Police (9p)	23 JUN 2020
3 - 59	WA Police application (18p)	02 FEB 2016
3 - 60	Email Manju Subramanian, WA Police re nil criminal history (4p)	05 JUN 2020
3 - 61	Email Marianne Walker, AFP – no outcomes (5p)	08 JUN 2020

3 - 62	Email Judith Crowley, SA Police – infringement only (4p)	05 JUN 2020
3 - 63	Email Brett Walsh, Tas Police – no record (4p)	05 JUN 2020
<i>ADF Records</i>		
3 - 64	EVANS, Tracey (14p) (ADF)	12 JUN 2020
3 – 64A	ADF Employment application extract (1p)	21 JAN 2010
3 – 64B	ADF Service History (7p)	17 DEC 2019
3 – 64C	ADF Service Certificate (1p)	03 MAY 2015
3 – 64D	ADF Conduct record (98p)	
3 – 64E	Department of Defence Application for special Forces (4p)	28 AUG 2014
3 – 64F	Special Operations Command Application	
<i>Other NT Police records</i>		
3 - 65	Rolfe’s police partners in his career (1p)	
3 - 66	Letter Tindall Gask Bentley Lawyers to Senior Sergeant Mark Grieve (3p)	12 NOV 2019
3 - 67	Letter Tindall Gask Bentley Lawyers to Senior Sergeant Mark Grieve (2p)	13 NOV 2019
3 - 68	Email of Ag Deputy Commissioner Michael White re Rolfe going to Canberra with his mother (1p)	13 NOV 2019
3 - 69	Email of Commander Daniel Bacon attaching Rolfe notice of suspension (6p)	14 NOV 2019
3 - 70	Email “RE: Operation Charwell – Rolfe’s application for employment, NTPF” Anticich, Read (3p)	18 MAR 2020
<i>Prior complaints / incidents</i>		
3 - 73	Complaint Against Police 2017-272 (Castine) (8p)	29 AUG 2017
3 - 74	PSC Investigation file - CAP2017-272 - CASTINE, Richard (16p)	
3 - 75	NT Police internal memorandum from Detective Senior Constable Paul PARKYANI (5p)	18 DEC 2017
3 - 76	CAP2018-302 - TG	11 AUG 2018
3 - 77	CAP2018-302 - TG – BWV (27p)	
3 – 77A	Letter Ombudsman to NAAJA re TG	12 SEP 2018
3 - 78	Complaint Against Police - 2019-116 (Cleveland Walker) (8p)	02 APR 2019

3 - 79	CAP2019-116 - WALKER, Cleveland – draft (194p)	
3 - 80	CAP2019-116 - WALKER, Cleveland BWV	
3 - 81	CAP2019-116 - WALKER, Cleveland – EROI	
3 - 82	CAP2019-116 - WALKER, Cleveland – WHS CCTV	
3 – 82A	PROMIS 8927087 Case Note 44079738(Cleveland WALKER)	01 APR 2019
3 - 83	NAAJA letter to Office of the Ombudsman re Antonio Woods	15 JAN 2020
3 - 84	Email from Detective Superintendent Virginia Read to the Ombudsman’s Office	05 JUL 2019
<i>Ryder matter</i>		
3 - 85	File Index IntInv 2019-044 (4p)	
3 - 86	Complaint Against Police – 2018-186 (Ryder) (30p)	
3 - 87	Complaint against Police 2018-186 IAPro Summary (5p)	
3 - 88	Internal Investigation 2019-044 IAPro Summary (9p)	
3 - 89	Ryder statement of facts (7p)	06 JUN 2018
3 - 90	Image of Ryder raising right arm threateningly – still from BWV (1p)	
3 - 91	Photo Index – Rolfe injuries (3p)	11 JAN 2018
3 - 92	000 Calls	
3 - 93	Radio calls	
3 - 94	BWV Geranios	11 JAN 2018
3 - 95	Timeline of Geranios BWV (2p)	
3 - 96	Mobile phone footage of Rebecca Hayes – front of 3 Saltwell St	11 JAN 2018
3 - 97	Extract from transcript of Mobile phone footage of Rebecca Hayes – front of 3 Saltwell St (5p)	11 JAN 2018
3 - 98	Mobile phone footage of Rebecca Hayes – after Ryder injured	11 JAN 2018
3 - 99	Extract from transcript of Mobile phone footage of Rebecca Hayes – after Ryder injured (3p)	11 JAN 2018
3 - 100	Patrol Group 3 roster (1p)	
3 - 101	Floor plan for Logan Units (1p)	
3 - 102	PROMIS 8391303 case summary (4p)	11 JAN 2018

3 - 103	PROMIS 8391540 case summary (3p)	11 JAN 2018
3 - 104	PROMIS 8391540 UOF CNE (4p)	11 JAN 2018
3 - 105	CIIR Case note 43830769 (3p)	12 JAN 2018
3 - 106	Case Note: (43850806) UOF REVIEW - SENIOR OFFICER MANLEY (2p)	14 FEB 2018
3 - 107	Statement – Constable Breanna Bonney (5p)	11 JAN 2017
3 - 108	Initial Email Response to Complaint – Constable Breanna Bonney (5p)	23 AUG 2018
3 - 109	Transcript – Bonney evidence (15p)	03 SEP 2018
3 - 110	Statement – Constable Cameron Chatterton (4p)	28 MAR 2018
3 - 111	Initial Email Response to Complaint – Constable Cameron Chatterton (3p)	16 AUG 2018
3 - 112	Transcript – Chatterton not called (3p)	02 APR 2019
3 - 113	Statement – Constable Brett Geranios (8p)	11 JAN 2018
3 - 114	Statement – Addendum – Constable Brett Geranios (4p)	04 DEC 2019
3 - 115	Initial Email Response to Complaint – Constable Brett Geranios (7p)	09 AUG 2018
3 - 116	Transcript Geranios evidence (36p)	03 SEP 2018
3 - 117	Statement – Constable Maxwell Lehrain (4p)	07 MAR 2018
3 - 118	Initial Email Response to Complaint – Constable Maxwell Lehrain (3p)	04 SEP 2018
3 - 119	Transcript – Lehrain evidence (22p)	02 APR 2019
3 - 120	Statement – Constable Zachary Rolfe (5p)	11 JAN 2018
3 - 121	Initial Email Response to Complaint – Constable Zachary Rolfe (5p)	08 AUG 2018
3 - 122	Transcript – Rolfe evidence (40p)	03 SEP 2018
3 - 123	Statement – Constable Xhenita Zendeli (4p)	11 JAN 2017
3 - 124	Initial Email Response to Complaint – Constable Xhenita Zendeli (6p)	05 SEP 2018
3 - 125	Transcript – Zendeli evidence (40p)	02 APR 2019
3 – 125A	Transcript – Malcolm RYDER EROI	11 JAN 2018
3 - 126	Statutory declaration – Malcom Ryder (2p)	07 AUG 2018
3 - 127	Transcript – Ryder evidence (14p)	03 APR 2019

3 - 128	ASH and St Johns Medical Reports M. Ryder (6p)	11 JAN 2018
3 - 129	Statutory declaration – Rebecca Hayes (2p)	07 FEB 2018
3 - 130	Transcript – Hayes evidence (14p)	02 APR 2019
3 - 131	Statement – Transcript – Patricia Multa (11p)	30 NOV 2019
3 - 132	PSC investigation CAP2018-186 File cover and index (3p)	
3 - 133	NAAJA letter of complaint (4p)	
3 - 134	Email correspondence from NAAJA (6p)	05 JUN 2018- 07 AUG 2018
3 - 135	Email Sgt Roche re NAAJA complaint(4p)	06 JUN 2018
3 - 136	Final report of Acting Senior Sergeant Dion Roche (29p)	03 OCT 2018
3 - 137	Letter Assistant Commissioner Peter Gallagher to Ombudsman’s Office (4p)	04 OCT 2018
3 - 138	Letter Assistant Commissioner Peter Gallagher to NAAJA (5p)	04 OCT 2018
3 - 139	Notes to Prosecutor (2p)	
3 - 140	Police v Malcolm Ryder (21801980) - Local Court transcript (102p)	03 SEP 2018
3 - 141	Police v Malcolm Ryder (21801980) - Local Court transcript (87p)	02 APR 2019
3 - 142	Police v Malcolm Ryder (21801980) - Local Court transcript (36p)	03 APR 2019
3 - 143	Police v Malcolm Ryder (21801980) - Local Court transcript (8p)	09 MAY 2019
3 - 144	PSC Internal Investigation 2019-044, Opinion file submitted by DS Kennon re perjury investigation (Ryder matter) (19p)	17 OCT 2019
3 - 145	PROMIS 9021716 NT Police memorandum – DetSgt Kennon Opinion – perjury (18p)	05 DEC 2019
3 - 146	NT Police Memorandum – Det A/Snr Sgt Jakson Evans – opinion file 21944804 (6p)	12 DEC 2019
3 - 147	NT Police Memorandum – Superintendent Richard Bryson – Opinion Files Rolfe 21944804 & Zendeli 21944805 (3p)	23 DEC 2019
3 - 148	Opinion file submitted by Detective Acting Senior Sergeant Jakson Evans re allegation of perjury (Ryder matter) (65p)	21 FEB 2020
3 - 149	Daniel Bacon Emails re The Gument posts (5p)	26 NOV 2019
3 - 150	Emails in relation to Ryder investigation (15p)	

3 - 151	Statement of Andrew BARRAM (22p)	26 MAR 2020
3 - 152	Transcript - Statement of Claudia CAMPAGNARO Transcript (92p)	19 AUG 2020
3 - 153	162(7) Extension Internal Memo (4p)	OCT 2019
3 - 154	IntInv2019-044 - Zachary Rolfe - Judge Extension (2p)	08 APR 2020
<i>Non-disclosure matter – Internal Investigation 2020-007</i>		
3 - 155	File Index IntInv 2020-007 (2p)	
3 - 156	IAPro Summary IntInv2020-007 (3p)	
3 - 157	Email from Officer to Leafe – declining EROI (2p)	10 JUL 2020
3 - 158	Email Read to DPP – confirming nil prosecution (2p)	06 JUL 2020
3 - 159	PAYNE, STEPHEN–statement (40p)	29 APR 2022
3 - 160	PHAM, William (AFP)–statement (3p)	18 MAR 2021
3 - 161	Apple iPhone Xs (A1920) extraction report –redacted (8047p) Images and videos	01 OCT 2020
<i>Other</i>		
3 - 162	PROMIS 9005467 22 June 2019 – BWV of Officers Cramp-Harding, Hansen, Heffernan, Rolfe, Sykes, Westerhuis - + video of BWV & Case Note 44123339 (Christopher WALKER)	22 JUN 2019
3 - 163	NT Police Professional Standards Command file for CAP2019-342 - MADRILL, Luke, including BWV Rolfe, Kirstenfeldt, Nwakor-Osaji, watch house footage	
3 - 164	NT Police Professional Standards Command file for CAP2020-027 - WOODS, Antonio, including BWV Kirstenfeldt, Hansen and Heffernan; directed interviews of Hansen and Kirstenfeldt	
3 - 165	NT Police Internal Investigation Intinv2020-001 - 12 October 2019	
3 - 166	NT Police Internal Investigation IntInv2020-033 - 18 February 2019	
3 - 167	NT Police Internal Investigation Intinv2021-006 - BWV dissemination	
3 - 168	PROMIS Summary 9072699	08 SEP 2019
3 - 169	AXON_Body_2_Video_2019-09-08_0417	08 SEP 2019
3 - 170	AXON_Body_2_Video_2019-09-08_0418	08 SEP 2019

<i>Ombudsman investigations still in progress – TBA</i>		
<i>Police investigation still in progress - TBA</i>		
PART 4 SHOOTING ON 9 NOVEMBER 2019		
<i>Body Worn video and transcripts of 9 November 2019</i>		
4 - 1	USB containing body worn video of 9 November in Yuendumu	
4 - 2	Body worn video transcripts- Con Adam Donaldson (36p)	09 NOV 2019
4 - 3	Body worn video transcripts- Constable First Class Adam Eberl	09 NOV 2019
4 - 4	Body worn video transcripts- Constable First Class Hawkins	09 NOV 2019
4 - 5	Body worn video transcripts- Constable James Kirstenfeldt	09 NOV 2019
4 - 6	Body worn video transcripts- Constable Zachary Rolfe	09 NOV 2019
4 - 7	Yuendumu Police Station CCTV (video files)	
<i>JESCC Records</i>		
4 - 8	JESCC Calls – timeline (1p)	
4 - 9	JESCC P19277490 Event Chronology (8p)	09 NOV 2019
4 - 10	JESCC P19277512 Event Chronology (1p)	09 NOV 2019
4 - 11	JESCC P19277521 Event Chronology (1p)	09 NOV 2019
4 - 12	JESCC P19277522 Event Chronology - St John Call (2p)	09 NOV 2019
4 - 13	JESCC P19277619 Event Chronology (1p)	09 NOV 2019
4 - 14	JESCC P19277621 Event Chronology (1p)	09 NOV 2019
4 - 15	JESCC P19277667 Event Chronology (1p)	09 NOV 2019
4 - 16	JESCC Audio of calls (15)	09 NOV 2019
4 - 17	Phone records between Nobbs and Wurst on 09 November 2019 (2p)	09 NOV 2019
4 - 18	Phone records – Nobbs – 05-09 November 2019 (83p)	
<i>Facebook Live videos by Samara Fernandez-Brown</i>		
4 – 18A	1A. Video by Samara Fernandez-Brown taken 9 November 2019 at 8:04pm	

4 – 19	1. my cousin just got shot- dont know how he is	
4 – 20	2. Still waiting for news	
4 – 21	3. Still no info- plane is coming in 40 minutes. ambulance is there	
4 – 22	4. 4 hours later. Still no news	
4 – 23	5. Sitting on the ground waiting	
4 – 24	6. Sitting waiting still - cant use Mr Nelson in video	
4 – 25	7. Police going to airstrip	
4 – 26	8. Last update of the night. He_s gone in the plane	
4 – 27	9. Sorry business	
4 – 28	10. Sorry business	
PART 5 INVESTIGATION OF SHOOTING ON 9 NOVEMBER 2019		
5 - 1	Opinion file submitted to DPP	
5 - 2	Rolfe Initial arrest file	
<i>Incident Management Team Minutes</i>		
5 - 3	Scribe notes for Supt Nobbs 2020hrs 09/11/2019 – 0110hrs 10/11/2019	09 NOV 2019
5 – 3A	Minutes of the Yuendumu Agency Response (9p)	10 NOV 2019
5 - 4	IMT Minutes – 1 – 10/11/2019	10 NOV 2019
5 - 5	IMT Minutes – 2 – 10/11/2019	10 NOV 2019
5 - 6	IMT Minutes – 3 – 11/11/2019	11 NOV 2019
5 - 7	IMT Minutes – 4 – 12/11/2019	12 NOV 2019
5 - 8	IMT Minutes – 5 – 12/11/2019	12 NOV 2019
5 - 9	IMT Minutes – 6 – 13/11/2019	13 NOV 2019
5 - 10	IMT Minutes – 7 – 14/11/2019	14 NOV 2019
5 - 11	IMT Minutes – 8 – 14/11/2019	14 NOV 2019
5 - 12	IMT Minutes – 9 – 15/11/2019	15 NOV 2019
<i>Joint Management Committee Minutes</i>		
5 - 13	JMC Minutes – JMC # 1 – 1430hrs – 22/11/19	22 NOV 2019
5 - 14	JMC Minutes – JMC # 2 – 1130hrs – 29/11/2019	29 NOV 2019
5 - 15	JMC Minutes – JMC # 3 – 0930hrs – 13/12/2019	13 DEC 2019

5 - 16	JMC Minutes – JMC # 4 – 1000hrs – unknown date (likely mid to late December)	DEC 2019
5 - 17	JMC Minutes – JMC # 5 – 0955hrs – 03/01/2020	03 JAN 2020
5 - 18	JMC Minutes – JMC # 6 – 0830hrs – 17/01/2020	17 JAN 2020
5 - 19	JMC Minutes – JMC # 7 – 1330hrs – 06/02/2020	06 FEB 2020
5 - 20	JMC Minutes – JMC # 8 – 1000hrs – 14/02/2020	14 FEB 2020
5 - 21	JMC Minutes – JMC # 9 – 1130hrs – 03/04/2020	03 APR 2020
5 - 22	JMC Minutes – JMC # 10 – 0930hrs – 08/05/2020	08 MAY 2020
5 - 23	JMC Minutes – JMC # 11 – 1130hrs – 27/08/2020	27 AUG 2020
<i>Briefing notes</i>		
5 - 24	Briefing Note 1 – issued at 1600hrs 10/11/2019	10 NOV 2019
5 - 25	Briefing Note 2 – issued at 1600hrs 11/11/2019	11 NOV 2019
5 - 26	Briefing Note 3 – issued at 1745hrs 12/11/2019	12 NOV 2019
5 - 27	Briefing Note 4 – issued at 1245hrs 22/11/2019	22 NOV 2019
5 - 28	Briefing Note 5 – issued at 1740hrs 28/11/2019	28 NOV 2019
5 - 29	Briefing Note 6 – issued at 1500hrs 12/12/2019	12 DEC 2019
5 - 30	Briefing Note 7 – issued at 1600hrs 18/12/2019	18 DEC 2019
5 - 31	Briefing Note 8 – issued at 1200hrs 02/01/2020	02 JAN 2020
5 - 32	Briefing Note 9 – issued at 1620hrs 16/01/2020	16 JAN 2020
5 - 33	Briefing Note 10 – issued at 1000hrs 06/02/2020	06 FEB 2020
5 - 34	Briefing Note 11 – issued at 0900hrs 13/02/2020	13 FEB 2020
5 - 35	Briefing Note 12 – issued at 1500hrs 02/04/2020	02 APR 2020
5 - 36	Briefing Note 13 – issued at 0900hrs 07/05/2020	07 MAY 2020
5 - 37	Briefing Note 14 – issued at 1600hrs 26/08/2020	26 AUG 2020
5 - 38	Briefing Note 15 – issued at 1400hrs 10/11/2020	10 NOV 2020
<i>Case Management Meeting Notes</i>		
5 - 39	Email from Pennuto providing update of investigation	14 NOV 2019
5 - 40	Case Management Meeting - 19/11/2019	19 NOV 2019
5 - 41	Case Management Meeting - 20/11/2019	20 NOV 2019
5 - 42	Case Management Meeting - 26/11/2019	26 NOV 2019
5 - 43	Case Management Meeting - 02/12/2019	02 DEC 2019

5 - 44	Case Management Meeting - 16/12/2019	16 DEC 2019
5 - 45	Email from Pennuto providing update of investigation – 18/12/2019	18 DEC 2019
5 - 46	Case Management Meeting - 13/01/2020	13 JAN 2020
5 - 47	Case Management Meeting - 02/02/2020	02 FEB 2020
5 - 48	Emails Beer/ Wurst about community concerns (2p)	11 NOV 2019
5 - 49	Email Bacon - referral to ICAC and related emails (6p)	18 NOV 2019
5 - 50	Email from ICAC to Police (2p)	20 NOV 2019
5 - 51	Email correspondence between Pennuto / Dole / Bacon / Porter re engagement of S/Sgt Barram as a subject matter expert (15p)	20 NOV 2019
5 - 52	Letter Hearn Legal to Superintendent Pennuto (3p)	22 NOV 2019
5 - 53	NT Police Internal Memorandum – A/Cmd Dole – Operation Charwell – Structure and Resourcing (12p)	25 NOV 2019
5 - 54	Risk assessment for Walker (1p)	02 DEC 2019
5 - 55	NT Police memo “Coronial Investigation – Matters of interest to the Coroner” by Superintendent Pollock (2p)	24 MAR 2020
5 - 56	Email correspondence “PSC Response to Operation Charwell” Pollock (6p)	12 JUN 2020
5 - 57	Email correspondence “RE: PSC Response to Operation Charwell” Anticich, Pollock (2p)	12 JUN 2020- 15 JUN 2020
5 - 58	Email correspondence “Yuendumu Visit” Griffiths (1p)	19 JUN 2020
5 - 59	Email correspondence “Charwell Response” Anticich (6p)	24 JUN 2020
5 - 60	NT Police Internal Memorandum – Supt Pollock to AC Anticich re evidence provided by Detective Senior Sergeant Andrew Barram (4p)	20 OCT 2020
5 – 60A	Emails between AC Anticich and Cmr O'Brien 20.11.19-22.06.20	20 NOV 2019 – 22 JUN 2020
5 – 60B	Supt Pollock - Interim Report 1	03 DEC 2019
5 – 60C	Supt Morgan - Interim Report 2	25 FEB 2020
5 – 60D	Memo 02.06.20 TRM04.D20.36329 Re Outstanding Police Statements	02 JUN 2020

5 – 60E	Memo 23.07.20 TRM 04.D20.30820 Charwell Coronial - Request for Extension Beyond 6 Months	23 JUL 2020
5 – 60F	Memo 27.07.20 TRM04.D20.46698 Confirmation of role and responsibility of Commander Coronial position	27 JUL 2020
5 – 60G	Memo 19.08.20 Charwell Coronial Investigation JMC No 2	19 AUG 2020
5 - 60H	Operation Charwell Coronial - JMC Meeting 2 Minutes - 21.08.20 ENDORSED	21 AUG 2020
5 – 60I	Operation Charwell Coronial - JMC Meeting No. 3 - Minutes 21.10.20	21 OCT 2020
5 – 60J	Operation Charwell Coronial - JMC Meeting No. 3 - Status Report 21.10.20	21 OCT 2020
5 – 60K	Operation Charwell Coronial - JMC Meeting No. 4 Minutes - 27.11.20	27 NOV 2020
5 – 60L	Memo 01.12.20 - Operation Charwell Status - JMC 5	01 DEC 2020
<i>PSC Investigation CUST2019-027</i>		
5 - 61	File index (3p)	
5 - 62	IAPro Summary for Cust2019-027 (9p)	
5 - 63	Affidavit of Cdr Bacon - CHARWELL Judge extension (11p)	06 APR 2020
5 - 64	Section 76A & 84G Notice - Zachary Rolfe and POS (4p)	13 NOV 2019
5 - 65	162(7) Extension Nobbs Vicary Furniss Dash Bauwens Simpson McCormack Cust2019-027 (5p)	24 APR 2020
5 - 66	S162(9) Extension - Cust2019-027 - Adam Donaldson - Judge Extension (2p)	04 APR 2020
5 - 67	S162(9) Extension - Cust2019-027 - Adam Eberl - Judge Extension (2p)	04 APR 2020
5 - 68	S162(9) Extension - Cust2019-027 - Anthony Hawkings - Judge Extension (2p)	04 APR 2020
5 - 69	S162(9) Extension - Cust2019-027 - Chris Hand - Threaten Police matter - Judge Extension (2p)	04 APR 2020
5 - 70	S162(9) Extension - Cust2019-027 - Felix Alefiaio - Judge Extension (2p)	04 APR 2020
5 - 71	S162(9) Extension - Cust2019-027 - James Kirstenfeldt - Judge Extension (2p)	04 APR 2020
5 - 72	S162(9) Extension - Cust2019-027 - Julie Frost - Judge	04 APR 2020

	Extension (2p)	
5 - 73	S162(9) Extension - Cust2019-027 - Lanyon Smith - Judge Extension (2p)	04 APR 2020
5 - 74	S162(9) Extension - Cust2019-027 - Zachary Rolfe (IRT etc)- Judge Extension (2p)	04 APR 2020
5 - 75	S162(9) Extension - Cust2019-027 - Zachary Rolfe (Force) - Judge Extension #2 (2p)	04 APR 2020
5 - 76	Death in Custody Notification (3p)	
5 - 77	ICAC Email - Initial notification letter (1p)	11 NOV 2019
5 - 78	Letter Commissioner Chalker to ICAC Initial Letter and Briefing Note (4p)	11 NOV 2019
5 - 79	ICAC Email - Supt II to ICAC - Further notification - BN1 & 2 (1p)	12 NOV 2019
5 - 80	ICAC Email - Supt II to ICAC - Further notification - BN#3 (2p)	13 NOV 2019
5 - 81	Crime Briefing Note #1 (4p)	10 NOV 2019
5 - 82	Crime Briefing Note #2 - Draft - Mark Grieve (3p)	11 NOV 2019
5 - 83	Crime Briefing Note #2 - Kirk Pennuto - Final (4p)	11 NOV 2019
5 - 84	Crime Briefing Note #3 - DIC - YUE – Final with annexure (13p)	12 NOV 2019
5 - 85	Crime Briefing Note #5 - Operation Charwell (5p)	28 NOV 2019
5 - 86	Crime Briefing Note #6 (5p)	12 DEC 2019
5 - 87	Crime Briefing Note #11 (3p)	13 FEB 2020
5 - 88	Email Tonkin to Office of the Ombudsman @ 11:03 (2p)	10 NOV 2019
5 - 89	Email Tonkin to Office of the Ombudsman @ 15:23 (3p)	10 NOV 2019
5 - 90	Email from Office of the Ombudsman (4p)	11 NOV 2019
5 - 91	Email Tonkin to Office of the Ombudsman (4p)	11 NOV 2019
5 - 92	Email from Office of the Ombudsman (1p)	12 NOV 2019
5 - 93	Email from Office of the Ombudsman @14:28 (2p)	12 NOV 2019
5 - 94	Email Tonkin to Office of the Ombudsman @19:08 (2p)	12 NOV 2019
5 - 95	PSC Briefing note #1 (5p)	19 DEC 2019
5 - 96	PSC Briefing Note #2 – DRAFT (5p)	19 DEC 2019
5 - 97	PSC Briefing Note #3 – DRAFT (7p)	06 FEB 2020

5 - 98	PSC Briefing Note #4 – DRAFT (7p)	13 FEB 2020
5 - 99	PSC Briefing Note #4 - Op Charwell (7p)	13 FEB 2020
5 - 100	PSC Briefing Note #5 – DRAFT (7p)	02 MAR 2020
5 - 101	PSC Briefing Note #6 TO BE UPDATED – DRAFT (7p)	13 MAR 2020
5 - 102	PSC Briefing Note #7 – DRAFT (8p)	08 MAY 2020
5 - 103	PSC Briefing Note #8 – CHARWELL (6p)	
5 - 104	PSC Briefing Note #9 – CHARWELL (6p)	
5 - 105	Letter Leafe to Officer (2p)	28 AUG 2020
5 - 106	Letter Officer to Leafe (2p)	30 AUG 2020
5 - 107	Email Officer to Leafe (1p)	30 AUG 2020
5 - 108	Letter Leafe to Officer (1p)	04 SEP 2020
5 - 109	Letter Officer to Leafe (4p)	18 SEP 2020
5 - 110	Email Leafe to Officer (1p)	11 DEC 2020
5 - 111	Letter Leafe to Officer (2p)	11 DEC 2020
5 - 112	Letter Leafe to Officer (2p)	19 FEB 2021
5 - 113	Web EOC Documents (58p)	
PART 6 ARREST, CHARGE AND DETENTION OF CONSTABLE ROLFE		
6 - 1	USB - Watch House CCTV footage of Rolfe in custody	
6 - 2	Watch House Arrest Card/Custody Health Assessment/ Property receipt	
6 - 3	USB containing audio files of - Rolfe's arrival into ASP from Yuendumu/ Arrest of Rolfe/ Watch House Conversation/ Offer of EROI	
6 - 4	Transcript - Rolfe arrived in ASP	
6 - 5	Transcript - arrest of Rolfe	
6 - 6	Transcript - Watch house conversation - Caution	
6 - 7	Transcript - Offer on interview to Rolfe (12 November 2019)	
6 - 8	Rolfe- ASP Hospital Records - Post incident	
PART 7 STATEMENTS – POLICE		
7 - 1	AGNEW, Kevin (A/Sgt) (220p)	23 JAN 2020

7 - 2	ALEFAIO, Felix (Const) (38p) + recording	11 NOV 2019
7 - 2A	ALEFAIO, Felix – evidence from Supreme Court trial	15 FEB 2022
7 – 2B	ALLEN, Sgt Matthew – affidavit	11 AUG 2022
7 - 3	ALTERMAIN, Tegan (Const) (3p)	14 NOV 2019
7 - 4	ANTICICH, Nicholas (AC) (5p)	15 JUL 2020
7 – 4AA	ANTICICH, Nick – affidavit 15.07.22 attachment clause	15 JUL 2020
7 – 4A	ANTICICH, Nick – Affidavit	03 SEP 2022
7 – 4B	ANTICICH, Nick - Preliminary Report - Process Improvement Review Internal Investigations	15 MAR 2019
7 - 5	ATKIN, John (Supt) (19p) + recording	26 JUN 2020
7 – 5A	12, Supt Craig – statutory declaration	19 AUG 2022
7 - 6	BAUWENS, Lee – statement 1 (64p) + recording	21 NOV 2019
7 - 7	BAUWENS, Lee – statement 2 (104p) + recording	03 DEC 2020
7 -7A	BAUWENS, Lee – evidence from Supreme Court trial	23 FEB 2022 24 FEB 2022
7 – 7B	BAUWENS, Sgt Lee – statutory declaration with annexures	08 FEB 2018
7 – 7C	BAYLISS, Lisa	14 FEB 2023
7 - 8	BEAMS, Carlie (16p)	13 NOV 2019
7 - 9	BECKER, Marcus (6p)	07 FEB 2020
7 - 10	BEER, Merrilyn Narelle – recorded statement 1 (9p)	30 JAN 2020
7 - 11	BEER, Merrilyn Narelle -Statement 2 (5p)	30 JAN 2020
7 - 12	BEER, Merrilyn Narelle – recorded statement 3 (29p) + recording	04 JUN 2020
7 - 13	BENNETT, Amy (3p)	07 FEB 2020
7 - 14	BENNETT, Tony (3p)	10 NOV 2019
7 -14A	BERRY, Trent – statutory declaration	17 JUN 2022
7 - 15	BEVAN, Luke (5p)	11 FEB 2020
7 - 16	BONNEY, Breanna (11p) + recording x2	18 DEC 2019
7 - 17	BONNEY, Breanna – Statement 2 (7p) + recording	30 JAN 2020
7 -17A	BONNEY, Breanna – evidence from Committal proceedings	01 SEP 2020
7 -17B	BONNEY, Breanna – evidence from Supreme Court trial	14 FEB 2022

7 – 17C	BONNEY, Breanna – statement	25 NOV 2022
7 - 18	CAMPAGNARO, Claudia (92p) + recording	19 AUG 2020
7 - 19	CARTER, Emma (7p)	22 MAR 2020
7 - 20	CARTER, Jack (17p)	12 NOV 2019
7 - 21	CARTER, Jack Statement 2 (5p)	02 MAR 2020
7 - 22	COULSON, Rinaldo (9p)	09 MAR 2020
7 - 23	CROTTY, Luke (15p) + recording	16 JAN 2020
7 - 24	CUMMINS, Isobel (19p)	17 FEB 2020
7 - 25	CURRIE, Brad (25p) + recording	11 FEB 2020
7 - 26	DERKSEN, Mark (5p)	09 JUL 2021
7 - 27	DOLE, Martin (8p)	27 JUL 2020
7 - 28	DOLE, Martin Statement 2 (25p)	24 JUN 2021
7 - 29	DONALDSON, Adam (29p) + recording	10 NOV 2019
7 - 30	DONALDSON, Adam Statement 2 (35p) + recording + BWV extract	21 NOV 2019
7 -30A	DONALDSON, Adam – evidence from Committal proceedings	01 SEP 2020
7 -30B	DONALDSON, Adam – evidence from Supreme Court trial	15 FEB 2022
7 - 31	EBERL, Adam (14p) + recording	10 NOV 2019
7 - 32	EBERL, Adam Statement 2 (80p) + recording + BWV extract	13 NOV 2019
7 - 33	EBERL, Adam Statement 3 (25p) + recording	11 FEB 2020
7 -33A	EBERL, Adam – evidence from Committal proceedings	02 SEP 2020
7 -33B	EBERL, Adam – evidence from Supreme Court trial	22 FEB 2022 23 FEB 2022
7 - 34	ELWORTHY, Erin (18p) + recording	15 JAN 2020
7 – 34A	EVANS, Tracey (14p) (ADF)	12 JUN 2020
7 - 35	FERNANDEZ, Paulo (412p) (cover page has incorrect date of 02/04/2018)	02 APR 2020
7 – 35A	FERNANDEZ, Paulo (170p)	18 JUN 2020
7 - 36	FROST, Julie (86p) + recording	13 NOV 2019
7 - 37	FROST, Julie Statement 2 (18p) + recording	05 DEC 2019
7 - 38	Chronology of events recorded by Sgt Julie Frost (5p)	

7 - 39	Notes made by Sgt Julie Frost (2p)	
7 -39A	FROST, Julie – evidence from Committal proceedings	01 SEP 2020
7 -39B	FROST, Julie – evidence from Supreme Court trial	10 FEB 2022 11 FEB 2022
7 - 40	FULLWOOD, Anna (5p)	13 NOV 2019
7 - 41	FURNISS, Shaun (99p) + recording	30 NOV 2019
7 - 42	GALL, Alistair (77p) + recording	30 JAN 2020
7 - 43	GAVIN, Tai	
7 – 43A	GERBICZ-FISHER, Jason	03 MAR 2023
7 - 44	GILL, Shaun (203p) + recording	18 DEC 2019
7 – 44A	GILL, Shaun (110p)	26 SEP 2022
7 - 45	GILLET, Simon (4p)	13 NOV 2019
7 - 46	GRAY-SPENCE, James (75p)	23 OCT 2020
7 - 47	GREGORY, Tracey – Statement 1 (18p)	23 JAN 2020
7 - 48	GREGORY, Tracey – Statement 2 (3p)	24 JAN 2020
7 - 49	GRIEVE, Mark (28p)	28 FEB 2020
7 - 50	HAIG, Steven (13p) + recording	18 DEC 2019
7 - 51	HALL, Matthew (5p)	25 NOV 2019
7 - 52	HAND, Christopher – Statement 1 (43p) + recording	14 NOV 2019
7 - 53	HAND, Christopher – Statement 2 (11p) + recording	17 DEC 2019
7 -53A	HAND, Chris – evidence from Supreme Court trial	09 FEB 2020
7 – 53AA	HAND, Christopher – statutory declaration	01 SEP 2022
7 - 54	HANSEN, Mitchell – Statement 1 (28p) + recording	17 JAN 2020
7 - 55	HANSEN, Mitchell – Statement 2 (12p) + recording	17 JAN 2020
7 -55A	HANSEN, Mitchell – evidence from Supreme Court trial	14 FEB 2022
7 - 56	HARRISON, James (6p)	02 AUG 2020
7 - 57	HAWKINGS, Anthony – Statement 1 (11p) + recording	10 NOV 2019
7 - 58	HAWKINGS, Anthony – Statement 2 (70p) + recording + BWV extract	13 NOV 2019
7 - 59	HAWKINGS, Anthony – Statement 3 (36p) + recording	11 FEB 2020
7 -59A	HAWKINGS, Anthony – evidence from Committal proceedings	02 SEP 2020

7 -59B	HAWKINGS, Anthony – evidence from Supreme Court trial	17 FEB 2022 18 FEB 2022
7 – 59C	HAWKINGS, Anthony – emails in relation to lost notebook	13 JAN 2020 24 FEB 2022
7 - 60	HEFFERNAN, Vanessa (3p)	01 JUL 2020
7 - 61	HEN, Caragh (26p)	20 FEB 2020
7 - 62	HENDERSON, Paul (5p)	10 FEB 2020
7 - 63	HICKEY, Michael (3p)	11 NOV 2019
7 -63A	HIGGINS, Benjamin – statutory declaration	01 MAY 2022
7 - 64	HOLLIDAY, Tanya (9p)	06 MAR 2020
7 - 65	HUDSON, Anneliese (14p) + recording	17 JAN 2020
7 - 66	HUGHES, Zachary (3p)	28 NOV 2019
7 - 67	HUGHES, Zachary (40p) + recording	15 JAN 2020
7 - 68	JOACHIM, Charneca (12p) + recording	15 JAN 2020
7 - 69	JOLLEY, Anne (9p)	14 APR 2020
7 -69A	JOLLEY, Anne – statutory declaration	22 JUN 2022
7 - 70	JONES, Philip (14p) + recording	16 JAN 2020
7 -70A	JOY, Carey – statutory declaration	04 AUG 2022
7 - 71	KEAN, Gregory (15p)	13 NOV 2019
7 - 72	KELLY, Evan – Statement 1 (12p) + recording	18 DEC 2019
7 - 73	KELLY, Evan – Statement 2 (12p) + recording	29 JAN 2020
7 -73A	KELLY, Evan – evidence from Supreme Court trial	09 FEB 2022 10 FEB 2022
7 -73B	KENT, Michael – statutory declaration	06 JUN 2022
7 - 74	KENT, Robert (4p)	27 NOV 2019
7 -74A	KENT, Robert – evidence from Supreme Court trial	08 FEB 2022
7 - 75	KHAN, Abdul (3p)	13 JUL 2020
7 -75A	KHAN, Abdul – evidence from Supreme Court voir dire	21 DEC 2021
7 - 76	KING, Meacham – Statement 1 (2p)	17 NOV 2019
7 - 77	KING, Meacham – Statement 2 (36p)	25 NOV 2019

7 – 77B	KING, Meacham – BWV & transcript	10 NOV 2019
7 - 78	KING, Shane (23p) + recording	15 JAN 2020
7-78A	KIRKBY, Paul – statutory declaration	19 AUG 2022
7 - 79	KIRSTENFELDT, James – Statement 1 (43p) + recording	10 NOV 2019
7 - 80	KIRSTENFELDT, James – Statement 2 (52p) + recording	21 NOV 2019
7 -80A	KRISTENFELDT, James – evidence from Committal proceedings	02 SEP 2020
7 -80B	KRISTENFELDT, James – evidence from Supreme Court trial	15 FEB 2022 16 FEB 2022
7 - 81	KOLODIEJ, Joanna (7p)	18 NOV 2019
7 - 82	KREN, Andrew (39p)	25 MAR 2020
7 -82A	KREN, Andrew – evidence from Supreme Court voir dire	20 DEC 2021 21 DEC 2021
7 - 83	KUMAR, Benjamin – statement 1 (3p) <i>(cover sheet incorrectly notes date as 14/12/2019)</i>	15 DEC 2019
7 - 84	KUMAR, Benjamin (17p) + recording	18 DEC 2019
7 - 85	KUMAR, Benjamin (4p)	13 FEB 2020
7 - 86	LANIGAN, Madeline (4p)	02 MAR 2020
7 - 87	LUCHT, Sarah (15p) + recording	17 DEC 2019
7 - 88	LYNCH, Bradley – Statement 1 (3p)	01 JAN 2020
7 - 89	LYNCH, Bradley – Statement 2 (46p) + recording	15 JAN 2020
7 - 90	LYNCH, Bradley – Statement 3 (4p)	13 FEB 2020
7 - 91	LYND, Shannon (12p)	09 DEC 2019
7 - 92	MALOGORSKI, Mark (56p)	17 MAR 2020
7 - 93	MARSHALL, Matthew (10p)	21 FEB 2020
7 - 94	MCCLURE, Tegan (3p)	08 JUL 2020
7 - 95	MCCORMACK, Shane – Statement 1 (116p)	21 NOV 2019
7 - 96	MCCORMACK, Shane – Statement 2 (73p)	29 JAN 2020
7 -96A	McCORMACK, Shane – evidence from Supreme Court trial	14 FEB 2022
7 - 97	MAGRATH, Nathan (3p)	16 MAR 2020
7 - 97A	MITCHELL, Sarah – statutory declaration	27 DEC 2018

7 – 97B	MORGAN, Lee	20 NOV 2022
7 - 98	MORRISSEY, Paul – Statement 1 (17p)	04 MAR 2020
7 - 99	MORRISSEY, Paul – Statement 2 (3p)	08 JUL 2020
7 - 100	MURPHY, Michael (22p)	21 JUL 2020
7 – 100A	NANKIVELL, Ian	14 NOV 2022
7 - 101	NOBBS, Jody (184p) + recording + USB att G	29 NOV 2019
7 -101A	NOBBS, Jody – evidence from Supreme Court trial	11 FEB 2022 14 FEB 2022
7 - 102	NOLAN, James (54p) + recording	19 DEC 2019
7 - 103	NOLAN, James Statement 2 (8p)	17 JUL 2020
7 - 104	NWAKOR-OSAJI, Afamefuna (17p) + recording	18 DEC 2019
7 - 105	OBIETA, Terence (19p)	22 JAN 2020
7 - 106	PAKTSUN, Cedric (15p)	15 JUL 2020
7 - 107	PALMER, Gary (3p)	20 NOV 2019
7 - 108	PARBS, Mark (25p) + recording	15 JAN 2020
7 – 108AA	PASCOE, Baru – affidavit	09 SEP 2022
7 -108A	PHAM, William - AFP - mobile phone	18 MAR 2021
7 -108B	PAYNE, Stephen – statement	29 APR 2022
7 - 109	PENNUTO, Kirk (79p)	19 MAR 2020
7 – 109A	Diary Notes - A/Supt Kirk Pennuto	17 DEC 2019 - 10 JAN 2020
7 – 109AA	PENNUTO, Kirk – consolidated diary notes	09 NOV 2019 - 10 JAN 2020
7 -109B	PENNUTO – evidence from Supreme Court voir dire	21 DEC 2021
7 -109C	PENNUTO – evidence from Supreme Court trial	02 MAR 2022
7 - 110	PHILLIPS, Leith (33pp)	20 APR 2020
7 - 111	PHILLIPS, Leith Statement 2 (6p)	01 OCT 2020
7 -111A	POLLOCK, Scott – statutory declaration	20 JUL 2022
7 – 111AA	POLLOCK, Scott	21 NOV 2022

7 -111B	PORTER, Assistant Commissioner Bruce – affidavit	13 JUL 2022
7 – 111C	PORTER, Assistant Commissioner Bruce – addendum affidavit	02 SEP 2022
7 – 111D	PORTER, Assistant Commissioner Bruce – affidavit	09 FEB 2023
7 - 112	POTTS, Michael (46p) + recording	01 DEC 2019
7 - 113	POWELL, Benjamin (12p)	13 NOV 2019
7 – 113B	PROWSE, Supt Brett – statutory declaration	08 AUG 2022
7 - 114	RAITT, Jack (5p)	15 NOV 2019
7 – 114A	RAITT, Jack – photographs x 16	10 NOV 2019
7 - 115	READ, Virginia (5p)	11 MAR 2020
7-115AA	READ, Supt Virginia – statutory declaration	09 AUG 2022
7 -115A	ROLFE, ZACHARY – evidence from Supreme Court trial	02 MAR 2022 03 MAR 2022 04 MAR 2022
7-115B	RONNING-BURNS, Cmr Hege – statutory declaration	08 AUG 2022
7 – 115C	ROLFE, Zachary – official police notebook 47301 pp1-9	10 NOV 2019
7 - 115D	ROLFE, Zachary – official police notebook 47301 pp1-9 – transcript	10 NOV 2019
7 – 115DD	ROLFE, Zachary – affidavit	16 DEC 2022
7 - 115E	SANDERSON, Melissa – statutory declaration	28 DEC 2018
7 - 116	SCHMIDT, Robyn (7p)	01 APR 2020
7 – 116A	SCHUMACHER, Michael	25 OCT 2022
7 - 117	SHARMA, Sachin (32p)	22 JAN 2020
7 - 118	SHARMA, Sachin Statement 2 (10p)	18 FEB 2020
7 - 119	SHARP, Jonathon (4p)	14 NOV 2019
7-119A	SHEAN, Supt Daniel – statutory declaration	10 AUG 2022
7 - 120	SIMONATO, Erin (20p)	27 APR 2021
7 -120A	SMALPAGE, DC Murray – Affidavit	12 JUL 2022
7 – 120B	SMALPAGE, DC Murray – Addendum Affidavit	02 SEP 2022
7 – 120BB	SMALPAGE, DC Murray – Affidavit	10 NOV 2023
7 - 121	SMITH, Lanyon (14p) + recording	11 NOV 2019
7 - 122	SMITH, Lanyon Statement 2 (12p)	14 JAN 2020

7 -122A	SMITH, Lanyon – evidence from Supreme Court trial	09 FEB 2020
7 - 123	SYKES, Mark (30p)	18 DEC 2019
7 - 124	SYKES, Mark Statement 2 (13p)	30 JAN 2020
7 - 125	TAIT, Samuel – 1st (17p) + recording	15 JAN 2020
7 - 126	TAIT, Samuel (4p)	10 FEB 2020
7 - 127	THOMAS, Joshua (28p)	05 DEC 2019
7 - 128	THOMPSON, Jared (4p)	12 NOV 2019
7 - 129	THOMPSON, Jared Statement 2 (4p)	04 DEC 2019
7 - 130	THOMSON, Wesley (15p)	17 DEC 2019
7 - 131	TOCKNELL, Ethan (12p)	15 JAN 2020
7 - 132	VICARY, Pauline Statement 1 (111p)	30 NOV 2019
7 - 133	VICARY, Pauline Statement 2 (26p)	11 FEB 2020
7 -133A	WALLACE, Bradley – statutory declaration	26 JUL 2022
7 -133B	WALLACE, Bradley – statutory declaration (supplementary)	26 JUL 2022
7 - 134	WARD, Deanne (6p)	17 NOV 2019
7 – 134A	WATSON, Marc	19 NOV 2022
7 - 135	WEATHERS, Leilani (41p)	27 JUN 2020
7 - 136	WELLS, Kieran (15p)	12 FEB 2020
7 – 136A	Statement Caroline WEST, Victoria Police (73p)	25 JUN 2020
7 - 137	WETHERALL, Lauren (24p)	18 JUN 2020
7 - 138	WHITE, Michael (7p)	28 JUL 2020
7 - 139	WILLIAMS, Derek (31p) + recording	20 NOV 2019
7 - 140	WILLIAMS, Derek Statement 2 (13p)	20 JUN 2020
7 -140A	WILLIAMS, Derek – evidence from Supreme Court trial	15 FEB 2022
7-140AA	WILLIAMS, Derek – statutory declaration	09 AUG 2022
7 – 140BB	WILLIAMS, Derek	21 FEB 2023
7 -140B	WILLIAMS, Michael – statutory declaration	28 JUN 2022
7 - 141	WILSON, Brett – 1 (9p)	06 MAR 2020
7 - 142	WILSON, Brett – 2 (39p)	23 MAR 2021
7 - 143	WOOD, Natashia (9p)	05 FEB 2020

7 - 144	WURST, Travis (71p) + recording	05 DEC 2019
7 - 145	WURST, Travis Statement 2 (120p)	20 AUG 2020
7 -145A	WURST, Travis – evidence from Supreme Court trial	17 FEB 2022
7 -145B	WYATT, Michael – statutory declaration	12 MAY 2022
7 - 146	ZENDELI, Xhenita (19p)	16 JAN 2020
7 – 146A	ZENDELI, Xhenita – statutory declaration	01 DEC 2022
7 - 147	ZHANG, Terry (31p)	05 DEC 2019
Forensics		
7 - 148	BEST, Natalie (17p)	11 JUL 2020
7 - 149	CHEONG-WING, Kate (9p)	02 APR 2020
7 - 150	CHEONG-WING, Kate Statement 2 (61p)	11 JUN 2020
7 - 151	CHEONG-WING, Kate Statement 3 (1p)	23 JUN 2020
7 -151A	CHEONG-WING, Kate – evidence from Supreme Court trial	21 FEB 2022
7 - 152	JOHNSON, Fiona (7p)	05 MAR 2020
7 - 153	ROBB, Gino – notes & working papers (47p)	
7 - 154	SECRETTE, Jeannie (5p)	29 MAY 2020
7 - 155	SETTER, Pauline (1p)	10 NOV 2019
7 - 156	SPILSBURY, Ian (121p) (sensitive images redacted)	02 MAR 2020
7 -156A	SPILSBURY, Ian – evidence from Supreme Court trial	18 FEB 2022 21 FEB 2022
7 - 157	SIMPSON, Timothy (AFP) (10p)	11 JUN 2020
7 - 158	SIMPSON, Timothy (AFP) Supplementary Report (29p)	30 JUN 2020
7 -158A	SIMPSON, Timothy – evidence from Supreme Court trial	24 FEB 2022
PART 8 STATEMENTS – CIVILIANS		
8 – 0AA	ABRAHAM, Glenda – letter	20 FEB 2023
8 – 0A	ATKINSON, Adrian – statutory declaration	20 SEP 2022
8 – 0	BISHOP, Helen – affidavit	11 AUG 2022
8 – 0B	BLANDFORD, Brendan	06 MAR 2023
8 - 1	BONANNI, Gemma (176p)	18 FEB 2020
8 – 1A	BROWN, Gabrielle (THFC)	24 FEB 2023

8 - 2	BROWN, Leroy (35p) + recording	12 FEB 2020
8 -2A	BROWN, Leroy – evidence from Supreme Court trial	17 FEB 2022
8 - 3	BROWN, Margaret (43p) + recording	26 NOV 2019
8 -3A	BROWN, Margaret – evidence from Supreme Court trial	16 FEB 2022
8 - 4	BROWN, Myron (56p) + recording	26 NOV 2019
8 - 5	BROWN, Sheldon (46p) + recording	09 DEC 2019
8 - 6	BURNS, Janice (12p) + 2x recordings	12 FEB 2020
8 - 7	CAMPAGNARO, Claudia (116p)	19 AUG 2020
8 - 8	CAMPAGNARO, Claudia Statement 2 (43p)	14 OCT 2020
8 – 8A	CAMPAGNARO, Claudia – statutory declaration	10 SEP 2021
8 – 8B	CHAPMAN, Rob – affidavit	04 SEP 2022
8 - 9	CHILES, Bryan (7p)	12 FEB 2020
8 - 10	CHILVERS, Kerri-Anne (12p)	17 JUN 2020
8 - 11	CHILVERS, Kerri-Anne (48p)	30 JUN 2020
8 – 11A	CHILVERS, Kerri-Anne	28 NOV 2022
8 - 12	CHISHOLM, Andrea (5p)	22 JAN 2020
8 – 12AA	CHURCHILL, Christopher – affidavit	28 NOV 2022
8 – 12A	CLIFFORD, Noel – email	28 NOV 2022
8 - 13	COLLINS, Aaron (128p)	13 JAN 2020
8 - 14	COLLINS, Gregson (44p) + recording	13 DEC 2019
8 - 15	COOK, Adrian (28p) + recording	04 FEB 2020
8 - 16	COOKE, Graham (44p) + recording	16 JAN 2020
8 - 17	COULTHARD, Nathan (9p) + recording	10 NOV 2019
8 -17A	COULTHARD, Nathan – evidence from Supreme Court trial	16 FEB 2022
8 – 17B	DAYLIGHT, Bessie and MUNG, Denise – statement	23 NOV 2022
8 – 17C	DELANY, Marcel	28 FEB 2023
8 - 18	DICKSON, Alan Junior (16p) + recording	10 DEC 2019
8 -18A	DICKSON, Alan – statement	20 JUL 2022
8 - 19	DICKSON, Ayeetta (28p) + recording	10 NOV 2019
8 - 20	DICKSON, Ayeetta Statement 2 (75p) + recording	28 NOV 2019

8 - 21	DICKSON, Julie-Anne (49p) + recording	10 DEC 2019
8 - 22	DICKSON, Raymond (39p) + recording	27 NOV 2019
8 – 22A	ECHO, Johnny – affidavit	16 NOV 2022
8 - 23	EGAN, Cedric (22p) + recording	11 DEC 2019
8 - 24	EGAN, Lekira (35p) + recording	09 JAN 2020
8 - 25	EVANS, Tracey (30p)	17 JAN 2020
8 -25A	FERNANDEZ-BROWN, Samara – Affidavit	22 JUL 2022
8 - 26	FISHER, Isiah (18p) + recording	12 DEC 2019
8 - 27	FITZPATRICK, Jackson (59p)	15 JAN 2020
8 - 28	FRANCIS, William (4p)	05 MAR 2020
8 - 29	GOULD, Karen (4p)	07 JAN 2020
8 – 29A	GRANITES, Cherylyn – statement	
8 - 30	GRANITES, Senita (39p) + recording	28 NOV 2019
8 – 30A	GREATOREX, Lindsay – affidavit	26 AUG 2022
8 - 31	GREEN, Janet (4p)	07 JAN 2020
8 – 31A	HAMPTON, Karl – statement	27 FEB 2023
8 - 32	HARVEY, Julie (21p) + recording	22 JUN 2020
8 - 33	HAVARD, Laura (5p)	13 NOV 2019
8 - 34	HAYES-JONKERS, Charmaine (27p) + recording	28 NOV 2019
8 - 35	HEALY, Taylee (9p)	18 DEC 2019
8 - 36	HOCKING, Adam (6p)	23 JAN 2020
8 – 36A	HOPKINS, Sarah – affidavit	04 SEP 2022
8 – 36B	JANGALA, Jerry Patrick and JAMPIJINPA, Steven Wanta Patrick – affidavit	04 SEP 2022
8 36C	JONES, Alexandria – affidavit	26 AUG 2022
8 - 37	JURRAH, Basil (36p) + recording	09 JAN 2020
8 - 38	JURRAH, Jerome (14p) + recording	10 NOV 2019
8 – 38AA	KATAKARINJA, Elizabeth – statement	24 NOV 2022
8 -38A	KELLY, Francis – statement	27 MAY 2022
8 - 39	KENNEDY, Max (33p) + 2x recordings	11 DEC 2019
8 - 40	KRUGER, Richard (107p)	20 APR 2020

8 - 41	LANDAYTO, Joeanne (8p)	03 FEB 2020
8 - 41A	LANE, Joseph – statutory declaration	07 AUG 2022
8 - 41B	LANE, Serita – statutory declaration	08 AUG 2022
8 - 42	LEWIS, Rachel (63p) + 2x recordings	11 DEC 2019
8 -42A	MARSHALL, Steven – statement	27 MAY 2022
8 - 43	MARTIN, Danielle (32p) + recording	12 FEB 2020
8 -43A	MARTIN, Danielle – evidence from Supreme Court trial	17 FEB 2022
8 - 44	MCCARTHY, Scott (3p)	14 JAN 2020
8 - 45	MCLEAN, David (33p)	03 DEC 2019
8 - 46	MOSSOP, Dylan (15p) + recording	17 JAN 2020
8 - 46A	MUNG, Patrick – affidavit	17 NOV 2022
8 - 47	MURPHY, Tania (73p)	05 FEB 2020
8 - 47A	NUNGGUMAJBARR, Bobby (YMDAC) – statement	26 OCT 2022
8 - 48	OLDFIELD, Leanne (25p) + recording	10 NOV 2019
8 -48A	OLDFIELD, Leanne – evidence from Supreme Court trial	17 FEB 2022
8 -48B	OLDFIELD, Leanne – statement	18 JUL 2022
8 - 47C	OLDFIELD, Leanne – statement	13 OCT 2022
8 - 49	PRESLEY, Liam (4p)	03 DEC 2019
8 - 50	PRESLEY, Liam Statement 2 (9p)	19 JUN 2020
8 - 51	ROBERTSON, Eddie (58p) + recording	27 NOV 2019
8 -51A	ROBERTSON, Eddie – evidence from Supreme Court trial	16 FEB 2022
8 - 51B	ROBERTSON, Eddie – statutory declaration	22 NOV 2022
8 - 52	ROBERTSON, Ethan (35p) + recording	10 DEC 2019
8 - 53	ROBERTSON, Ethan Statement 2 (39p) + recording	11 DEC 2019
8 -53A	ROBERTSON, Ethan – evidence from Supreme Court trial	16 FEB 2022
8 - 54	ROBERTSON, Lottie (38p) + recording	30 NOV 2019
8 -54A	ROBERTSON, Lottie – evidence from Supreme Court trial	10 FEB 2022
8 - 54B	ROBERTSON, Lottie – statutory declaration	09 AUG 2022
8 - 55	ROBERTSON, Rekeisha (42p) + recording	27 NOV 2019
8 - 56	ROSS, Paul (4p)	17 FEB 2020

8 - 57	SARGENT, Natalie (39p)	18 DEC 2019
8 - 58	SEXTON, Kate (11p)	13 NOV 2019
8 -58A	SHANKS, Brooke – Affidavit	25 JUL 2022
8 – 58B	SHANKS, Brooke – letter	09 SEP 2022
8 - 59	SINGLETON, Courtney (18p)	20 NOV 2019
8 - 60	SNAPE, Elizabeth (44p) + recording	10 NOV 2019
8 -60A	SNAPE, Elizabeth – evidence from Supreme Court trial	24 FEB 2022
8 - 61	SPIRE, Suzanne (26p)	02 JUN 2020
8 - 62	SUDHOLZ, Lincoln (4p)	28 FEB 2020
8 – 62A	THOMAS, Peter – affidavit	16 NOV 2022
8 - 63	VUSONICEVA, Malodali (9p)	22 NOV 2019
8 - 64	VUSONICEVA, Marianne (4p)	19 NOV 2019
8 – 64A	WALKER, Alice – statutory declaration	09 AUG 2022
8 - 64B	WARREN, Brent (TFHC)	24 FEB 2023
8 - 65	WATSON, Louise (25p) + recording	06 JAN 2020
8 - 66	WAYNE, Sarah (30p) + recording	27 NOV 2019
8 - 67	WAYNE, Sheree (30p) + recording	10 DEC 2019
8 - 68	WEILY, Scott (42p)	23 JUN 2020
8 - 69	WHEELER, Lorraine (27p) + recording	28 NOV 2019
8 – 69A	WILLIAMS, Freddie – affidavit	01 SEP 2022
8 - 70	WILLIAMS, Jayveth @ Ziggy (16p)	27 NOV 2019
8 - 71	WILLIAMS, Louanna (5p)	06 AUG 2021
8 -71A	WILLIAMS, Louanna – evidence from Supreme Court trial	17 FEB 2022
8 - 72	WILLIAMS, Warren (23p) + recording	08 JAN 2020
8 – 72A	WILLIAMS, Warren – statutory declaration	09 AUG 2022
8 – 72B	WILSON, Bruno - statement	
8 - 73	WILSON, Darren (48p) + recording	09 DEC 2019
8 - 74	WILSON, Melinda (44p) + recording	29 NOV 2019
8 - 75	WILSON, Troy (13p)	14 JAN 2020
8 - 76	WOODS, Jason (28p) + recording	26 NOV 2019

8 - 77	WOODS, Ryan (43p) + recording	26 NOV 2019
8 - 78	WOODS, Ryan Statement 2 (39p)	28 NOV 2019
8 - 79	WOODS, Tenaia (45p) + 2x recordings	11 DEC 2019
8 - 80	WURRAMARRA, Naomi; MAMARIKA, Roderick; MAMARIKA, Linda, and MAMARIKA, Elaine – affidavit	02 SEP 2022
PART 9 STATEMENTS – HEALTH STAFF		
9 - 0	AH CHEE, Dr Donna and BOFFA, Dr John – affidavit	13 SEP 2022
9 - 1	ALTING, John (19p) + recording	22 JUN 2020
9 - 2	BRAHIM, Kellie (6p)	15 JAN 2020
9 - 3	CAMERON, Fiona (5p)	18 JUN 2020
9 - 3A	CARMICHAEL, Robyn – statement of complaint	04 APR 2018
9 - 4	DAILEY, Hannah (35p) + recording	14 JAN 2020
9 - 4A	FLEMING, Tina – affidavit	31 AUG 2022
9 - 5	GILL, Helen (27p)	06 APR 2021
9 - 5AA	GILL, Helen – affidavit	03 OCT 2022
9 - 5A	HALTON, Sally – Affidavit	19 AUG 2022
9 - 5AA	HAMPTON, Jenifer – affidavit	28 NOV 2022
9 - 5B	HEINRICH, Naomi – affidavit	22 AUG 2022
9 - 5C	HEINRICH, Naomi – letter, annexing root cause analysis	31 AUG 2022
9 - 6	HOLLAND, Cassandra – statement of events from 9.11 (3p)	19 NOV 2019
9 - 7	HOLLAND, Cassandra -ROC (35p) + recording	12 FEB 2020
9 - 7A	HOLLAND, Cassandra – affidavit (signed)	06 OCT 2022
9 - 8	REDDEN, Rebekah (21p) + recording	16 JAN 2020
9 - 9	REEVE, David (12p)	22 NOV 2019
9 - 9A	REEVE, David – affidavit	28 SEP 2022
9 - 10	RIWAKA, Janine (17p) + recording	22 JUN 2020
9 - 11	STARBUCK, Matilda (48p) + recording	04 JUN 2020
9 - 12	SYMONDS, Luana (31p)	20 NOV 2019
9 - 12A	SYMONDS, Luana – affidavit	05 OCT 2022
9 - 12B	TABART, DR Marcus – affidavit	02 DEC 2022

9 - 13	VELING, Kerrie (22p) + recording	16 JAN 2020
9 -13A	SUTHERLAND, Dr Kerrie (nee Veling) – evidence from Supreme Court trial	18 FEB 2022
9 - 14	WALCOTT, Lorraine (40p) + recording	10 NOV 2019
9 – 14A	WALCOTT, Lorraine – 11x photographs	10 NOV 2019
9 - 15	WATTS, Vanessa (17p) + recording	22 JUN 2020
9 – 15A	WATTS, Vanessa – affidavit	05 OCT 2022
9 - 16	ZANKER, Heather (9p) + recording	10 NOV 2019
9 - 17	NT Health Riskman records for Yuendumu WHS issues 2019	
9 - 18	NT Health Risk Assessment Guide (Matrix)	
PART 10 STATEMENTS – EXPERTS		
10 - 1	ALPERT, Geoffrey (97p)	31 MAR 2020
10 - 2	ALPERT, Professor Geoffrey – related notes and emails	06 JAN 2020 - 02 APR 2020
10 -2A	ALPERT, Dr Geoffrey – evidence from Committal proceedings	03 SEP 2020
10 - 3	BARRAM, Andrew – email to Kirk PENNUTO (1p)	10 MAR 2020
10 - 4	BARRAM, Andrew – Statement 1 – Annexures A/B/C/D/ E / F / G / H (523p)	13 MAR 2020
10 - 5	BARRAM, Andrew – Statement 2 – Annexures – A / B / C / D/ E / F / G/H/ I / J / K	26 MAR 2020
10 - 6	BARRAM, Andrew – Statement 3 (12p)	01 APR 2020
10 - 7	BARRAM, Andrew – Statement 4 (8p)	11 JUN 2020
10 - 8	BARRAM, Andrew – Statement 5 (6p)	21 AUG 2020
10 - 9	BARRAM, Andrew – annexures containing footage	
10 -9A	BARRAM, Andrew – evidence from Committal proceedings	03 SEP 2020
10 -9B	BARRAM, Andrew – evidence from Supreme Court trial (including evidence on the voir dire)	28 FEB 2022 01 MAR 2022 02 MAR 2022
10 - 10	BOTTERILL, Paul (8p)	02 JUN 2020
10 -10A	BOTTERILL, Dr Paull – evidence from Supreme Court trial	25 FEB 2022
10 – 10AB	CHILES, Bryan – statutory declaration	12 FEB 2020

10 – 10AA	CUNEEN, Professor Chris – Expert report	
10 – 10BB	HOLLINSWORTH, Adjunct Professor David	08 NOV 2022
10 -10B	LEE, Katherine – evidence from Supreme Court trial	28 FEB 2022
10 – 10C	LIDDLE, Leanne – statement (unsigned)	
10 - 11	McFARLANE, Alexander (210p)	15 JUL 2020
10 - 12	McINTOSH, Andrew (71p)	20 MAY 2020
10 -12A	McINTOSH, Dr Andrew – evidence from Committal proceedings	03 SEP 2020
10 -12B	McINTOSH, Dr Andrew – evidence from Supreme Court trial	25 FEB 2022
10 – 12C	QUILTY, Dr Simon	26 NOV 2022
10 - 13	READE, Michael (30p)	15 AUG 2020
10 -13A	READE, Michael – evidence from Supreme Court trial	21 FEB 2022
10 – 13B	SCOTT, Dr Laura	28 NOV 2022
10 - 14	SORELL, Matthew (28p) plus supporting material	24 JAN 2020
10 - 15	SORELL, Matthew Statement 2 (4p) plus supporting material	12 APR 2020
10 - 16	SORELL, Matthew Statement 3 (11p) plus supporting material	16 SEP 2020
10 - 17	SORELL, Matthew – other material	
10 -17A	SORRELL, Dr Matthew – evidence from Supreme Court trial	23 FEB 2022
10 – 17B	SORRELL, Dr Matthew – statutory declaration re Hawkings BWV	20 AUG 2021
10 – 17C	SORRELL, Dr Matthew – statutory declaration re geolocation data	20 AUG 2021
10 - 18	TIEMENSMA, Marianne (Dr) – summary post-mortem report (2p)	12 NOV 2019
10 - 19	TIEMENSMA, Marianne (Dr) – summary post-mortem report (2p)	12 NOV 2019
10 - 20	TIEMENSMA, Marianne (Dr) – post mortem report (23p) (redacted)	21 JAN 2020
10 - 21	TIEMENSMA, Marianne (Dr) – additional statement (2p)	01 MAY 2020
10 -21A	TIEMENSMA, Dr Marianne – evidence from Committal proceedings	03 SEP 2020
10 -21B	TIEMENSMA, Dr Marianne – evidence from Supreme Court trial	22 FEB 2022

10 - 22	TOWSEY, Dr Keith (12p)	25 MAR 2020
10 -22A	TOWSEY, Dr Keith – evidence from Supreme Court trial	18 FEB 2022
10 – 22AA	VAN HAEFTEN, Bruce – statutory declaration	12 OCT 2022
10 – 22AAA	VAN HAEFTEN, Bruce – resume	NOV 2022
10 – 22B	WATEGO, Professor Chelsea; PORTER, Dr Amanda; SINGH, Dr David; STRAKOSCH, Dr Elizabeth and CERRETO, Anna – expert report “ ‘in normal circumstances’: understanding the structural nature of racial violence in the Northern Territory”	16 SEP 2022
10 – 22C	Documents relevant to 10-22B; namely NAAJA briefing documents and CVs of Professor Watego, Dr Porter, Dr Singh, Dr Strakosch and Anna Cerreto	
10 – 22D	Watego et al supplementary report	14 DEC 2022
Defence Experts		
10 - 23	ACKLAND, Professor Tim - Defence Expert (34p)	22 JUN 2021
10 - 24	BLACK, Dr John - Defence Expert (91p)	04 JUL 2021
10 - 25	LEWINSKI, Dr William - Defence Expert (23p)	02 JUL 2021
10 - 26	McDEVITT, Ben - Defence Expert – Police Shooting at Yuendumu (57p)	29 JUN 2021
10 - 27	McDEVITT, Ben - Defence Expert - NTPF accoutrements and less than lethal UoF options (25p)	16 AUG 2021
10 -27A	McDEVITT Ben – evidence from Supreme Court trial	08 MAR 2022
10 – 27B	McDEVITT, Ben - “Assess and Re-assess: A conflict de-escalation model” - January 1996	
10 - 28	VON KLIEM, Lewis - Defence Expert (49p)	02 JUL 2021
Academics		
10 – 29	DOBOS, Dr Ned – expert statement	31 AUG 2022
10 – 30	HINKSON, Dr Melinda – expert statement	
10 – 31	HOPKINS, Tamar – expert statement	
10 – 31A	McCULLOCH, Dr Jude – expert statement	05 AUG 2022
10 – 32	MUSHARBASH, Dr Yasmine – expert statement	
PART 11 NT POLICE – RECRUITMENT		
11 - 1	NT Police Recruitment Manual (109p)	April 2013

11 - 2	NT Police Assessment Guidelines for recruiting staff and the Integrity Panel (11p)	
11 - 3	NT Police Medical Standards for police recruitment (12p)	January 2009
11 - 4	NT Police recruitment file for Adam DONALDSON	
11 - 5	NT Police recruitment file for James KRISTENFELDT	
PART 12 NT POLICE – CROSS CULTURAL TRAINING		
12 - 1	USB containing a video of a 2.5hour Cross Cultural Presentation provided to current recruits in training	
12 - 2	Policing Between Cultures – Session 1 – Multicultural Awareness – Facilitator Guide (64p)	
12 - 3	Policing Between Cultures – Session 1 – Multicultural Awareness – PowerPoint Presentation (20p)	
12 - 4	Policing Between Cultures – Session 2 – Aboriginal Culture – Facilitators Guide (101p)	
12 - 5	Policing Between Cultures – Session 2 – Aboriginal Culture – PowerPoint Presentation (54p)	
12 - 6	Policing Between Cultures – Session 3 – Community Partnerships and Engagement – Facilitators Guide (81p)	
PART 13 RELEVANT HISTORICAL INQUEST FINDINGS – NORTHERN TERRITORY		
13 - 1	Report of the Inquiry into the death of Jabanardi, 29 July 1980 – Royal Commission into Aboriginal Deaths in Custody – Report presented 27 February 1991 (67p)	27 FEB 1991
13 – 1A	Inquest into the death of Andrew ROSS	09 FEB 1999
13 - 2	Inquest into the death of Eduardo Concepcion, October 1999 – Findings handed down 25 January 2001 (41p)	25 JAN 2001
13 - 3	Inquest into the death of Robert Jongmin, October 2002 – Findings handed down 3 December 2007 (30p)	03 DEC 2007
13 - 4	Correspondence between Minister for Justice @ Attorney – General Mr Chris Burns and Commissioner Of Police Mr Paul White re Robert Jongmin inquest findings. (7p)	08 MAY 2008
13 - 5	Inquest into the death of Kieffan Raggett, October 2007 – Findings handed down 8 April 2007 (29p)	08 APR 2011
13 - 6	Inquest into the death of Cedric Trigger, January 2009 – Findings handed down 19 May 2010 (18p)	19 MAY 2010
13 - 7	Inquest into the death of Terrance Daniel Briscoe, January	17 SEP 2012

	2012 – Findings handed down 17 September 2012 (80p)	
13 - 8	Inquest into the death of Sasha Loreen Napaljarri Green, November 2013 – Findings handed down 21 June 2018 (32p)	21 JUN 2018
PART 14 RELEVANT HISTORICAL INQUEST FINDINGS - QUEENSLAND		
14 - 1	Findings of Inquest into the death of Edward Wayne Logan, 23 November 2014 – Findings handed down 14 December 2015 (15p)	14 DEC 2015
14 - 2	Findings of Inquest into the deaths of Anthony William Young, David Kenneth Baring Young and Louise Alexandra Dekens, 21 August 2013 – Findings handed down – 14 December 2015 (19p)	14 DEC 2015
14 - 3	Findings of Inquest into the death of Shaun Basil Kumeroa, 29 September 2014 – Findings handed down 18 January 2016 (19p)	18 JAN 2016
14 - 4	Findings of Inquest into the death of Laval Donovan Zimmer, 18 November 2014 – Findings handed down 3 May 2016 (22p)	03 MAY 2016
14 - 5	Findings of Inquest into the death of Troy Martin Foster, 24 November 2014 – Findings handed down 3 May 2016 (28p)	03 MAY 2016
14 - 6	Recommendations from Inquest into the deaths of Young, Kumeroa, Logan, Zimmer and Foster – Delivered 20 October 2017 (94p)	20 OCT 2017
14 - 7	Queensland Police response to recommendations from the Inquest into the deaths of Young, Kumeroa, Logan, Zimmer and Foster (23p)	UNDATED
PART 15 QUEENSLAND POLICE – TASK FORCE BLETCHLEY		
15 - 1	Queensland Police – Task Force Bletchley – A review into the use of force by Queensland Police – 2015	
PART 16 THE STEPHEN LAWRENCE INQUIRY – UNITED KINGDOM		
16 - 1	Inquiry Into The Matters Arising From The Death of Stephen Lawrence (United Kingdom). Report dated 15 February 1999	15 FEB 1999
PART 17 POLICIES		
17 - 1	ANZPAA Use of Force Principles (1p)	
17 - 2	Operational Safety and Use of Force General Order (2p)	14 JUN 2018

17 - 3	Operational Safety and Use of Force Instruction v1.4 (37p)	17 SEP 2020
17 - 4	Police Practices & Procedures - Operational Safety Principles	26 SEP 2018
17 - 5	Arrests – General Order (10p)	20 APR 2017
17 - 6	Coronial Investigation and Inquests – General Order (21p)	04 DEC 2014
17 - 7	Deaths In Custody – General Order (22p)	10 NOV 2011
17 - 8	Major Crime, Major Investigation and Critical Incident Response Instruction v1.0 (23p)	15 NOV 2018
17 - 9	Police Negotiation Unit – General Order (19p)	08 NOV 2012
17 - 10	Territory Response Group – General Order (10p)	23 OCT 2014
17 - 11	Custody and Transport General Order (2p)	20 SEP 2018
17 - 12	Custody and Transport Instruction v1.2 (87p)	12 FEB 2020
17 – 12A	Custody and Transport Instruction v1.3	14 OCT 2022
17 - 13	Critical Incident Response – superseded (17p)	16 APR 2009
17 - 14	Police Training – Defensive Tactics, Facilitator Guide v3.1 (83p)	
17 - 15	Police Training – Operational Safety, Incident Management, Facilitator Guide v4.1 (90p)	
17 - 16	Firearms Operational Safety Manual v1.0 (112p)	
17 - 17	Firearms Training – Pre-Requalification Reading (8p)	
17 - 18	Glock Requalification lesson plan (2p)	
17 - 19	Firearms Accuracy Qualification Assessment (2p)	
17 - 20	United Nations – Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (4p)	
17 - 21	Australian Centre For Policing Research – National minimum guidelines for incident management, conflict resolution and use of force (156p)	
17 - 22	Australian Centre For Policing Research – National Guideline Compendium, Police Use of Lethal Force, Deployment of Police in High Risk Situations, Deployment of Police Negotiators (32p)	
17 - 23	Standard Operating Procedures - Alice Springs Immediate Response Team (14p)	30 JUN 2017
17 - 24	Dog Operations Unit General Order - superseded _Redacted	
17 - 25	Dog Operations Instruction_Redacted	

17 - 26	NT Police General Order W1 Warrants	
17 - 27	Complaints Against Police General Order	
17 - 28	General Order: Code of Conduct and Ethics	
17 - 29	General Order Note Taking, Notebooks, Diaries	01 JUN 2012
17 - 30	General Order Crime (Homicide and Serious) Investigation	21 NOV 2022
17 - 31	NTPFES Policy "Aboriginal Customary Law Involving Payback"	03 NOV 2005
17 - 32	Revoked General Order Aboriginal Customary Law involving "Payback"	23 OCT 2014
17 - 33	General Order: Rank Qualification and Development Pathway	13 JUL 2022
17 - 34	General Order: Bail	04 DEC 2014
PART 18 OTHER POLICE MATERIAL		
18 - 1	IRT Training records (27p)	01 JAN 2017- 26 NOV 2019
18 - 2	Email correspondence "FW: IRT deployment to remote locations – Interim measures" Beer, Currie, Pollock, Hebb, Morgan (19p)	18 NOV 2019- 19 NOV 2019
18 - 3	Email correspondence "RE: IRT deployment to remote locations – Interim measures" Beer, Murphy, Currie, Pollock, Hebb, Morgan (6p)	18 NOV 2019- 27 NOV 2019
18 - 4	Email correspondence "RE: Use of Force" Donaldson and Anticich (2p)	29 NOV 2019
18 - 5	Email correspondence "RE: UOF" Bacon, Anticich, Hebb, White, O'Brien and Dole (3p)	02 DEC 2019
18 - 6	Email correspondence "FW: Your statement operation Charwell" Dole, Anticich, Beer, Wellfair (16p)	28 JAN 2020
18 - 7	Email correspondence "RE: Zack Rolfe – Military disciplinary history" Anticich, Dole, Morgan (3p)	28 JAN 2020
18 - 8	Email correspondence "Recruit Vetting Process" Anticich, Dole, Morgan,	28 JAN 2020- 04 FEB 2020
18 - 9	Email correspondence "FW: Op Charwell – coronial investigation – statement required" Morgan, Beer (6p)	05 FEB 2020- 06 FEB 2020
18 - 10	Article "You can't charge me, I'm a cop: should police, corrections staff and law enforcement officers be immune from criminal liability for actions carried out against vulnerable	2018

	people in the course of their duties?” by Stephen Gray	
18 - 11	Email correspondence “Top 10: UOF / EVD” Fernandes, Anticich attaching use of force data (4p)	30 JAN 2020-01 MAY 2020
18 - 12	Email attaching Terms of reference for Organisational Response Steering Committee (4p)	13 MAY 2020
18 - 13	Email attaching updated Terms of reference for Organisational Response Steering Committee (4p)	15 MAY 2020
18 - 14	Police Administration Act 1978 Section 19 Aboriginal Community Police and auxiliaries	
18 - 15	NTPOL ACPO Schedule of powers	23 MAY 2022
18 - 16	Yuendumu Station Profile	
18 - 17	Draft induction document dated 2020	
18 - 18	Station Profile 2014	
18 - 19	Yuendumu Police Station 2022 Induction document	
18 - 20	NTPF Workplace Induction	10 OCT 2013
18 - 21	NTPOL Types of PROMIS alerts	
<i>IRT deployments to Borroloola</i>		
18 - 22	NT PROMIS entries for deployments to Borroloola	
18 - 23	NT Police Case Note: (44027005) Escape Custody – Borroloola	26 DEC 2018
18 - 24	NT Police Case Note: (44027765) NOBLE arrested	28 DEC 2018
18 - 25	NT Police Case Note: (44027732) Running sheet	28 DEC 2018
18 - 26	NT Police IJIS Offender Journal	28 DEC 2018
18 - 27	Statement of facts 21853160	
18 - 28	NTPF Consent Agreement 2019	
PART 19 CRIMINAL PROSECUTION		
19 - 1	R v Rolfe – statement of facts (7p)	19.12.2019
19 - 2	Considerations in relation to bail (5p)	
19 - 3	Bail Form (3p)	13 NOV 2019
19 - 4	Notice to prosecutors (1p)	
19 - 5	Folio index	

19 - 6	Witness index	
<i>Transcripts</i>		
19 - 7	Local Court – mention (5p)	19.12.2019
19 - 8	Local Court – mention (5p)	09.04.2020
19 - 9	Local Court – mention (7p)	22.07.2020
19 - 10	Local Court – mention (27p)	14.08.2020
19 - 11	Local Court – committal day one (81p)	01.09.2020
19 - 12	Local Court - committal day two (91p)	02.09.2020
19 - 13	Local Court - committal day three (70p)	03.09.2020
19 - 14	Local Court – committal submissions (38p)	25.09.2020
19 - 15	Supreme Court (7p)	20.01.2021
19 - 16	Supreme Court (8p)	31.03.2021
19 - 17	Supreme Court (6p)	23.08.2021
19 - 18	Supreme Court (55p)	20.12.2021
19 - 19	Supreme Court (93p)	21.12.2021
19 - 20	Supreme Court – trial (22p) (published)	07.02.2022
19 - 21	Supreme Court – trial (51p) (published)	08.02.2022
19 - 22	Supreme Court – trial (62p) (published)	09.02.2022
19 - 23	Supreme Court – trial (54p) (published)	10.02.2022
19 - 24	Supreme Court – trial (70p) (published)	11.02.2022
19 - 25	Supreme Court – trial (72p) (published)	14.02.2022
19 - 26	Supreme Court – trial (59p) (published)	15.02.2022
19 - 27	Supreme Court – trial (64p) (published)	16.02.2022
19 - 28	Supreme Court – trial (62p) (published)	17.02.2022
19 - 29	Supreme Court – trial (59p) (published)	18.02.2022
19 - 30	Supreme Court – trial (45p) (published)	21.02.2022
19 - 31	Supreme Court – trial (63p) - (published)	22.02.2022
19 - 32	Supreme Court – trial (62p) - (published)	23.02.2022
19 - 33	Supreme Court – trial (61p) - (published)	24.02.2022
19 - 34	Supreme Court – trial (53p) - (published)	25.02.2022

19 - 35	Supreme Court – trial (51p) - (published)	28.02.2022
19 - 36	Supreme Court – trial (63p) - (published)	01.03.2022
19 - 37	Supreme Court – trial (67p) - (published)	02.03.2022
19 - 38	Supreme Court – trial (60p) - (published)	03.03.2022
19 - 39	Supreme Court – trial (73p) - (published)	04.03.2022
19 - 40	Supreme Court – trial (42p) - (published)	07.03.2022
19 - 41	Supreme Court – trial (72p) - (published)	08.03.2022
19 - 42	Supreme Court – trial (57p) - (published)	09.03.2022
19 - 43	Supreme Court – trial (51p) - (published)	10.03.2022
19 - 44	Supreme Court – trial (3p) - (published)	11.03.2022
<i>Judgments</i>		
19 - 45	<i>The Queen v Rolfe (No 1)</i> [2020] NTSC 80 (16p)	17.12.2020
19 - 46	<i>The Queen v Rolfe (No. 2)</i> [2021] NTSC 45 (21p)	18.06.2021
19 - 47	<i>The Queen v Rolfe (No 3)</i> [2021] NTSC 46 (15p)	22.06.2021
19 - 48	<i>The Queen v Rolfe (No. 4)</i> [2021] NTSC 58 (43p)	13.08.2021
19 - 49	<i>The Queen v Rolfe (No 5)</i> [2021] NTSCFC 6 (100p)	13.08.2021
19 - 50	<i>The Queen v Rolfe (No 6)</i> [2021] NTSC 65 (18p)	19.08.2021
19 - 51	<i>The Queen v Rolfe</i> [2021] HCA 38 (17p)	10.11.2021
19 - 52	<i>The Queen v Rolfe (No 7)</i> [2022] NTSC 1 (63p)	20.01.2022
19 - 53	<i>The Queen v Rolfe (No 8)</i> [2022] NTSC 11 (17p)	22.02.2022
19 - 54	<i>The Queen v Rolfe (No 9)</i> [2022] NTSC 22 (6p)	30.03.2022
<i>Trial MFIs and Exhibits</i>		Tendered
19 - 55	Agreed trial exhibit list (12p)	07.02.2022- 10.03.2022
19 - 56	Exhibit 1: Crown bundle of documents including Agreed Facts	08 FEB 2022
19 - 57	Exhibit 2: Crown bundle including BWV transcripts and still images of axe incident on 06.11.2019 and CCTV still images of Yuendumu Police Station on 09.11.2019	09 FEB 2022
19 - 58	Exhibit 7: Person Entity Profile Report for Kumanjayi Walker (created on 24.08.2020)	10 FEB 2022
19 - 59	Exhibit 8: PROMIS Case Note (44194706) (axe incident)	10 FEB 2022

	(created on 06.11.2019)	
19 - 60	Exhibit 9: Sketch plan of Yuendumu Police Station Muster Room	10 FEB 2022
19 - 61	Exhibit 12: BWV transcript of SC Anthony Hawkings at Yuendumu Police Station (aftermath of shooting incident; 09.11.2019; 9.12pm)	10 FEB 2022
19 - 62	Exhibit 13: Email from Detective Sgt Wayne Newell to Sgt Julie Frost (18.11.2020)	11 FEB 2022
19 - 63	Exhibit 14: Standard Operating Procedures (Alice Springs – Immediate Response Team)	11 FEB 2022
19 - 64	Exhibit 20: Sketch plan of IRT briefing at Alice Springs Police Station on 09.11.2019 prepared by Constable 1/C Breanna Bonney	14 FEB 2022
19 - 65	Exhibit 25: Crown bundle of shooting incident (BWV transcripts & still images from 09.11.2019)	17 FEB 2022
19 - 66	Exhibit 27: Aerial image of House 511 marked by SC Anthony Hawkings	17 FEB 2022
19 - 67	Exhibit 31: BWV transcript of SC Anthony Hawkings at Yuendumu Police Station (aftermath of shooting incident; 09.11.2019; 7.30pm)	17 FEB 2022
19 - 68	Exhibit 37: Part 4 (Edged and Blunt Weapon Awareness) of Police 'Defensive Tactics' Training Module (Facilitator Guide)	18 FEB 2022
19 - 69	Exhibit 40: Bundle of four forensic photographs of the scissors	21 FEB 2022
19 - 70	Exhibit 49: Bundle of two annotated photographs of the T-shirt worn by the deceased at the time of the shooting incident	21 FEB 2022
19 - 71	Exhibit 51: Summary of forensic examination and findings in relation to the scissors prepared by forensic biologist Kate Cheong-Wing	21 FEB 2022
19 - 72	Exhibit 52: Bundle of three annotated photographs of the Police issue shirt worn by the accused on 09.11.2019	21 FEB 2022
19 - 73	Exhibit 53: Summary of forensic examination and findings in relation to the Police issue shirt worn by the accused on 09.11.2019 prepared by forensic biologist Kate Cheong-Wing	21 FEB 2022
19 - 74	Exhibit 54: Bundle of three annotated photographs of the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019	21 FEB 2022
19 - 75	Exhibit 55: Summary of forensic examination and findings in relation to the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by forensic biologist Kate	21 FEB 2022

	Cheong-Wing	
19 - 76	Exhibit 56: Curriculum vitae of Dr Marianne Tiemensma	22 FEB 2022
19 - 77	Exhibit 57: Diagram and annotated photograph of bullet wounds to the body of the deceased prepared by Dr Marianne Tiemensma	22 FEB 2022
19 - 78	Exhibit 58: Bundle of email correspondence between Dr Marianne Tiemensma and investigating officers/DPP (16.03.2020 – 24.08.2020)	22 FEB 2022
19 - 79	Exhibit 61: myADAPT Police training overview for Remote Sgt Adam Eberl	23 FEB 2022
19 - 80	Exhibit 62: Crown bundle of NTPF Orders and Guidelines including Defensive Tactics facilitator guide	23 FEB 2022
19 - 81	Exhibit 63: Cordon and Containment Course Southern Command Joining Instructions (08.05.2017-19.05.2017)	23 FEB 2022
19 - 82	Exhibit 65: Cordon and Containment Course Southern Command Joining Instructions (08.05.2017-19.05.2017)	24 FEB 2022
19 - 83	Exhibit 66: Email correspondence between Timothy Simpson and an investigating officer (25.05.2020)	24 FEB 2022
19 - 84	Exhibit 67: Bundle of four photographs depicting damage to the black tactical vest with plate worn by the accused on 09.11.2019	24 FEB 2022
19 - 85	Exhibit 68: Email correspondence between Timothy Simpson and the parties to these proceedings (03.02.2022)	24 FEB 2022
19 - 86	Exhibit 69: Bundle of three reports and curriculum vitae prepared by Dr Andrew McIntosh	25 FEB 2022
19 - 87	Exhibit 71: Curriculum vitae of Dr Paull Botterill	25 FEB 2022
19 - 88	Exhibit 72: Report prepared by Dr Paull Botterill (02.06.2020)	25 FEB 2022
19 - 89	Exhibit 73: Email correspondence between Dr Paull Botterill and an investigating officer (15.07.2020; 28.07.2020)	25 FEB 2022
19 - 90	Exhibit 74: Curriculum vitae of Dr Joannah Lee	28 FEB 2022
19 - 91	Exhibit 75: Bundle of five annotated photographs of the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by Dr Joannah Lee (19.01.2022)	28 FEB 2022
19 - 92	Exhibit 76: Summary of results of forensic DNA analysis in relation to the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by Dr Joannah Lee	28 FEB 2022
19 - 93	Exhibit 77: Curriculum vitae of Detective Senior Sgt Andrew	28 FEB 2022

	Barram	
19 - 94	Exhibit 78: Bundle of documents relating to Senior Sgt Barram's evidence including Police training exam papers completed by the accused + Police training Assessment Instrument relating to the accused (10.11.2016)	28 FEB 2022
19 - 95	Exhibit 79: Facebook post by Detective Senior Sgt Andrew Barram sharing video (copy of video at Exhibit 80) (02.10.2019)	2 MAR 2022
19 - 96	Exhibit 81: NTPFES Person Location Record relating to the accused (24.02.2022)	02 MAR 2022
19 - 97	Exhibit 82: Bundle of email correspondence between Dr Keith Towsey and investigating officers/DPP (15.07.2020 to 24.08.2020)	02 MAR 2022
19 - 98	<i>Exhibit 83: Curriculum vitae of Ben McDevitt</i>	08 MAR 2022
19 - 99	<i>Exhibit 84: Bundle of four documents relating to a Police use of force model developed by Ben McDevitt</i>	08 MAR 2022
19 - 100	Electronic exhibits: exhibit 12, 25, 31, 39, 59, 60, 80	
<i>Suppression and non—publication Orders</i>		Tendered
19 - 101	Order made by Chief Judge Morris	21 FEB 2020
19 - 102	Order made by Judge Birch	01 JUL 2020
19 - 103	Order made by Judge Birch	03 SEP 2020
19 - 104	Order made by Chief Judge Morris	08 SEP 2020
19 - 105	Order made by Judge Birch	26 OCT 2020
19 - 106	Order made by Acting Justice Mildren	11 DEC 2020
19 - 107	Order made by Acting Justice Mildren	18 JUN 2021
19 - 108	Order made by Acting Justice Mildren	19 JUL 2021
19 - 109	Order made by Acting Chief Justice Southwood	22 JUL 2021
19 - 110	Order made by Acting Chief Justice Southwood	28 JUL 2021
19 - 111	Order made by Acting Justice Mildren	30 JUL 2021
19 - 112	Order made by Acting Justice Mildren	13 AUG 2021
19 - 113	Amended Order made by Justice Southwood	17 AUG 2021
19 - 114	Order made by Chief Justice Grant	19 NOV 2021
19 - 115	Order made by Justice Burns	20 DEC 2021

19 - 116	Order made by Justice Burns	20 JAN 2022
19 - 117	Order made by Justice Burns	31 JAN 2022
19 - 118	Amended Order made by Justice Burns	09 FEB 2022
19 - 119	Order made by Justice Burns	15 FEB 2022
19 - 120	Order made by Justice Burns	16 FEB 2022
19 - 121	Order made by Justice Burns	18 FEB 2022
19 - 122	Order made by Justice Burns	22 FEB 2022
19 - 123	Order made by Justice Burns	01 MAR 2022
19 - 124	Order made by Justice Burns	03 MAR 2022
PART 20 OTHER MATERIAL		
<i>NORTHERN TERRITORY ABORIGINAL JUSTICE AGREEMENT</i>		
20 - 1	Letter Streeton Lawyers to Human Rights Commission	06 MAY 2020
20-2	Northern Territory Aboriginal Justice Agreement 2021-2027	
20-3	Northern Territory Aboriginal Justice Agreement Action Plan 2021-2022	
20-4	Northern Territory Aboriginal Justice Agreement Implementation Strategy 2021-2027	
20-5	Pathways to the Northern Territory Aboriginal Justice Agreement	
<i>MILITARY RECORDS</i>		
20-6	Military records for Adam DONALDSON	
20-7	Military records for James KRISTENFELDT	
<i>Material from Royal Commission into the Protection and Detention of Children in the Northern Territory</i>		
20-8	BATH, Dr Howard – report “Growing them Strong, Together: Promoting the Safety and Wellbeing of the Northern Territory’s Children”.	
20-9	BATH, Dr Howard – statement	01 OCT 2016
20-10	BATH, Dr Howard – transcript of evidence at the Royal Commission	31 MAY 2017

20 – 10A	HOWARD, Dr Damien – statement to the Royal Commission	05 OCT 2016
20 – 10B	HOWARD, Dr Damien – evidence to the Royal Commission	13 OCT 2016
20-11	Final Report, Chapter 25: The Path into Detention	
<i>Legal Issues in Inquests</i>		
20-12	Aberdeen, John “Blowed off by a side wind”? Coronial inquests following criminal acquittals” J Law Med 2016 Mar 23(5):595-608	
20-13	Freckleton QC, Ian “Procedural Fairness and the Coroner” (2018) 26 JLM 7	
20-14	Freckleton QC, Ian “Minimising the Counter-Therapeutic effects of Coronial Investigations: In search of balance” QUT Law Review 16(3) 4-29	
20 – 14A	NEWHOUSE, George, GHEZELBASH, Daniel and WHITTAKER, Alison – article “The Experience of Aboriginal and Torres Strait Islander Participants in Australia’s Coronial Inquest System: Reflections from the Front Line” – <i>International Journal for Crime, Justice and Social Democracy</i> 9(4) 2020	2020
20 – 14B	Victorian Equal Opportunity & Human Rights Commission & Victorian Aboriginal Legal Service “Resource: Investigating systemic racism – a Tanya Day inquest resource for advocates and lawyers”	
<i>Academic articles</i>		
20 – 14C	ATKINSON, Judy “Thea Astley Address” 2022	
20-15	Butler, Judith “Endangered/Endangering: Schematic Racism and White Paranoia” 1993, in <i>Reading Rodney King: Reading Urban Uprising</i>, ed. Robert Gooding-Williams, 15-22. New York and London: Routledge	
20 – 15A	CARLSON, Bronwyn & FRAZER, Ryan (2015) “It’s like going to a cemetery and lighting a candle: Aboriginal Australians, sorry business and social Media” <i>AlterNative: an international journal of indigenous peoples</i> , 11 (3), 211-224	
20-16	Chapman, Lora Elizabeth “‘Cop chasing’ in Alice Springs: Youth Experiences of surveillance in a Central Australian Town” 2022 <i>The Australian Journal of Anthropology</i> special edition	
20-16A	COOMBS, Dr HC and STANNER, Prof WEH (1974) Report on Visit to Yuendumu and Hooker Creek	

20-17	Curran, Georgia "Justice for Walker: Warlpiri responses to the police shooting of Kumanjaji Walker" 2022 The Australian Journal of Anthropology special edition	
20-18	Daly, Professor Anne & Barrett, Greg "Independent Cost Benefit Analysis of the Yuendumu Mediation and Justice Committee" 2014	
20-19	Finnane, Mark & Finnane, Kieran (2011) A Death in Alice Springs, Current Issues in Criminal Justice, 23:2, 255-271	
20-20	Folds, Ralph "Aboriginal crime at the cultural interface in Central Australia" Crime Media Culture 2019, Vol. 15(1) 107-124	
20-20A	HINKSON, Melinda 2014 'Remembering the Future: Warlpiri Life through the prism of drawing' Preface and Chapter 2	
20-21	Hinkson, Melinda "Afterward: Context erasure" 2022 The Australian Journal of Anthropology special edition	
20-21A	HOLLINSWORTH, David "Cultural awareness training, racism awareness training or antiracism?: Strategies for combating institutional racism" 1992 Journal of Intercultural Studies 13:2, 37-52	
20-22	Horton, Patrick "Carceral spectres: hyperincarceration and the haunting of Aboriginal life" 2022 The Australian Journal of Anthropology special edition	
20 – 22A	HOWARD, Dr Damien & BARNEY, Jody – article "How mainstream services are failing the many indigenous people with hearing loss in custody" – The Mandarin	22 JUN 2020
20 – 22B	HOWARD, Dr Damien & Others – article "The link between hearing impairment and child maltreatment among Aboriginal children in the Northern Territory of Australia: is there an opportunity for a public health approach in child protection?" <i>BMC Public Health</i> (2020) 20:449	
20 – 22C	McFARLANE, Professor Alexander & Others – article "Problem anger in veterans and military personnel: Prevalence, predictors, and associated harms of suicide and violence" <i>Journal of Psychiatric Research</i> 151 (2022) 57-64	2022
20 – 22D	McFARLANE, Professor Alexander & Others – article "The role of inhibitory process in the relationship between subsyndromal PTSD symptoms and aggressive behaviour" <i>Journal of Psychiatric Research</i> 143 (2021) 357-363	2021
20 – 22E	McFARLANE, Professor Alexander – book chapter "Anger in occupations characterised by repeated threat and stress exposure"	
20 – 22F	McFARLANE, Professor Alexander – submission to senate Inquiry "The People behind 000"	20 JUN 2018
20-23	Musharbash, Yasmine "Yuendumu CDEP: The Warlpiri work ethic and Kardiya staff turnover" 2004 in <i>The Indigenous Welfare Economy and the CDEP Scheme</i>, ed F. Morphy and W.G. Sanders, 153-165. ANU Press	
20-24	Musharbash, Yasmine <i>Yuendumu Everyday: Contemporary life in remote Aboriginal Australia</i> 2008 Aboriginal Studies Press	

20-25	Musharbash, Yasmine “Warlpiri fears/whitefella fears: Ways of being in Central Australia seen through an emotion” 2009 <i>Emotion Space and Society</i> 3 (2010) 95-102	
20-26	Musharbash, Yasmine “‘Only whitefella take that road’: Culture seen through the intervention at Yuendumu” 2010 in <i>Culture Crisis: Anthropology and Politics in Aboriginal Australia</i>, ed. John Altman and Melinda Hinkson, 212-225	
20-27	Musharbash, Yasmine “Monstrous Transformations: A Case Study from Central Australia” 2014, in <i>Monster Anthropology in Australasia and Beyond</i>, ed. Yasmine Musharbash and Geir Henning Presterudstuen, 39-55. Palgrave Macmillan New York	
20-28	Musharbash, Yasmine (2017) “Telling Warlpiri Dog Stories”, <i>Anthropological Forum</i>, 27:2, 95-113,	
20-29	Musharbash, Yasmine “A Story in and on Signs: Making Resistance and Acquiescence Legible as Forms of Resilience” 2019, in <i>Pacific Realities: Changing Perspectives on Resilience and Resistance</i>, ed. Laurent Dousset and Melissa Nayral, 23-43. New York and Oxford: Berghahn	
20-30	Musharbash, Yasmine “An Introduction in 3 parts: Anthropological perspectives on the shooting of Kumanjayi Walker” 2022 <i>The Australian Journal of Anthropology</i> special edition	
20 – 30A	MUSHARBASH, Yasmine “‘Sorry Business is Yapa Way’: Warlpiri Mortuary Rituals as Embodied Practice” 2009, in <i>Mortality, Mourning and Mortuary Practices in Indigenous Australia</i> , edited by Katie Glaskin et al. Pp. 21-36	
20-31	Pawu-Kurlpurlurnu WJ, Holmes M and Box L. 2008. <i>Ngurra-kurlu: A way of working with Warlpiri people</i>, DKCRC Report 41. Desert Knowledge CRC, Alice Springs	
20-32	Perera, Suvendrini and Pugliese, Joseph “Death in a Dry River: Black Life, White Property, Parched Justice” 2011) <i>Somatechnics</i> 1.1: 65-86	
20 – 32A	PERRY, Bruce and HAMBRICK, Erin “The Neurosequential Model of Therapeutics” 2008 <i>Reclaiming Children and Youth</i> 17.3:38-43	
20 – 32B	RANZIIN, Rob, McCONNOCHIE, Keith and NOLAN, Wendy “Psychology and Indigenous Australians: Effective Teaching and Practice” 2008 Cambridge Scholars Publishing	
20-33	Razack, Sherene H. “Settler Colonialism, Policing and Racial Terror: The Police Shooting of Loreal Tsingine” 2020 <i>Feminist Legal Studies</i> 28:1-20	

20-34	Redmond, Anthony “Military policing and labour extraction in the north-west Kimberley” 2022 The Australian Journal of Anthropology special edition	
20-35	Scarfe, Liz “Erasing Trauma – Erasing Indigeneity: How the settler colonial state erased Warlpiri trauma in the wake of the police shooting of Kumanjayi Walker” 2022 The Australian Journal of Anthropology special edition	
20-36	Vaarzon-Morel, Petronella “Hope in a time of world-shattering events and unbearable situations: policing and an emergent 'ethics of dwelling' in Lander Warlpiri Country” 2022 The Australian Journal of Anthropology special edition	
<i>FASD material</i>		
20-37	Fetal Alcohol Spectrum Disorder (FASD): An update on police and practice in Australia	2022
<i>Other</i>		
20 – 38	Australian Institute of Criminology report – Deaths in custody in Australian 2020-2021	2021
20 – 39	Australian Institute of Health and Welfare – Hearing health outreach services for Aboriginal and Torres Strait Islander children in the Northern Territory July 2012 to December 2020	2021
20 – 40	Human Rights Commission – Indigenous deaths in custody 1989-1996 Profile – Male 48 died 28 April 1990, Elcho Island NT	
20 – 41	KORF, Jens – article “Ear health and Hearing Loss” – Creative Spirits	20 MAR 2020
20 – 42	NT Health “Hearing loss is preventable”	03 MAR 2020
20 – 43	PANTHEE, Madhu Yuendumu Peace Mission Presentation	
20 – 44	Senate Report “The People behind 000: mental health of our first responders”	FEB 2019
20 – 45	Root Cause Analysis (RCA) - Department of Health responses to a Critical Incident in Yuendumu in November 2019	14 JAN 2021
20 – 46	7New Spotlight - Life and Death (45m56s) – recording	
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THE CORONIAL INQUEST INTO THE DEATH OF KUMANJAYI WALKER

COMMUNITY EDUCATION KEY MESSAGES

What is a Coronial Inquest?

At an Inquest the Coroner's job is to work out how someone died.

The Coroner does this by listening to people tell their stories and by reading documents and looking at other evidence, like videos and pictures.

Most of the Inquest happens in a courtroom.

During Kumanjayi Walker's Inquest, the Coroner will listen to evidence about:

- What happened when Kumanjayi died;
- What caused Kumanjayi's death;
- What happened before and after he died;
- Whether there are bigger issues that might have led to his death. For example:
 - Issues with the police;
 - Issues at a health clinic;
 - Other issues in the community
- Whether there should be some changes (like to police training or how Yapa and Kardiya can work together) to try to make sure this doesn't happen again?

What can and can't the Coroner do at the end of the Inquest?

At the end of the Inquest, the Coroner will write a report. In the Report:

- The Coroner will say what she thinks happened. For example, she will say when Kumanjayi died, what caused the death, and whether there were any bigger issues or problems that led to his death. This part of the report is called the Coroner's "**findings**".
- The Coroner can tell other groups (including the Government, Police and Health) if there are things that the Coroner thinks should change to make things better. This part of the report is called the Coroner's "**recommendations**". She can't force people to do what she recommends, but what she says is taken very seriously. There have been inquests that have made really good changes, that mean community is safer.

The end of an Inquest is different to the end of a criminal trial.

- **At the end of a criminal trial**, the jury decides if a person is guilty or not-guilty. That is the only thing the jury is allowed to think about. If the jury says the person is guilty, then the judge punishes the guilty person.
- **At the end of an Inquest**, the Coroner is not allowed to decide whether ANY person is guilty or not-guilty. The Coroner is not allowed to punish people for things that happened in the past. The Coroner's job is to try to make sure that the same things don't happen in the future.

At the end of an Inquest, the Coroner cannot order a retrial:

- Normally, if a person is found not guilty by a jury, that decision is final.
- The Coroner is not allowed to change the jury's decision from not-guilty to guilty.
- The Coroner is not allowed to order that there should be a new trial in front of a different jury.

What is the reason for having a Coronial Inquest?

There are two big reasons to have an Inquest:

- The **first reason** to have an Inquest is that it allows the full truth to be told about how Kumanjayi died. Because the Coroner needs to think about bigger issues that might be related to his death, the Coroner can hear more evidence than a jury can at a criminal trial. The Coroner can also listen to more witnesses than a jury at a criminal trial, for example, Yapa witnesses from Yuendumu.
- The **second reason** to have an Inquest is to try to make sure that in the future people don't die in the same way again.

What kinds of issues will the Coroner look at in this Inquest?

The Coroner will look at a very big list of issues during the Inquest.

Some of those issues are:

- How did Kumanjayi die?
- What did police do to arrest Kumanjayi? Should the police have done things differently? Are there police policies or rules that need to be changed? When should police be allowed to carry guns in community?
- What happened after he was shot and why?
- Why did the health clinic staff leave Yuendumu?

- Are there ways to make sure that young people like Kumanjayi aren't getting into trouble with the police?
- What changes do family and the community want following his death?

At the end of this document, there is a longer list of the types of issues the Coroner will think about.

Who is the Coroner?

The Coroner's name is Elisabeth Armitage. She is a judge of the Local Court of the Northern Territory as well as the Coroner. The Local Court is a different court to the Supreme Court, which heard Zachary Rolfe's trial.

The Coroner has lived and worked in the Northern Territory for more than 20 years. She has done lots of work in indigenous communities, including Walrpiri communities like Lajamanu. At the moment, she is the judge for communities like Angurugu and Umbakumba, on Groote Eylandt, and for Numbulwar.

The Coroner is neutral, like an umpire. She isn't on anyone's side. The Coroner must listen to all of the evidence and all of the submissions by all the lawyers. When she has listened to all of the evidence and the submissions she must decide what happened in a fair and independent way.

In the lead up to the Inquest, and during the Inquest, the Coroner will make sure enough evidence is heard to get the full story. The Coroner can also decide how that evidence can be shared with her so that everyone that needs to share their story can do so safely.

Who else is working on the Inquest?

Counsel Assisting

The "counsel assisting" are the lawyers who help the Coroner. Their names are Peggy Dwyer and Paddy Coleridge. The one who will do most of the talking in Court is Peggy Dwyer.

You might see Peggy and Paddy in the community in Yuendumu, listening to people's stories and helping to explain what is happening. You can tell Peggy or Paddy if you want to tell your story again in Court. You don't have to. It's up to you to decide.

Like the Coroner, counsel assisting are neutral. They are not on anyone's side.

Counsel assisting's job is to help the Coroner. For example, counsel assisting:

- Work out who wants to tell their story to the Coroner;
- Ask most of the questions of witnesses in Court at the Inquest; and
- Make submissions to the Coroner about what happened and what recommendations

should be.

An important part of counsel assisting's job is to talk to people in the community, and all of the lawyers for the other parties, to encourage them to work together.

The parties and their lawyers

"The parties" are people or groups or organisations who are allowed to question witnesses, or make submissions to the Coroner at the Inquest, through their lawyers.

They are allowed to do this because:

- They might have seen or heard what happened around the time of Kumanjayi's death;
- They might have special knowledge that is important to help the Coroner understand his death; or
- They might have good ideas about how things should change to stop deaths, like Kumanjayi's, from happening in the future.

In this case, the parties are:

- The Brown family;
- The Lane, Walker and Robertson families;
- The Parumparru Committee;
- The North Australia Aboriginal Justice Agency (NAAJA);
- Zachary Rolfe;
- The Northern Territory Police Force, including the Commissioner;
- The Northern Territory Department of Health.

The parties each have their own lawyers.

Where and when will the Inquest be?

The Inquest will start on 5 September this year.

The Inquest will start in Alice Springs. The Inquest will probably continue for three months, until the end of November. During this time the Coroner will hear most of the

evidence in the Inquest. The inquest will be “Live streamed” so people can watch it on the computer. The Coroner is working to set up some places in Yuendumu where people can watch the inquest on a screen, if they can’t get into Alice Springs.

At the end of November, after the evidence has been heard, the parties can tell the Coroner what they think all the evidence means and what should be done for the future. These are called submissions.

During the Inquest there will be some breaks, when everyone can rest and think about what has been happening and prepare for the next part of the Inquest. For example, there will be no Court in the week of 3-7 October, and no Court in the week of 7-11 November. If there is not enough time to finish all the evidence and submissions, there might be some more time added to the Inquest in early 2023.

Once all the evidence and submissions are finished, the Coroner will take some time to write her report (with the findings and recommendations). This might take about two or three months.

The Coroner’s findings need to bring everyone’s stories together to say as best as she can what the true story is. The Counsel Assisting and the Coroner will work very hard to make sure everyone’s parts of the story are heard.

But, because the stories all come from lots of different people with different points of view, sometimes people might not fully agree with the story. The Coroner asks everyone to listen to each other, and try to understand each other, so we can work together to keep everyone safe.

What should I do if I want to share my story or want support?

The best chance the Coroner has to find the true story is for everyone to be honest and share their stories. This can be a hard thing to do because it is a hard story to tell when someone dies.

If you need some help or support to tell your story, or if you are sad or feeling sorry, you can do a few different things:

- If you have a lawyer already, then speak to them first so they can help you to write your story down;
- If you don’t have a lawyer, or after you have spoken with your lawyer, then you can talk to Peggy and Paddy. They will be patient with you and try to help you tell your story and write it down. You can call this number to speak to Paddy or Peggy (08) 8999 7770.

Coroner Elisabeth Armitage's visit to Yuendumu

Monday 14th November 2022

1) 10.00 am Warlpiri Welcome by Yuendumu Cultural Authority

Senior Warlpiri Women and Men to culturally and formally welcome the Coroner and party to Yuendumu.

Welcome 1: Senior Men

Welcome 2: Senior Women

Location: Cultural area near Memory House; Coroner to wait in a different place until called and guided to the Senior Men and Women.

2) Memory House, 511, Kumanjayi Walker's Sacred Tree: Sorry Business and Cultural story from a Warlpiri spiritual perspective of Kumanjayi's passing by Kumanjayi's grandmother Jean Brown (Note: this could be at another time when the Coroner Visits house 511)

When the cultural welcome and sacred tree story are finished, Yapa will walk the Coroner to the basketball court for the community meeting.

3) Community Truth Telling Meeting

Location: WYDAC Yuendumu Basketball Court

MC: Eddie Robertson and Warren Williams Snr

Opening 1: Justice for Walker's video of Yapa's journey for the last three years and protocols for the community meeting

Opening 2: Short speeches by Elders (Robin or Ned) talking about Warlpiri Culture, history, Coniston Massacre and Tjukurrpa.

(Media to leave)

Truth Telling to the Coroner (translated by Valda)

Closing1: Luritja Action (dance performance) or speech by the Luritja family

Closing 2: Community BBQ facilitated by WYDAC

Tuesday 15th November 2022

4) Coroner to spend time with Kumanjayi Walker's family during site visits:

- House 511 (Memory House): **Brown family** - Joyce Brown, Samara Fernandez, Jean Brown, Margaret Brown and Leanne Oldfield (Kumanjayi's mother)
- House 577: **Robertson family** - Eddie and Lottie Robertson
- Police Station: **Walker family** - Alice Nelson with Warren and Derek Williams, Jabison Williams (and if present: Louanna Williams)
- Yuendumu Airport: **Lane family** from Papunya - Serita Lane and Sammy Butcher

5) Parumpurru Committee and Kumanjayi's peers educate Coroner on Warlpiri Cultural Matters of significance:

Yarning circle with Parumpurru Committee and young people of Yuendumu, overseen by Elders, to talk about issues.



Kumanjayi Walker

Coronial Inquest

The Coroner's visit to Yuendumu
MONDAY 14 NOV - TUESDAY 15TH NOVEMBER 2022

The Yuendumu community & the families of
Kumanjayi Walker welcomes her Honour
Coroner Elisabeth Armitage and guests to
Yuendumu

CORONER ELISABETH ARMITAGE'S VISIT TO YUENDUMU

MONDAY 14TH NOVEMBER 2022

1) 10.00 am - Welcome by Yuendumu Cultural Authority

Location: Cultural area near Memory House (Red House, 511). The Coroner is to wait with legal parties and guests at the Yuendumu childcare and family centre until called and guided to the Senior Men and Women by a Warlpiri person (TBC). The legal parties and guests must follow behind The Coroner when guided into the cultural welcome.

Senior Warlpiri Women and Men to culturally and formally welcome the Coroner and party to Yuendumu.

Welcome 1: Senior Men
Welcome 2: Senior Women

When the cultural Welcome is finished, Yapa will walk the Coroner to the basketball court for the community truth-telling meeting.

2) 11.00 am - Community Truth Telling Meeting

Location: WYDAC Yuendumu Basketball Court

MC: Eddie Robertson and Warren Williams Snr

Opening 1: Justice for Walker's video of Yapa's journey for the last three years

Opening 2: Short speeches by community members

(Media to leave)

Truth Telling to the Coroner (translated by Valda)

Closing1: Speech by Kumanjaji Walker's Luritja family, the Lane family

Closing 2: Community BBQ facilitated by WYDAC

CORONER ELISABETH ARMITAGE'S VISIT TO YUENDUMU

TUESDAY 15TH NOVEMBER 2022

3) 8.30 am - Coroner to visit sites connected to Kumanjayi Walker's passing:

- Clinic
- Nurses quarters
- WYDAC
- Purple House,
- Yuendumu School
- Yuendumu Pool

4) 10:00 am - Yarning Circle

Location: Yuendumu Learning Centre

Parumpurru Committee and Kumanjayi's peers educate the Coroner on Warlpiri Cultural Matters of significance in a Yarning circle overseen by Elders.

5) Coroner is to continue to visit sites connected to Kumanjayi Walker's passing throughout Yuendumu.

The coroner is to spend time with Kumanjayi Walker's family during the following sites:

- **House 511: (Memory House): Brown family** - Joyce Brown, Samara Fernandez, Jean Brown, Margaret Brown and Leanne Oldfield (Kumanjayi's mother)
- **House 577: Robertson family** - Eddie and Lottie Robertson
- **Yuendumu Airport: Lane family** from Papunya - Serita Lane and Sammy Butcher
- **Police Station: Walker family** - Alice Nelson with Warren and Derek Williams, Jabison Williams

6) Coroner to visit Kumanjayi's grave as requested by Margaret Brown, Kumanjayi Walker's grandmother.

Also guided by Kumanjayi's other family.

SHORT MINUTES OF ORDER

COURT DETAILS	
Court:	Coroner's Court of the Northern Territory
Case Number:	A0051/2019
TITLE OF PROCEEDINGS	
Inquest into the death of Kumanjayi Walker	
NATURE AND DATE OF ORDER	
Non-Publication/Non-Disclosure order (Interim) 12 September 2022	
ORDERS MADE BY THE COURT	


Pursuant to S.43 of the Coroners Act 1993 (NT), and/or the Court's implied or incidental powers, the Court orders that:

1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A.
2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A:
 - a. to and between the following people for the purposes of these coronial proceedings:
 - i. The family of Kumanjayi Walker and their legal representatives;
 - ii. The Commissioner of NT Police and his legal representatives;
 - iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives;
 - iv. Those persons assisting the Coroner in her investigation, including legal representatives.
 - b. by the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings.
3. Order 1 does not prevent the disclosure or other publication of:
 - a. any evidence given, or other discussion, in open court during the Inquest;

- b. any documents, including audio-visual and audio material, made publicly available on the coronial website.
 - c. any material made publicly available by the Supreme Court of the Northern Territory.
4. Orders 1, 2 and 3 operate until further order.

SEAL AND SIGNATURE

Northern Territory Coroner Elizabeth Armitage

Signature: 

Date: 12/9/22

SHORT MINUTES OF ORDER

COURT DETAILS

Court: Coroner's Court of the Northern Territory
Case Number: A0051/2019

TITLE OF PROCEEDINGS

Inquest into the death of Kumanjayi Walker

NATURE AND DATE OF ORDER

Non-Publication/Non-Disclosure order (Interim)
22 November 2022

ORDERS MADE BY THE COURT

Pursuant to s.43 of the Coroners Act 1993 (NT), and/or the Court's implied or incidental powers, the Court orders that:

1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A,
2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A:
 - a. to and between the following people for the purposes of these coronial proceedings:
 - i. The family of Kumanjayi Walker and their legal representatives;
 - ii. The Commissioner of NT Police and his legal representatives;
 - iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives;
 - iv. Those persons assisting the Coroner in her investigation, including legal representatives;
 - v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives;

- vi. the legal representatives for the Commissioner of Police and the NT Police Professional Standards Command.
 - b. by the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings.
3. Order 1 does not prevent the disclosure or other publication of:
 - a. any evidence given, or other discussion, in open court during the Inquest;
 - b. any documents, including audio-visual and audio material, made publicly available on the coronial website; and,
 - c. any material made publicly available by the Supreme Court of the Northern Territory.
4. Orders 1, 2 and 3 operate until further order.

SEAL AND SIGNATURE

Northern Territory Coroner Elisabeth Armitage

Signature 

Date: 22/11/22



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2 - 47	NT Community Corrections - Movement History – Completed Offender movement only (4p)	14 JUL 2017 - 21 OCT 2019
2 - 48	NT Police PROMIS Case 8661550 – Resist Police / Assault Police (24p) (a) Statutory Declaration of Brad SERCOME (b) Statutory Declaration of Regan RANDLE	16 JUL 2018

	(c) Case Note Entry - CIIR V2 – Author: Emma MERKER (d) Case Note Entry - Use of Force – Author: David MUNRO (e) Case Note Entry – CIIR V2 – Author: David MUNRO	
2 - 49	Letter from Kerri-Anne CHILVERS to Magistrate (-)	17 JUL 2018
2 - 50	NT Community Corrections Youth Detention Centre Case Notes, authored by Christabelle ROBERTS (6p)	07 SEP 2018
2 - 51	Transcript of Proceedings (Sentencing Remarks) – Judge J. BAMBER (6p)	02 OCT 2018
2 - 52	Alice Springs Correctional Facility Prisoner Telephone System (PTS) - 1/6/2019 to 6/11/2019 (3p)	01 JUN 2019 – 6 NOV 2019
2 - 53	Transcript of Proceedings – Sentencing Remarks of Judge BIRCH (4p)	26 JUN 2019
2 - 54	Alice Springs Correctional Facility Through Care Plan – Author: D. WILLIAMS (9p)	13 AUG 2019
2 - 55	Assault Police incident 06 Sep 2019 (55p)	
2 - 56	Breach Order Investigation (34p)	29 OCT 2019
2 - 57	2 Community Corrections Application for breach of order suspending sentence and related paperwork (9p)	05 NOV 2019
2 - 58	NT Police PROMIS Case 9191115 - Case Note Entry 0235 Telephone conversation with Maxine BOLLARD (2p)	11 AUG 2020
2 - 59	BushMob Intervention History - email from Nirajan DHAREL, Facility Manager (3p)	08 OCT 2020
2 - 60	NT Police Promis Case note (11p)	
2 - 61	IOMS records	
2 – 61A	Warrant of imprisonment documents (49p)	26 JUN 2019
2 – 61B	Email David McLean, On Call Electronic Monitoring re request for arrest (20p)	29 OCT 2019
2 – 61C	Walker – Crystal report (5p)	
2 – 61D	Criminal history and PROMIS involvements (40p)	
2 – 61E	Custodial episode history (2p)	
2 – 61F	IOMS Contact summary (3p)	01 NOV 2019
2 – 61G	IOMS Corrections document (142p)	
2 – 61H	All Youth Justice documents (3258p)	

<i>Territory Families Reports</i>		
2 - 62	Territory Families Progress Note (130p)	03 APR 2001 - 26 MAY 2018
2 - 63	FACS Intake Form (3p) – Phil Hassall	19 FEB 2002
2 - 64	Department of Children and Families Initial Referral Report – Child Protection Teams (4p)	19 FEB 2002
2 - 65	Department of Children and Families Initial Referral Report – Child Protection Teams - Case ID: 70675 (3p)	21 MAY 2002
2 - 66	Department of Children and Families General Case Closure Summary, authored by Veronica LYNCH – Case ID: 70675 (4p)	9 APR 2003
2 - 67	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 264193 (2p)	12 MAY 2014
2 - 68	Territory Families Child Protection Report, authored by Selesitine MAUGATAI (6p)	07 NOV 2014
2 - 69	Department of Children and Families General Case Closure summary, authored by Megan HUSSEY (2p)	24 MAR 2015
2 - 70	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 380542 (2p)	11 SEP 2015
2 - 71	Department of Children and Families General Case Closure Summary, authored by Melissa MAYBERY (3p)	15 DEC 2015
2 - 72	NT Police Support Request Overview – Referrer: Anne JOLLEY – SLR: 410959 (2p)	16 APR 2016
2 - 73	Territory Families Child Protection Investigation summary Report, authored by Gemma GERBICZ (5p)	16 JUN 2016
2 - 74	Department of Children and Families General Case Closure summary, authored by Liz MAPSTONE (3p)	13 JUN 2017
2 - 75	Department of Children and Families Child Protection Investigation Summary Report, authored by Liz MAPSTONE (35p)	20 SEP 2017
2 - 76	Department of Children and Families General Case Closure summary, authored by Kerstin WAY (3p)	03 NOV 2017
2 - 77	Territory Families Bail Assessment Report, authored by Richard KRUGER (3p)	17 MAY 2018
2 - 78	Territory Families Child Protection Report, authored by Monika JEDNOUS (11p)	26 MAY 2018
2 - 79	Territory Families Pre-Sentence Report, authored by Richard	29 JUN 2018

	KRUGER (11p)	
2 - 80	Territory Families Pre-Sentence Report, authored by Petina RICE (7p)	01 OCT 2018
2 - 81	Territory Families Confidential Bail Assessment Report, authored by Richard KRUGER (3p)	06 DEC 2018
2 - 82	Territory Families Compliance Report, authored by Richard KRUGER (9p)	12 MAR 2019
2 - 83	DV history between Leanne OLDFIELD and Sampson ANTHONY (3p)	23 SEP 2020
2 - 84	DV history between Selena LANE and Ricky ROWE (2p)	23 SEP 2020
2 – 84A	Office of the Children’s Commissioner letter to Territory Families (1p)	11 JUL 2017
2 – 84B	All child protection documents (722p)	
<i>Relevant legislation</i>		
2 - 85	Community Welfare Act – In Force between 12/07/2000 to 9/12/2002 (49p)	
2 - 86	Care and Protection of Children Act – In Force between 12/4/2017 to 14/11/2018 (27p)	
PART 3 BACKGROUND MATERIAL – CONSTABLE ROLFE		
<i>Recruitment and Training</i>		
3 - 1	NT Police Recruitment File reference check- Corinne Smith	
3 - 2	Email Correspondence and certificates- Trojan Securities (12p)	
3 - 3	Statement Sgt Kevin Agnew	23 JAN 2020
3 - 4	NT Police Application- Rolfe	
3 - 5	Statement Superintendent Sharma	
3 - 6	AIFP Psychiatric profiling Report	
3 - 7	NT Police Interview Panel recommendations	
3 - 8	NT Police Interview Notes	
3 - 9	Police Recruit Training- Exam 1	
3 - 10	Squad rec Timetable	
3 - 11	Police Recruit Training- Exam 6	
3 - 12	Scenario Skill Technique	

3 - 13	Squad 129 Exam Results	
3 - 14	Statement Snr Sgt Marshall re Police training	24.2.2020
3 - 15	Statement Snr Sgt Megan Blackwell re Police training	3.3.2020
3 - 16	Constable Bradley Lynch re training with Constable Rolfe	
3 - 17	Statement Constable M Lanigan (3p)- Recruit on Squad 129	2.3.2020
3 - 18	Statement Constable Patrick Smith (4p)- Member of squad 129	24.2.2020
3 - 19	Statement Constable Lesley Anderson (4p) - Member of squad 129	24.2.2020
3 - 20	Calls for EOI for IRT training	
3 - 21	IRT SOP including approval memos	
3 - 22	IRT Induction Course material	
3 - 23	TRG assignment	
3 - 24	HR RECRUITMENT FILE	
3 - 25	Career Review - Const Zachary ROLFE	
3 - 26	Email correspondence CEO Ronin	
3 - 27	Statement Superintendent Virginia Read	
3 - 28	Police Gazette	
3 - 29	Bravery article	
3 - 30	AXON records	
3 - 31	ANZPAA – Deploy of Police to High Risk Situations	
3 - 32	Statement – Senior Sergeant James Gray-Spence, re IRT	23/10/20
3 - 33	TRIM file- IRT	
3 - 34	EOI Cordon and Containment course	
3 - 35	Email corro – Comd Currie – SSgt Williams	
3 - 36	IRT Induction Course – Joining Instructions	
3 - 37	TRG Training records	
3 - 38	PROMIS Case Note Entry – 8854742	
3 - 39	TRG Training Transcript	
3 - 40	TRG Training Transcript	
3 - 41	TRG Training Transcript	

3 - 42	Load Bearing Vest – Business Case	
3 - 43	Patrol Rifle – Business Case	
3 - 44	Operation Moor Review	
3 - 45	ABC News – militarisation of police	
3 - 46	Ben Beede – Paramilitary and Militarized Police	
3 - 47	Soldiers as Police Officers Police Officers	
3 - 48	David Baker, Crime Law Society, 2009	
3 - 49	Rolfe Bath Street Medical Centre records	
3 - 50	Pharmaceutical Benefit Scheme records	
3 – 50A	NT Police recruitment file for Zachary Rolfe (88p)	
3 – 50B	NT Police employment person location record (1p)	27 FEB 2020
3 – 50C	Rolfe training record (2p)	
3 – 50D	ABC News article “Alice Springs police officers swim through floodwaters to rescue two stranded tourists”	28 DEC 2016
3 – 50E	ABC News article “Police officers recognised with national bravery medals for dangerous Alice Springs river rescue”	29 MAR 2018
3 – 50F	The Canberra Times article “Zach Rolfe, son of Richard and Debbie, receives highest bravery award”	05 APR 2018
<i>Interstate and Federal records</i>		
3 - 51	Vic Pol Recruitment Correspondence	
3 - 52	Email from Inspector Caroline West, Victoria Police (4p)	20 MAY 2020
3 - 53	Statement Caroline West, Victoria Police (73p)	25 JUN 2020
3 - 54	Extract of Rolfe’s application for Victoria Police (2p)	
3 - 55	Email Giannulidis Victoria Police – no criminal history (4p)	05 JUN 2020
3 - 56	Expression of Interest for Queensland Police (14p)	01 FEB 2016
3 - 57	Email Terry Poole – QLD Police – no intelligence holdings (6p)	09 JUN 2020
3 - 58	QLD Police Report – involving Rolfe – 23/12/2011 (1p)	23 DEC 2011
3 – 58A	Email from Stephen Quinn QLD Police (9p)	23 JUN 2020
3 - 59	WA Police application (18p)	02 FEB 2016
3 - 60	Email Manju Subramanian, WA Police re nil criminal history (4p)	05 JUN 2020
3 - 61	Email Marianne Walker, AFP – no outcomes (5p)	08 JUN 2020

3 - 62	Email Judith Crowley, SA Police – infringement only (4p)	05 JUN 2020
3 - 63	Email Brett Walsh, Tas Police – no record (4p)	05 JUN 2020
<i>ADF Records</i>		
3 - 64	EVANS, Tracey (14p) (ADF)	12 JUN 2020
3 – 64A	ADF Employment application extract (1p)	21 JAN 2010
3 – 64B	ADF Service History (7p)	17 DEC 2019
3 – 64C	ADF Service Certificate (1p)	03 MAY 2015
3 – 64D	ADF Conduct record (98p)	
3 – 64E	Department of Defence Application for special Forces (4p)	28 AUG 2014
3 – 64F	Special Operations Command Application	
<i>Other NT Police records</i>		
3 - 65	Rolfe’s police partners in his career (1p)	
3 - 66	Letter Tindall Gask Bentley Lawyers to Senior Sergeant Mark Grieve (3p)	12 NOV 2019
3 - 67	Letter Tindall Gask Bentley Lawyers to Senior Sergeant Mark Grieve (2p)	13 NOV 2019
3 - 68	Email of Ag Deputy Commissioner Michael White re Rolfe going to Canberra with his mother (1p)	13 NOV 2019
3 - 69	Email of Commander Daniel Bacon attaching Rolfe notice of suspension (6p)	14 NOV 2019
3 - 70	Email “RE: Operation Charwell – Rolfe’s application for employment, NTPF” Anticich, Read (3p)	18 MAR 2020
<i>Prior complaints / incidents</i>		
3 - 73	Complaint Against Police 2017-272 (Castine) (8p)	29 AUG 2017
3 - 74	PSC Investigation file - CAP2017-272 - CASTINE, Richard (16p)	
3 - 75	NT Police internal memorandum from Detective Senior Constable Paul PARKYANI (5p)	18 DEC 2017
3 - 76	CAP2018-302 - GIBSON, Tony	11 AUG 2018
3 - 77	CAP2018-302 - GIBSON, Tony – BWV (27p)	
3 - 78	Complaint Against Police - 2019-116 (Cleveland Walker) (8p)	02 APR 2019
3 - 79	CAP2019-116 - WALKER, Cleveland – draft (194p)	

3 - 80	CAP2019-116 - WALKER, Cleveland BWV	
3 - 81	CAP2019-116 - WALKER, Cleveland – EROI	
3 - 82	CAP2019-116 - WALKER, Cleveland – WHS CCTV	
3 – 82A	PROMIS 8927087 Case Note 44079738(Cleveland WALKER)	01 APR 2019
3 - 83	NAAJA letter to Office of the Ombudsman re Antonio Woods	15 JAN 2020
3 - 84	Email from Detective Superintendent Virginia Read to the Ombudsman's Office	05 JUL 2019
<i>Ryder matter</i>		
3 - 85	File Index IntlInv 2019-044 (4p)	
3 - 86	Complaint Against Police – 2018-186 (Ryder) (30p)	
3 - 87	Complaint against Police 2018-186 IAPro Summary (5p)	
3 - 88	Internal Investigation 2019-044 IAPro Summary (9p)	
3 - 89	Ryder statement of facts (7p)	06 JUN 2018
3 - 90	Image of Ryder raising right arm threateningly – still from BWV (1p)	
3 - 91	Photo Index – Rolfe injuries (3p)	11 JAN 2018
3 - 92	000 Calls	
3 - 93	Radio calls	
3 - 94	BWV Geranios	11 JAN 2018
3 - 95	Timeline of Geranios BWV (2p)	
3 - 96	Mobile phone footage of Rebecca Hayes – front of 3 Saltwell St	11 JAN 2018
3 - 97	Extract from transcript of Mobile phone footage of Rebecca Hayes – front of 3 Saltwell St (5p)	11 JAN 2018
3 - 98	Mobile phone footage of Rebecca Hayes – after Ryder injured	11 JAN 2018
3 - 99	Extract from transcript of Mobile phone footage of Rebecca Hayes – after Ryder injured (3p)	11 JAN 2018
3 - 100	Patrol Group 3 roster (1p)	
3 - 101	Floor plan for Logan Units (1p)	
3 - 102	PROMIS 8391303 case summary (4p)	11 JAN 2018
3 - 103	PROMIS 8391540 case summary (3p)	11 JAN 2018

3 - 104	PROMIS 8391540 UOF CNE (4p)	11 JAN 2018
3 - 105	CIIR Case note 43830769 (3p)	12 JAN 2018
3 - 106	Case Note: (43850806) UOF REVIEW - SENIOR OFFICER MANLEY (2p)	14 FEB 2018
3 - 107	Statement – Constable Breanna Bonney (5p)	11 JAN 2017
3 - 108	Initial Email Response to Complaint – Constable Breanna Bonney (5p)	23 AUG 2018
3 - 109	Transcript – Bonney evidence (15p)	03 SEP 2018
3 - 110	Statement – Constable Cameron Chatterton (4p)	28 MAR 2018
3 - 111	Initial Email Response to Complaint – Constable Cameron Chatterton (3p)	16 AUG 2018
3 - 112	Transcript – Chatterton not called (3p)	02 APR 2019
3 - 113	Statement – Constable Brett Geranios (8p)	11 JAN 2018
3 - 114	Statement – Addendum – Constable Brett Geranios (4p)	04 DEC 2019
3 - 115	Initial Email Response to Complaint – Constable Brett Geranios (7p)	09 AUG 2018
3 - 116	Transcript Geranios evidence (36p)	03 SEP 2018
3 - 117	Statement – Constable Maxwell Lehrain (4p)	07 MAR 2018
3 - 118	Initial Email Response to Complaint – Constable Maxwell Lehrain (3p)	04 SEP 2018
3 - 119	Transcript – Lehrain evidence (22p)	02 APR 2019
3 - 120	Statement – Constable Zachary Rolfe (5p)	11 JAN 2018
3 - 121	Initial Email Response to Complaint – Constable Zachary Rolfe (5p)	08 AUG 2018
3 - 122	Transcript – Rolfe evidence (40p)	03 SEP 2018
3 - 123	Statement – Constable Xhenita Zendeli (4p)	11 JAN 2017
3 - 124	Initial Email Response to Complaint – Constable Xhenita Zendeli (6p)	05 SEP 2018
3 - 125	Transcript – Zendeli evidence (40p)	02 APR 2019
3 - 126	Statutory declaration – Malcom Ryder (2p)	07 AUG 2018
3 - 127	Transcript – Ryder evidence (14p)	03 APR 2019
3 - 128	ASH and St Johns Medical Reports M. Ryder (6p)	11 JAN 2018
3 - 129	Statutory declaration – Rebecca Hayes (2p)	07 FEB 2018

3 - 130	Transcript – Hayes evidence (14p)	02 APR 2019
3 - 131	Statement – Transcript – Patricia Multa (11p)	30 NOV 2019
3 - 132	PSC investigation CAP2018-186 File cover and index (3p)	
3 - 133	NAAJA letter of complaint (4p)	
3 - 134	Email correspondence from NAAJA (6p)	05 JUN 2018- 07 AUG 2018
3 - 135	Email Sgt Roche re NAAJA complaint(4p)	06 JUN 2018
3 - 136	Final report of Acting Senior Sergeant Dion Roche (29p)	03 OCT 2018
3 - 137	Letter Assistant Commissioner Peter Gallagher to Ombudsman’s Office (4p)	04 OCT 2018
3 - 138	Letter Assistant Commissioner Peter Gallagher to NAAJA (5p)	04 OCT 2018
3 - 139	Notes to Prosecutor (2p)	
3 - 140	Police v Malcolm Ryder (21801980) - Local Court transcript (102p)	03 SEP 2018
3 - 141	Police v Malcolm Ryder (21801980) - Local Court transcript (87p)	02 APR 2019
3 - 142	Police v Malcolm Ryder (21801980) - Local Court transcript (36p)	03 APR 2019
3 - 143	Police v Malcolm Ryder (21801980) - Local Court transcript (8p)	09 MAY 2019
3 - 144	PSC Internal Investigation 2019-044, Opinion file submitted by DS Kennon re perjury investigation (Ryder matter) (19p)	17 OCT 2019
3 - 145	PROMIS 9021716 NT Police memorandum – DetSgt Kennon Opinion – perjury (18p)	05 DEC 2019
3 - 146	NT Police Memorandum – Det A/Snr Sgt Jakson Evans – opinion file 21944804 (6p)	12 DEC 2019
3 - 147	NT Police Memorandum – Superintendent Richard Bryson – Opinion Files Rolfe 21944804 & Zendeli 21944805 (3p)	23 DEC 2019
3 - 148	Opinion file submitted by Detective Acting Senior Sergeant Jakson Evans re allegation of perjury (Ryder matter) (65p)	21 FEB 2020
3 - 149	Daniel Bacon Emails re The Gumment posts (5p)	26 NOV 2019
3 - 150	Emails in relation to Ryder investigation (15p)	
3 - 151	Statement of Andrew BARRAM (22p)	26 MAR 2020
3 - 152	Transcript - Statement of Claudia CAMPAGNARO Transcript	19 AUG 2020

	(92p)	
3 - 153	162(7) Extension Internal Memo (4p)	OCT 2019
3 - 154	IntInv2019-044 - Zachary Rolfe - Judge Extension (2p)	08 APR 2020
<i>Non-disclosure matter – Internal Investigation 2020-007</i>		
3 - 155	File Index IntInv 2020-007 (2p)	
3 - 156	IAPro Summary IntInv2020-007 (3p)	
3 - 157	Email from Officer to Leafe – declining EROI (2p)	10 JUL 2020
3 - 158	Email Read to DPP – confirming nil prosecution (2p)	06 JUL 2020
3 - 159	PAYNE, STEPHEN–statement (40p)	29 APR 2022
3 - 160	PHAM, William (AFP)–statement (3p)	18 MAR 2021
3 - 161	Apple iPhone Xs (A1920) extraction report –redacted (8047p) Images and videos	01 OCT 2020
<i>Other</i>		
3 - 162	PROMIS 9005467 22 June 2019 – BWV of Officers Cramp-Harding, Hansen, Heffernan, Rolfe, Sykes, Westerhuis - + video of BWV & Case Note 44123339 (Christopher WALKER)	22 JUN 2019
3 - 163	NT Police Professional Standards Command file for CAP2019-342 - MADRILL, Luke, including BWV Rolfe, Kirstenfeldt, Nwakor-Osaji, watch house footage	
3 - 164	NT Police Professional Standards Command file for CAP2020-027 - WOODS, Antonio, including BWV Kirstenfeldt, Hansen and Heffernan; directed interviews of Hansen and Kirstenfeldt	
3 - 165	NT Police Internal Investigation Intinv2020-001 - 12 October 2019	
3 - 166	NT Police Internal Investigation IntInv2020-033 - 18 February 2019	
3 - 167	NT Police Internal Investigation Intinv2021-006 - BWV dissemination	
<i>Ombudsman investigations still in progress – TBA</i>		
<i>Police investigation still in progress - TBA</i>		

PART 4 SHOOTING ON 9 NOVEMBER 2019		
<i>Body Worn video and transcripts of 9 November 2019</i>		
4 - 1	USB containing body worn video of 9 November in Yuendumu	
4 - 2	Body worn video transcripts- Con Adam Donaldson (36p)	09 NOV 2019
4 - 3	Body worn video transcripts- Constable First Class Adam Eberl	09 NOV 2019
4 - 4	Body worn video transcripts- Constable First Class Hawkins	09 NOV 2019
4 - 5	Body worn video transcripts- Constable James Kirstenfeldt	09 NOV 2019
4 - 6	Body worn video transcripts- Constable Zachary Rolfe	09 NOV 2019
4 - 7	Yuendumu Police Station CCTV (video files)	
<i>JESCC Records</i>		
4 - 8	JESCC Calls – timeline (1p)	
4 - 9	JESCC P19277490 Event Chronology (8p)	09 NOV 2019
4 - 10	JESCC P19277512 Event Chronology (1p)	09 NOV 2019
4 - 11	JESCC P19277521 Event Chronology (1p)	09 NOV 2019
4 - 12	JESCC P19277522 Event Chronology - St John Call (2p)	09 NOV 2019
4 - 13	JESCC P19277619 Event Chronology (1p)	09 NOV 2019
4 - 14	JESCC P19277621 Event Chronology (1p)	09 NOV 2019
4 - 15	JESCC P19277667 Event Chronology (1p)	09 NOV 2019
4 - 16	JESCC Audio of calls (15)	09 NOV 2019
4 - 17	Phone records between Nobbs and Wurst on 09 November 2019 (2p)	09 NOV 2019
4 - 18	Phone records – Nobbs – 05-09 November 2019 (83p)	
<i>Facebook Live videos by Samara Fernandez-Brown</i>		
4 – 18A	1A. Video by Samara Fernandez-Brown taken 9 November 2019 at 8:04pm	
4 – 19	1. my cousin just got shot- dont know how he is	
4 – 20	2. Still waiting for news	
4 – 21	3. Still no info- plane is coming in 40 minutes. ambulance is there	
4 – 22	4. 4 hours later. Still no news	

4 – 23	5. Sitting on the ground waiting	
4 – 24	6. Sitting waiting still - cant use Mr Nelson in video	
4 – 25	7. Police going to airstrip	
4 – 26	8. Last update of the night. He_s gone in the plane	
4 – 27	9. Sorry business	
4 – 28	10. Sorry business	
PART 5 INVESTIGATION OF SHOOTING ON 9 NOVEMBER 2019		
5 - 1	Opinion file submitted to DPP	
5 - 2	Rolfe Initial arrest file	
<i>Incident Management Team Minutes</i>		
5 - 3	Scribe notes for Supt Nobbs 2020hrs 09/11/2019 – 0110hrs 10/11/2019	09 NOV 2019
5 – 3A	Minutes of the Yuendumu Agency Response (9p)	10 NOV 2019
5 - 4	IMT Minutes – 1 – 10/11/2019	10 NOV 2019
5 - 5	IMT Minutes – 2 – 10/11/2019	10 NOV 2019
5 - 6	IMT Minutes – 3 – 11/11/2019	11 NOV 2019
5 - 7	IMT Minutes – 4 – 12/11/2019	12 NOV 2019
5 - 8	IMT Minutes – 5 – 12/11/2019	12 NOV 2019
5 - 9	IMT Minutes – 6 – 13/11/2019	13 NOV 2019
5 - 10	IMT Minutes – 7 – 14/11/2019	14 NOV 2019
5 - 11	IMT Minutes – 8 – 14/11/2019	14 NOV 2019
5 - 12	IMT Minutes – 9 – 15/11/2019	15 NOV 2019
<i>Joint Management Committee Minutes</i>		
5 - 13	JMC Minutes – JMC # 1 – 1430hrs – 22/11/19	22 NOV 2019
5 - 14	JMC Minutes – JMC # 2 – 1130hrs – 29/11/2019	29 NOV 2019
5 - 15	JMC Minutes – JMC # 3 – 0930hrs – 13/12/2019	13 DEC 2019
5 - 16	JMC Minutes – JMC # 4 – 1000hrs – unknown date (likely mid to late December)	DEC 2019
5 - 17	JMC Minutes – JMC # 5 – 0955hrs – 03/01/2020	03 JAN 2020
5 - 18	JMC Minutes – JMC # 6 – 0830hrs – 17/01/2020	17 JAN 2020
5 - 19	JMC Minutes – JMC # 7 – 1330hrs – 06/02/2020	06 FEB 2020

5 - 20	JMC Minutes – JMC # 8 – 1000hrs – 14/02/2020	14 FEB 2020
5 - 21	JMC Minutes – JMC # 9 – 1130hrs – 03/04/2020	03 APR 2020
5 - 22	JMC Minutes – JMC # 10 – 0930hrs – 08/05/2020	08 MAY 2020
5 - 23	JMC Minutes – JMC # 11 – 1130hrs – 27/08/2020	27 AUG 2020
<i>Briefing notes</i>		
5 - 24	Briefing Note 1 – issued at 1600hrs 10/11/2019	10 NOV 2019
5 - 25	Briefing Note 2 – issued at 1600hrs 11/11/2019	11 NOV 2019
5 - 26	Briefing Note 3 – issued at 1745hrs 12/11/2019	12 NOV 2019
5 - 27	Briefing Note 4 – issued at 1245hrs 22/11/2019	22 NOV 2019
5 - 28	Briefing Note 5 – issued at 1740hrs 28/11/2019	28 NOV 2019
5 - 29	Briefing Note 6 – issued at 1500hrs 12/12/2019	12 DEC 2019
5 - 30	Briefing Note 7 – issued at 1600hrs 18/12/2019	18 DEC 2019
5 - 31	Briefing Note 8 – issued at 1200hrs 02/01/2020	02 JAN 2020
5 - 32	Briefing Note 9 – issued at 1620hrs 16/01/2020	16 JAN 2020
5 - 33	Briefing Note 10 – issued at 1000hrs 06/02/2020	06 FEB 2020
5 - 34	Briefing Note 11 – issued at 0900hrs 13/02/2020	13 FEB 2020
5 - 35	Briefing Note 12 – issued at 1500hrs 02/04/2020	02 APR 2020
5 - 36	Briefing Note 13 – issued at 0900hrs 07/05/2020	07 MAY 2020
5 - 37	Briefing Note 14 – issued at 1600hrs 26/08/2020	26 AUG 2020
5 - 38	Briefing Note 15 – issued at 1400hrs 10/11/2020	10 NOV 2020
<i>Case Management Meeting Notes</i>		
5 - 39	Email from Pennuto providing update of investigation	14 NOV 2019
5 - 40	Case Management Meeting - 19/11/2019	19 NOV 2019
5 - 41	Case Management Meeting - 20/11/2019	20 NOV 2019
5 - 42	Case Management Meeting - 26/11/2019	26 NOV 2019
5 - 43	Case Management Meeting - 02/12/2019	02 DEC 2019
5 - 44	Case Management Meeting - 16/12/2019	16 DEC 2019
5 - 45	Email from Pennuto providing update of investigation – 18/12/2019	18 DEC 2019
5 - 46	Case Management Meeting - 13/01/2020	13 JAN 2020
5 - 47	Case Management Meeting - 02/02/2020	02 FEB 2020

5 - 48	Emails Beer/ Wurst about community concerns (2p)	11 NOV 2019
5 - 49	Email Bacon - referral to ICAC and related emails (6p)	18 NOV 2019
5 - 50	Email from ICAC to Police (2p)	20 NOV 2019
5 - 51	Email correspondence between Pennuto / Dole / Bacon / Porter re engagement of S/Sgt Barram as a subject matter expert (15p)	20 NOV 2019
5 - 52	Letter Hearn Legal to Superintendent Pennuto (3p)	22 NOV 2019
5 - 53	NT Police Internal Memorandum – A/Cmd Dole – Operation Charwell – Structure and Resourcing (12p)	25 NOV 2019
5 - 54	Risk assessment for Walker (1p)	02 DEC 2019
5 - 55	NT Police memo “Coronial Investigation – Matters of interest to the Coroner” by Superintendent Pollock (2p)	24 MAR 2020
5 - 56	Email correspondence “PSC Response to Operation Charwell” Pollock (6p)	12 JUN 2020
5 - 57	Email correspondence “RE: PSC Response to Operation Charwell” Anticich, Pollock (2p)	12 JUN 2020- 15 JUN 2020
5 - 58	Email correspondence “Yuendumu Visit” Griffiths (1p)	19 JUN 2020
5 - 59	Email correspondence “Charwell Response” Anticich (6p)	24 JUN 2020
5 - 60	NT Police Internal Memorandum – Supt Pollock to AC Anticich re evidence provided by Detective Senior Sergeant Andrew Barram (4p)	20 OCT 2020
5 – 60A	Emails between AC Anticich and Cmr O'Brien 20.11.19-22.06.20	20 NOV 2019 – 22 JUN 2020
5 – 60B	Supt Pollock - Interim Report 1	03 DEC 2019
5 – 60C	Supt Morgan - Interim Report 2	25 FEB 2020
5 – 60D	Memo 02.06.20 TRM04.D20.36329 Re Outstanding Police Statements	02 JUN 2020
5 – 60E	Memo 23.07.20 TRM 04.D20.30820 Charwell Coronial - Request for Extension Beyond 6 Months	23 JUL 2020
5 – 60F	Memo 27.07.20 TRM04.D20.46698 Confirmation of role and responsibility of Commander Coronial position	27 JUL 2020
5 – 60G	Memo 19.08.20 Charwell Coronial Investigation JMC No 2	19 AUG 2020

5 - 60H	Operation Charwell Coronial - JMC Meeting 2 Minutes - 21.08.20 ENDORSED	21 AUG 2020
5 - 60I	Operation Charwell Coronial - JMC Meeting No. 3 - Minutes 21.10.20	21 OCT 2020
5 - 60J	Operation Charwell Coronial - JMC Meeting No. 3 - Status Report 21.10.20	21 OCT 2020
5 - 60K	Operation Charwell Coronial - JMC Meeting No. 4 Minutes - 27.11.20	27 NOV 2020
5 - 60L	Memo 01.12.20 - Operation Charwell Status - JMC 5	01 DEC 2020
<i>PSC Investigation CUST2019-027</i>		
5 - 61	File index (3p)	
5 - 62	IAPro Summary for Cust2019-027 (9p)	
5 - 63	Affidavit of Cdr Bacon - CHARWELL Judge extension (11p)	06 APR 2020
5 - 64	Section 76A & 84G Notice - Zachary Rolfe and POS (4p)	13 NOV 2019
5 - 65	162(7) Extension Nobbs Vicary Furniss Dash Bauwens Simpson McCormack Cust2019-027 (5p)	24 APR 2020
5 - 66	S162(9) Extension - Cust2019-027 - Adam Donaldson - Judge Extension (2p)	04 APR 2020
5 - 67	S162(9) Extension - Cust2019-027 - Adam Eberl - Judge Extension (2p)	04 APR 2020
5 - 68	S162(9) Extension - Cust2019-027 - Anthony Hawkings - Judge Extension (2p)	04 APR 2020
5 - 69	S162(9) Extension - Cust2019-027 - Chris Hand - Threaten Police matter - Judge Extension (2p)	04 APR 2020
5 - 70	S162(9) Extension - Cust2019-027 - Felix Alefiaio - Judge Extension (2p)	04 APR 2020
5 - 71	S162(9) Extension - Cust2019-027 - James Kirstenfeldt - Judge Extension (2p)	04 APR 2020
5 - 72	S162(9) Extension - Cust2019-027 - Julie Frost - Judge Extension (2p)	04 APR 2020
5 - 73	S162(9) Extension - Cust2019-027 - Lanyon Smith - Judge Extension (2p)	04 APR 2020
5 - 74	S162(9) Extension - Cust2019-027 - Zachary Rolfe (IRT etc)- Judge Extension (2p)	04 APR 2020

5 - 75	S162(9) Extension - Cust2019-027 - Zachary Rolfe (Force) - Judge Extension #2 (2p)	04 APR 2020
5 - 76	Death in Custody Notification (3p)	
5 - 77	ICAC Email - Initial notification letter (1p)	11 NOV 2019
5 - 78	Letter Commissioner Chalker to ICAC Initial Letter and Briefing Note (4p)	11 NOV 2019
5 - 79	ICAC Email - Supt II to ICAC - Further notification - BN1 & 2 (1p)	12 NOV 2019
5 - 80	ICAC Email - Supt II to ICAC - Further notification - BN#3 (2p)	13 NOV 2019
5 - 81	Crime Briefing Note #1 (4p)	10 NOV 2019
5 - 82	Crime Briefing Note #2 - Draft - Mark Grieve (3p)	11 NOV 2019
5 - 83	Crime Briefing Note #2 - Kirk Pennuto - Final (4p)	11 NOV 2019
5 - 84	Crime Briefing Note #3 - DIC - YUE – Final with annexure (13p)	12 NOV 2019
5 - 85	Crime Briefing Note #5 - Operation Charwell (5p)	28 NOV 2019
5 - 86	Crime Briefing Note #6 (5p)	12 DEC 2019
5 - 87	Crime Briefing Note #11 (3p)	13 FEB 2020
5 - 88	Email Tonkin to Office of the Ombudsman @ 11:03 (2p)	10 NOV 2019
5 - 89	Email Tonkin to Office of the Ombudsman @ 15:23 (3p)	10 NOV 2019
5 - 90	Email from Office of the Ombudsman (4p)	11 NOV 2019
5 - 91	Email Tonkin to Office of the Ombudsman (4p)	11 NOV 2019
5 - 92	Email from Office of the Ombudsman (1p)	12 NOV 2019
5 - 93	Email from Office of the Ombudsman @14:28 (2p)	12 NOV 2019
5 - 94	Email Tonkin to Office of the Ombudsman @19:08 (2p)	12 NOV 2019
5 - 95	PSC Briefing note #1 (5p)	19 DEC 2019
5 - 96	PSC Briefing Note #2 – DRAFT (5p)	19 DEC 2019
5 - 97	PSC Briefing Note #3 – DRAFT (7p)	06 FEB 2020
5 - 98	PSC Briefing Note #4 – DRAFT (7p)	13 FEB 2020
5 - 99	PSC Briefing Note #4 - Op Charwell (7p)	13 FEB 2020
5 - 100	PSC Briefing Note #5 – DRAFT (7p)	02 MAR 2020
5 - 101	PSC Briefing Note #6 TO BE UPDATED – DRAFT (7p)	13 MAR 2020
5 - 102	PSC Briefing Note #7 – DRAFT (8p)	08 MAY 2020

5 - 103	PSC Briefing Note #8 – CHARWELL (6p)	
5 - 104	PSC Briefing Note #9 – CHARWELL (6p)	
5 - 105	Letter Leafe to Officer (2p)	28 AUG 2020
5 - 106	Letter Officer to Leafe (2p)	30 AUG 2020
5 - 107	Email Officer to Leafe (1p)	30 AUG 2020
5 - 108	Letter Leafe to Officer (1p)	04 SEP 2020
5 - 109	Letter Officer to Leafe (4p)	18 SEP 2020
5 - 110	Email Leafe to Officer (1p)	11 DEC 2020
5 - 111	Letter Leafe to Officer (2p)	11 DEC 2020
5 - 112	Letter Leafe to Officer (2p)	19 FEB 2021
5 - 113	Web EOC Documents (58p)	
PART 6 ARREST, CHARGE AND DETENTION OF CONSTABLE ROLFE		
6 - 1	USB - Watch House CCTV footage of Rolfe in custody	
6 - 2	Watch House Arrest Card/Custody Health Assessment/ Property receipt	
6 - 3	USB containing audio files of - Rolfe's arrival into ASP from Yuendumu/ Arrest of Rolfe/ Watch House Conversation/ Offer of EROI	
6 - 4	Transcript - Rolfe arrived in ASP	
6 - 5	Transcript - arrest of Rolfe	
6 - 6	Transcript - Watch house conversation - Caution	
6 - 7	Transcript - Offer on interview to Rolfe (12 November 2019)	
6 - 8	Rolfe- ASP Hospital Records - Post incident	
PART 7 STATEMENTS – POLICE		
7 - 1	AGNEW, Kevin (A/Sgt) (220p)	23 JAN 2020
7 - 2	ALEFIAO, Felix (Const) (38p) + recording	11 NOV 2019
7 - 2A	ALEFAIO, Felix – evidence from Supreme Court trial	15 FEB 2022
7 – 2B	ALLEN, Sgt Matthew – affidavit	11 AUG 2022
7 - 3	ALTERMAIN, Tegan (Const) (3p)	14 NOV 2019
7 - 4	ANTICICH, Nicholas (AC) (5p)	15 JUL 2020

7 – 4AA	ANTICICH, Nick – affidavit 15.07.22 attachment clause	15 JUL 2020
7 – 4A	ANTICICH, Nick – Affidavit	03 SEP 2022
7 - 5	ATKIN, John (Supt) (19p) + recording	26 JUN 2020
7 – 5A	BARRETT, Supt Craig – statutory declaration	19 AUG 2022
7 - 6	BAUWENS, Lee – statement 1 (64p) + recording	21 NOV 2019
7 - 7	BAUWENS, Lee – statement 2 (104p) + recording	03 DEC 2020
7 -7A	BAUWENS, Lee – evidence from Supreme Court trial	23 FEB 2022 24 FEB 2022
7 – 7B	BAUWENS, Sgt Lee – statutory declaration with annexures	08 FEB 2018
7 - 8	BEAMS, Carlie (16p)	13 NOV 2019
7 - 9	BECKER, Marcus (6p)	07 FEB 2020
7 - 10	BEER, Merrilyn Narelle – recorded statement 1 (9p)	30 JAN 2020
7 - 11	BEER, Merrilyn Narelle -Statement 2 (5p)	30 JAN 2020
7 - 12	BEER, Merrilyn Narelle – recorded statement 3 (29p) + recording	04 JUN 2020
7 - 13	BENNETT, Amy (3p)	07 FEB 2020
7 - 14	BENNETT, Tony (3p)	10 NOV 2019
7 -14A	BERRY, Trent – statutory declaration	17 JUN 2022
7 - 15	BEVAN, Luke (5p)	11 FEB 2020
7 - 16	BONNEY, Breanna (11p) + recording x2	18 DEC 2019
7 - 17	BONNEY, Breanna – Statement 2 (7p) + recording	30 JAN 2020
7 -17A	BONNEY, Breanna – evidence from Committal proceedings	01 SEP 2020
7 -17B	BONNEY, Breanna – evidence from Supreme Court trial	14 FEB 2022
7 - 18	CAMPAGNARO, Claudia (92p) + recording	19 AUG 2020
7 - 19	CARTER, Emma (7p)	22 MAR 2020
7 - 20	CARTER, Jack (17p)	12 NOV 2019
7 - 21	CARTER, Jack Statement 2 (5p)	02 MAR 2020
7 - 22	COULSON, Rinaldo (9p)	09 MAR 2020
7 - 23	CROTTY, Luke (15p) + recording	16 JAN 2020
7 - 24	CUMMINS, Isobel (19p)	17 FEB 2020
7 - 25	CURRIE, Brad (25p) + recording	11 FEB 2020

7 - 26	DERKSEN, Mark (5p)	09 JUL 2021
7 - 27	DOLE, Martin (8p)	27 JUL 2020
7 - 28	DOLE, Martin Statement 2 (25p)	24 JUN 2021
7 - 29	DONALDSON, Adam (29p) + recording	10 NOV 2019
7 - 30	DONALDSON, Adam Statement 2 (35p) + recording + BWV extract	21 NOV 2019
7 -30A	DONALDSON, Adam – evidence from Committal proceedings	01 SEP 2020
7 -30B	DONALDSON, Adam – evidence from Supreme Court trial	15 FEB 2022
7 - 31	EBERL, Adam (14p) + recording	10 NOV 2019
7 - 32	EBERL, Adam Statement 2 (80p) + recording + BWV extract	13 NOV 2019
7 - 33	EBERL, Adam Statement 3 (25p) + recording	11 FEB 2020
7 -33A	EBERL, Adam – evidence from Committal proceedings	02 SEP 2020
7 -33B	EBERL, Adam – evidence from Supreme Court trial	22 FEB 2022 23 FEB 2022
7 - 34	ELWORTHY, Erin (18p) + recording	15 JAN 2020
7 – 34A	EVANS, Tracey (14p) (ADF)	12 JUN 2020
7 - 35	FERNANDEZ, Paulo (412p) <i>(cover page has incorrect date of 02/04/2018)</i>	02 APR 2020
7 – 35A	FERNANDEZ, Paulo (170p)	18 JUN 2020
7 - 36	FROST, Julie (86p) + recording	13 NOV 2019
7 - 37	FROST, Julie Statement 2 (18p) + recording	05 DEC 2019
7 - 38	Chronology of events recorded by Sgt Julie Frost (5p)	
7 - 39	Notes made by Sgt Julie Frost (2p)	
7 -39A	FROST, Julie – evidence from Committal proceedings	01 SEP 2020
7 -39B	FROST, Julie – evidence from Supreme Court trial	10 FEB 2022 11 FEB 2022
7 - 40	FULLWOOD, Anna (5p)	13 NOV 2019
7 - 41	FURNISS, Shaun (99p) + recording	30 NOV 2019
7 - 42	GALL, Alistair (77p) + recording	30 JAN 2020
7 - 43	GAVIN, Tai	
7 - 44	GILL, Shaun (203p) + recording	18 DEC 2019

7 – 44A	GILL, Shaun (110p)	26 SEP 2022
7 - 45	GILLET, Simon (4p)	13 NOV 2019
7 - 46	GRAY-SPENCE, James (75p)	23 OCT 2020
7 - 47	GREGORY, Tracey – Statement 1 (18p)	23 JAN 2020
7 - 48	GREGORY, Tracey – Statement 2 (3p)	24 JAN 2020
7 - 49	GRIEVE, Mark (28p)	28 FEB 2020
7 - 50	HAIG, Steven (13p) + recording	18 DEC 2019
7 - 51	HALL, Matthew (5p)	25 NOV 2019
7 - 52	HAND, Christopher – Statement 1 (43p) + recording	14 NOV 2019
7 - 53	HAND, Christopher – Statement 2 (11p) + recording	17 DEC 2019
7 -53A	HAND, Chris – evidence from Supreme Court trial	09 FEB 2020
7 – 53AA	HAND, Christopher – statutory declaration	01 SEP 2022
7 - 54	HANSEN, Mitchell – Statement 1 (28p) + recording	17 JAN 2020
7 - 55	HANSEN, Mitchell – Statement 2 (12p) + recording	17 JAN 2020
7 -55A	HANSEN, Mitchell – evidence from Supreme Court trial	14 FEB 2022
7 - 56	HARRISON, James (6p)	02 AUG 2020
7 - 57	HAWKINGS, Anthony – Statement 1 (11p) + recording	10 NOV 2019
7 - 58	HAWKINGS, Anthony – Statement 2 (70p) + recording + BWV extract	13 NOV 2019
7 - 59	HAWKINGS, Anthony – Statement 3 (36p) + recording	11 FEB 2020
7 -59A	HAWKINGS, Anthony – evidence from Committal proceedings	02 SEP 2020
7 -59B	HAWKINGS, Anthony – evidence from Supreme Court trial	17 FEB 2022 18 FEB 2022
7 – 59C	HAWKINGS, Anthony – emails in relation to lost notebook	13 JAN 2020 24 FEB 2022
7 - 60	HEFFERNAN, Vanessa (3p)	01 JUL 2020
7 - 61	HEN, Caragh (26p)	20 FEB 2020
7 - 62	HENDERSON, Paul (5p)	10 FEB 2020
7 - 63	HICKEY, Michael (3p)	11 NOV 2019
7 -63A	HIGGINS, Benjamin – statutory declaration	01 MAY 2022
7 - 64	HOLLIDAY, Tanya (9p)	06 MAR 2020

7 - 65	HUDSON, Anneliese (14p) + recording	17 JAN 2020
7 - 66	HUGHES, Zachary (3p)	28 NOV 2019
7 - 67	HUGHES, Zachary (40p) + recording	15 JAN 2020
7 - 68	JOACHIM, Charneca (12p) + recording	15 JAN 2020
7 - 69	JOLLEY, Anne (9p)	14 APR 2020
7 -69A	JOLLEY, Anne – statutory declaration	22 JUN 2022
7 - 70	JONES, Philip (14p) + recording	16 JAN 2020
7 -70A	JOY, Carey – statutory declaration	04 AUG 2022
7 - 71	KEAN, Gregory (15p)	13 NOV 2019
7 - 72	KELLY, Evan – Statement 1 (12p) + recording	18 DEC 2019
7 - 73	KELLY, Evan – Statement 2 (12p) + recording	29 JAN 2020
7 -73A	KELLY, Evan – evidence from Supreme Court trial	09 FEB 2022 10 FEB 2022
7 -73B	KENT, Michael – statutory declaration	06 JUN 2022
7 - 74	KENT, Robert (4p)	27 NOV 2019
7 -74A	KENT, Robert – evidence from Supreme Court trial	08 FEB 2022
7 - 75	KHAN, Abdul (3p)	13 JUL 2020
7 -75A	KHAN, Abdul – evidence from Supreme Court voir dire	21 DEC 2021
7 - 76	KING, Meacham – Statement 1 (2p)	17 NOV 2019
7 - 77	KING, Meacham – Statement 2 (36p)	25 NOV 2019
7 – 77B	KING, Meacham – BWV & transcript	10 NOV 2019
7 - 78	KING, Shane (23p) + recording	15 JAN 2020
7-78A	KIRKBY, Paul – statutory declaration	19 AUG 2022
7 - 79	KIRSTENFELDT, James – Statement 1 (43p) + recording	10 NOV 2019
7 - 80	KIRSTENFELDT, James – Statement 2 (52p) + recording	21 NOV 2019
7 -80A	KRISTENFELDT, James – evidence from Committal proceedings	02 SEP 2020
7 -80B	KRISTENFELDT, James – evidence from Supreme Court trial	15 FEB 2022 16 FEB 2022
7 - 81	KOLODIEJ, Joanna (7p)	18 NOV 2019
7 - 82	KREN, Andrew (39p)	25 MAR 2020

7 -82A	KREN, Andrew – evidence from Supreme Court voir dire	20 DEC 2021 21 DEC 2021
7 - 83	KUMAR, Benjamin – statement 1 (3p) <i>(cover sheet incorrectly notes date as 14/12/2019)</i>	15 DEC 2019
7 - 84	KUMAR, Benjamin (17p) + recording	18 DEC 2019
7 - 85	KUMAR, Benjamin (4p)	13 FEB 2020
7 - 86	LANIGAN, Madeline (4p)	02 MAR 2020
7 - 87	LUCHT, Sarah (15p) + recording	17 DEC 2019
7 - 88	LYNCH, Bradley – Statement 1 (3p)	01 JAN 2020
7 - 89	LYNCH, Bradley – Statement 2 (46p) + recording	15 JAN 2020
7 - 90	LYNCH, Bradley – Statement 3 (4p)	13 FEB 2020
7 - 91	LYND, Shannon (12p)	09 DEC 2019
7 - 92	MALOGORSKI, Mark (56p)	17 MAR 2020
7 - 93	MARSHALL, Matthew (10p)	21 FEB 2020
7 - 94	MCCLURE, Tegan (3p)	08 JUL 2020
7 - 95	MCCORMACK, Shane – Statement 1 (116p)	21 NOV 2019
7 - 96	MCCORMACK, Shane – Statement 2 (73p)	29 JAN 2020
7 -96A	McCORMACK, Shane – evidence from Supreme Court trial	14 FEB 2022
7 - 97	MAGRATH, Nathan (3p)	16 MAR 2020
7 - 97A	MITCHELL, Sarah – statutory declaration	27 DEC 2018
7 – 97B	MORGAN, Lee	20 NOV 2022
7 - 98	MORRISSEY, Paul – Statement 1 (17p)	04 MAR 2020
7 - 99	MORRISSEY, Paul – Statement 2 (3p)	08 JUL 2020
7 - 100	MURPHY, Michael (22p)	21 JUL 2020
7 – 100A	NANKIVELL, Ian	14 NOV 2022
7 - 101	NOBBS, Jody (184p) + recording + USB att G	29 NOV 2019
7 -101A	NOBBS, Jody – evidence from Supreme Court trial	11 FEB 2022 14 FEB 2022
7 - 102	NOLAN, James (54p) + recording	19 DEC 2019
7 - 103	NOLAN, James Statement 2 (8p)	17 JUL 2020

7 - 104	NWAKOR-OSAJI, Afamefuna (17p) + recording	18 DEC 2019
7 - 105	OBIETA, Terence (19p)	22 JAN 2020
7 - 106	PAKTSUN, Cedric (15p)	15 JUL 2020
7 - 107	PALMER, Gary (3p)	20 NOV 2019
7 - 108	PARBS, Mark (25p) + recording	15 JAN 2020
7 – 108AA	PASCOE, Baru – affidavit	09 SEP 2022
7 -108A	PHAM, William - AFP - mobile phone	18 MAR 2021
7 -108B	PAYNE, Stephen – statement	29 APR 2022
7 - 109	PENNUTO, Kirk (79p)	19 MAR 2020
7 – 109A	Diary Notes - A/Supt Kirk Pennuto	17 DEC 2019 - 10 JAN 2020
7 -109B	PENNUTO – evidence from Supreme Court voir dire	21 DEC 2021
7 -109C	PENNUTO – evidence from Supreme Court trial	02 MAR 2022
7 - 110	PHILLIPS, Leith (33pp)	20 APR 2020
7 - 111	PHILLIPS, Leith Statement 2 (6p)	01 OCT 2020
7 -111A	POLLOCK, Scott – statutory declaration	20 JUL 2022
7 -111B	PORTER, Assistant Commissioner Bruce – affidavit	13 JUL 2022
7 – 111C	PORTER, Assistant Commissioner Bruce – addendum affidavit	02 SEP 2022
7 - 112	POTTS, Michael (46p) + recording	01 DEC 2019
7 - 113	POWELL, Benjamin (12p)	13 NOV 2019
7 – 113B	PROWSE, Supt Brett – statutory declaration	08 AUG 2022
7 - 114	RAITT, Jack (5p)	15 NOV 2019
7 – 114A	RAITT, Jack – photographs x 16	10 NOV 2019
7 - 115	READ, Virginia (5p)	11 MAR 2020
7-115AA	READ, Supt Virginia – statutory declaration	09 AUG 2022
7 -115A	ROLFE, ZACHARY – evidence from Supreme Court trial	02 MAR 2022 03 MAR 2022 04 MAR 2022
7-115B	RONNING-BURNS, Cmr Hege – statutory declaration	08 AUG 2022
7 – 115C	ROLFE, Zachary – official police notebook 47301 pp1-9	10 NOV 2019

7 - 115D	ROLFE, Zachary – official police notebook 47301 pp1-9 – transcript	10 NOV 2019
7 - 115E	SANDERSON, Melissa – statutory declaration	28 DEC 2018
7 - 116	SCHMIDT, Robyn (7p)	01 APR 2020
7 – 116A	SCHUMACHER, Michael	25 OCT 2022
7 - 117	SHARMA, Sachin (32p)	22 JAN 2020
7 - 118	SHARMA, Sachin Statement 2 (10p)	18 FEB 2020
7 - 119	SHARP, Jonathon (4p)	14 NOV 2019
7-119A	SHEAN, Supt Daniel – statutory declaration	10 AUG 2022
7 - 120	SIMONATO, Erin (20p)	27 APR 2021
7 -120A	SMALLPAGE, DC Murray – Affidavit	12 JUL 2022
7 – 120B	SMALLPAGE, DC Murray – Addendum Affidavit	02 SEP 2022
7 - 121	SMITH, Lanyon (14p) + recording	11 NOV 2019
7 - 122	SMITH, Lanyon Statement 2 (12p)	14 JAN 2020
7 -122A	SMITH, Lanyon – evidence from Supreme Court trial	09 FEB 2020
7 - 123	SYKES, Mark (30p)	18 DEC 2019
7 - 124	SYKES, Mark Statement 2 (13p)	30 JAN 2020
7 - 125	TAIT, Samuel – 1st (17p) + recording	15 JAN 2020
7 - 126	TAIT, Samuel (4p)	10 FEB 2020
7 - 127	THOMAS, Joshua (28p)	05 DEC 2019
7 - 128	THOMPSON, Jared (4p)	12 NOV 2019
7 - 129	THOMPSON, Jared Statement 2 (4p)	04 DEC 2019
7 - 130	THOMSON, Wesley (15p)	17 DEC 2019
7 - 131	TOCKNELL, Ethan (12p)	15 JAN 2020
7 - 132	VICARY, Pauline Statement 1 (111p)	30 NOV 2019
7 - 133	VICARY, Pauline Statement 2 (26p)	11 FEB 2020
7 -133A	WALLACE, Bradley – statutory declaration	26 JUL 2022
7 -133B	WALLACE, Bradley – statutory declaration (supplementary)	26 JUL 2022
7 - 134	WARD, Deanne (6p)	17 NOV 2019
7 – 134A	WATSON, Marc	19 NOV 2022
7 - 135	WEATHERS, Leilani (41p)	27 JUN 2020

7 - 136	WELLS, Kieran (15p)	12 FEB 2020
7 – 136A	Statement Caroline WEST, Victoria Police (73p)	25 JUN 2020
7 - 137	WETHERALL, Lauren (24p)	18 JUN 2020
7 - 138	WHITE, Michael (7p)	28 JUL 2020
7 - 139	WILLIAMS, Derek (31p) + recording	20 NOV 2019
7 - 140	WILLIAMS, Derek Statement 2 (13p)	20 JUN 2020
7 -140A	WILLIAMS, Derek – evidence from Supreme Court trial	15 FEB 2022
7-140AA	WILLIAMS, Derek – statutory declaration	09 AUG 2022
7 -140B	WILLIAMS, Michael – statutory declaration	28 JUN 2022
7 - 141	WILSON, Brett – 1 (9p)	06 MAR 2020
7 - 142	WILSON, Brett – 2 (39p)	23 MAR 2021
7 - 143	WOOD, Natashia (9p)	05 FEB 2020
7 - 144	WURST, Travis (71p) + recording	05 DEC 2019
7 - 145	WURST, Travis Statement 2 (120p)	20 AUG 2020
7 -145A	WURST, Travis – evidence from Supreme Court trial	17 FEB 2022
7 -145B	WYATT, Michael – statutory declaration	12 MAY 2022
7 - 146	ZENDELI, Xhenita (19p)	16 JAN 2020
7 - 147	ZHANG, Terry (31p)	05 DEC 2019
Forensics		
7 - 148	BEST, Natalie (17p)	11 JUL 2020
7 - 149	CHEONG-WING, Kate (9p)	02 APR 2020
7 - 150	CHEONG-WING, Kate Statement 2 (61p)	11 JUN 2020
7 - 151	CHEONG-WING, Kate Statement 3 (1p)	23 JUN 2020
7 -151A	CHEONG-WING, Kate – evidence from Supreme Court trial	21 FEB 2022
7 - 152	JOHNSON, Fiona (7p)	05 MAR 2020
7 - 153	ROBB, Gino – notes & working papers (47p)	
7 - 154	SECRETTE, Jeannie (5p)	29 MAY 2020
7 - 155	SETTER, Pauline (1p)	10 NOV 2019
7 - 156	SPILSBURY, Ian (121p) (sensitive images redacted)	02 MAR 2020
7 -156A	SPILSBURY, Ian – evidence from Supreme Court trial	18 FEB 2022

		21 FEB 2022
7 - 157	SIMPSON, Timothy (AFP) (10p)	11 JUN 2020
7 - 158	SIMPSON, Timothy (AFP) Supplementary Report (29p)	30 JUN 2020
7 -158A	SIMPSON, Timothy – evidence from Supreme Court trial	24 FEB 2022
PART 8 STATEMENTS – CIVILIANS		
8 – 0A	ATKINSON, Adrian – statutory declaration	20 SEP 2022
8 – 0	BISHOP, Helen – affidavit	11 AUG 2022
8 - 1	BONANNI, Gemma (176p)	18 FEB 2020
8 - 2	BROWN, Leroy (35p) + recording	12 FEB 2020
8 -2A	BROWN, Leroy – evidence from Supreme Court trial	17 FEB 2022
8 - 3	BROWN, Margaret (43p) + recording	26 NOV 2019
8 -3A	BROWN, Margaret – evidence from Supreme Court trial	16 FEB 2022
8 - 4	BROWN, Myron (56p) + recording	26 NOV 2019
8 - 5	BROWN, Sheldon (46p) + recording	09 DEC 2019
8 - 6	BURNS, Janice (12p) + 2x recordings	12 FEB 2020
8 - 7	CAMPAGNARO, Claudia (116p)	19 AUG 2020
8 - 8	CAMPAGNARO, Claudia Statement 2 (43p)	14 OCT 2020
8 – 8A	CAMPAGNARO, Claudia – statutory declaration	10 SEP 2021
8 – 8B	CHAPMAN, Rob – affidavit	04 SEP 2022
8 - 9	CHILES, Bryan (7p)	12 FEB 2020
8 - 10	CHILVERS, Kerri-Anne (12p)	17 JUN 2020
8 - 11	CHILVERS, Kerri-Anne (48p)	30 JUN 2020
8 - 12	CHISHOLM, Andrea (5p)	22 JAN 2020
8 - 13	COLLINS, Aaron (128p)	13 JAN 2020
8 - 14	COLLINS, Gregson (44p) + recording	13 DEC 2019
8 - 15	COOK, Adrian (28p) + recording	04 FEB 2020
8 - 16	COOKE, Graham (44p) + recording	16 JAN 2020
8 - 17	COULTHARD, Nathan (9p) + recording	10 NOV 2019
8 -17A	COULTHARD, Nathan – evidence from Supreme Court trial	16 FEB 2022
8 - 18	DICKSON, Alan Junior (16p) + recording	10 DEC 2019

8 -18A	DICKSON, Alan – statement	20 JUL 2022
8 - 19	DICKSON, Ayeetta (28p) + recording	10 NOV 2019
8 - 20	DICKSON, Ayeetta Statement 2 (75p) + recording	28 NOV 2019
8 - 21	DICKSON, Julie-Anne (49p) + recording	10 DEC 2019
8 - 22	DICKSON, Raymond (39p) + recording	27 NOV 2019
8 - 23	EGAN, Cedric (22p) + recording	11 DEC 2019
8 - 24	EGAN, Lekira (35p) + recording	09 JAN 2020
8 - 25	EVANS, Tracey (30p)	17 JAN 2020
8 -25A	FERNANDEZ-BROWN, Samara – Affidavit	22 JUL 2022
8 - 26	FISHER, Isiah (18p) + recording	12 DEC 2019
8 - 27	FITZPATRICK, Jackson (59p)	15 JAN 2020
8 - 28	FRANCIS, William (4p)	05 MAR 2020
8 - 29	GOULD, Karen (4p)	07 JAN 2020
8 – 29A	GRANITES, Cherylyn – statement	
8 - 30	GRANITES, Senita (39p) + recording	28 NOV 2019
8 – 30A	GREATOREX, Lindsay – affidavit	26 AUG 2022
8 - 31	GREEN, Janet (4p)	07 JAN 2020
8 - 32	HARVEY, Julie (21p) + recording	22 JUN 2020
8 - 33	HAVARD, Laura (5p)	13 NOV 2019
8 - 34	HAYES-JONKERS, Charmaine (27p) + recording	28 NOV 2019
8 - 35	HEALY, Taylee (9p)	18 DEC 2019
8 - 36	HOCKING, Adam (6p)	23 JAN 2020
8 – 36A	HOPKINS, Sarah – affidavit	04 SEP 2022
8 – 36B	JANGALA, Jerry Patrick and JAMPIJINPA, Steven Wanta Patrick – affidavit	04 SEP 2022
8 36C	JONES, Alexandria – affidavit	26 AUG 2022
8 - 37	JURRAH, Basil (36p) + recording	09 JAN 2020
8 - 38	JURRAH, Jerome (14p) + recording	10 NOV 2019
8 – 38AA	KATAKARINGA, Elizabeth – statement	
8 -38A	KELLY, Francis – statement	27 MAY 2022
8 - 39	KENNEDY, Max (33p) + 2x recordings	11 DEC 2019

8 - 40	KRUGER, Richard (107p)	20 APR 2020
8 - 41	LANDAYTO, Joanne (8p)	03 FEB 2020
8 – 41A	LANE, Joseph – statutory declaration	07 AUG 2022
8 – 41B	LANE, Serita – statutory declaration	08 AUG 2022
8 - 42	LEWIS, Rachel (63p) + 2x recordings	11 DEC 2019
8 -42A	MARSHALL, Steven – statement	27 MAY 2022
8 - 43	MARTIN, Danielle (32p) + recording	12 FEB 2020
8 -43A	MARTIN, Danielle – evidence from Supreme Court trial	17 FEB 2022
8 - 44	MCCARTHY, Scott (3p)	14 JAN 2020
8 - 45	MCLEAN, David (33p)	03 DEC 2019
8 - 46	MOSSOP, Dylan (15p) + recording	17 JAN 2020
8 - 47	MURPHY, Tania (73p)	05 FEB 2020
8 - 48	OLDFIELD, Leanne (25p) + recording	10 NOV 2019
8 -48A	OLDFIELD, Leanne – evidence from Supreme Court trial	17 FEB 2022
8 -48B	OLDFIELD, Leanne – statement	18 JUL 2022
8 - 49	PRESLEY, Liam (4p)	03 DEC 2019
8 - 50	PRESLEY, Liam Statement 2 (9p)	19 JUN 2020
8 - 51	ROBERTSON, Eddie (58p) + recording	27 NOV 2019
8 -51A	ROBERTSON, Eddie – evidence from Supreme Court trial	16 FEB 2022
8 - 52	ROBERTSON, Ethan (35p) + recording	10 DEC 2019
8 - 53	ROBERTSON, Ethan Statement 2 (39p) + recording	11 DEC 2019
8 -53A	ROBERTSON, Ethan – evidence from Supreme Court trial	16 FEB 2022
8 - 54	ROBERTSON, Lottie (38p) + recording	30 NOV 2019
8 -54A	ROBERTSON, Lottie – evidence from Supreme Court trial	10 FEB 2022
8 – 54B	ROBERTSON, Lottie – statutory declaration	09 AUG 2022
8 - 55	ROBERTSON, Rekeisha (42p) + recording	27 NOV 2019
8 - 56	ROSS, Paul (4p)	17 FEB 2020
8 - 57	SARGENT, Natalie (39p)	18 DEC 2019
8 - 58	SEXTON, Kate (11p)	13 NOV 2019
8 -58A	SHANKS, Brooke – Affidavit	25 JUL 2022

8 – 58B	SHANKS, Brooke – letter	09 SEP 2022
8 - 59	SINGLETON, Courtney (18p)	20 NOV 2019
8 - 60	SNAPE, Elizabeth (44p) + recording	10 NOV 2019
8 -60A	SNAPE, Elizabeth – evidence from Supreme Court trial	24 FEB 2022
8 - 61	SPIRE, Suzanne (26p)	02 JUN 2020
8 - 62	SUDHOLZ, Lincoln (4p)	28 FEB 2020
8 - 63	VUSONICEVA, Malodali (9p)	22 NOV 2019
8 - 64	VUSONICEVA, Marianne (4p)	19 NOV 2019
8 – 64A	WALKER, Alice – statutory declaration	09 AUG 2022
8 - 65	WATSON, Louise (25p) + recording	06 JAN 2020
8 - 66	WAYNE, Sarah (30p) + recording	27 NOV 2019
8 - 67	WAYNE, Sheree (30p) + recording	10 DEC 2019
8 - 68	WEILY, Scott (42p)	23 JUN 2020
8 - 69	WHEELER, Lorraine (27p) + recording	28 NOV 2019
8 – 69A	WILLIAMS, Freddie – affidavit	01 SEP 2022
8 - 70	WILLIAMS, Jayveth @ Ziggy (16p)	27 NOV 2019
8 - 71	WILLIAMS, Louanna (5p)	06 AUG 2021
8 -71A	WILLIAMS, Louanna – evidence from Supreme Court trial	17 FEB 2022
8 - 72	WILLIAMS, Warren (23p) + recording	08 JAN 2020
8 – 72A	WILLIAMS, Warren – statutory declaration	09 AUG 2022
8 – 72B	WILSON, Bruno - statement	
8 - 73	WILSON, Darren (48p) + recording	09 DEC 2019
8 - 74	WILSON, Melinda (44p) + recording	29 NOV 2019
8 - 75	WILSON, Troy (13p)	14 JAN 2020
8 - 76	WOODS, Jason (28p) + recording	26 NOV 2019
8 - 77	WOODS, Ryan (43p) + recording	26 NOV 2019
8 - 78	WOODS, Ryan Statement 2 (39p)	28 NOV 2019
8 - 79	WOODS, Tenaia (45p) + 2x recordings	11 DEC 2019
8 - 80	WURRAMARRA, Naomi; MAMARIKA, Roderick; MAMARIKA, Linda, and MAMARIKA, Elaine – affidavit	02 SEP 2022

PART 9 STATEMENTS – HEALTH STAFF		
9 - 0	AH CHEE, Dr Donna and BOFFA, Dr John – affidavit	13 SEP 2022
9 - 1	ALTING, John (19p) + recording	22 JUN 2020
9 - 2	BRAHIM, Kellie (6p)	15 JAN 2020
9 - 3	CAMERON, Fiona (5p)	18 JUN 2020
9 - 3A	CARMICHAEL, Robyn – statement of complaint	04 APR 2018
9 - 4	DAILEY, Hannah (35p) + recording	14 JAN 2020
9 - 4A	FLEMING, Tina – affidavit	31 AUG 2022
9 - 5	GILL, Helen (27p)	06 APR 2021
9 - 5AA	GILL, Helen – affidavit	03 OCT 2022
9 - 5A	HALTON, Sally – Affidavit	19 AUG 2022
9 - 5B	HEINRICH, Naomi – affidavit	22 AUG 2022
9 - 5C	HEINRICH, Naomi – letter, annexing root cause analysis	31 AUG 2022
9 - 6	HOLLAND, Cassandra – statement of events from 9.11 (3p)	19 NOV 2019
9 - 7	HOLLAND, Cassandra -ROC (35p) + recording	12 FEB 2020
9 - 7A	HOLLAND, Cassandra – affidavit (signed)	06 OCT 2022
9 - 8	REDDEN, Rebekah (21p) + recording	16 JAN 2020
9 - 9	REEVE, David (12p)	22 NOV 2019
9 - 9A	REEVE, David – affidavit	28 SEP 2022
9 - 10	RIWAKA, Janine (17p) + recording	22 JUN 2020
9 - 11	STARBUCK, Matilda (48p) + recording	04 JUN 2020
9 - 12	SYMONDS, Luana (31p)	20 NOV 2019
9 - 12A	SYMONDS, Luana – affidavit	05 OCT 2022
9 - 13	VELING, Kerrie (22p) + recording	16 JAN 2020
9 -13A	SUTHERLAND, Dr Kerrie (nee Veling) – evidence from Supreme Court trial	18 FEB 2022
9 - 14	WALCOTT, Lorraine (40p) + recording	10 NOV 2019
9 - 14A	WALCOTT, Lorraine – 11x photographs	10 NOV 2019
9 - 15	WATTS, Vanessa (17p) + recording	22 JUN 2020
9 - 15A	WATTS, Vanessa – affidavit	05 OCT 2022

9 - 16	ZANKER, Heather (9p) + recording	10 NOV 2019
9 - 17	NT Health Riskman records for Yuendumu WHS issues 2019	
9 - 18	NT Health Risk Assessment Guide (Matrix)	
PART 10 STATEMENTS – EXPERTS		
10 - 1	ALPERT, Geoffrey (97p)	31 MAR 2020
10 - 2	ALPERT, Professor Geoffrey – related notes and emails	06 JAN 2020 - 02 APR 2020
10 -2A	ALPERT, Dr Geoffrey – evidence from Committal proceedings	03 SEP 2020
10 - 3	BARRAM, Andrew – email to Kirk PENNUTO (1p)	10 MAR 2020
10 - 4	BARRAM, Andrew – Statement 1 – Annexures A/B/C/D/ E / F / G / H (523p)	13 MAR 2020
10 - 5	BARRAM, Andrew – Statement 2 – Annexures – A / B / C / D / E / F / G/H / I / J / K	26 MAR 2020
10 - 6	BARRAM, Andrew – Statement 3 (12p)	01 APR 2020
10 - 7	BARRAM, Andrew – Statement 4 (8p)	11 JUN 2020
10 - 8	BARRAM, Andrew – Statement 5 (6p)	21 AUG 2020
10 - 9	BARRAM, Andrew – annexures containing footage	
10 -9A	BARRAM, Andrew – evidence from Committal proceedings	03 SEP 2020
10 -9B	BARRAM, Andrew – evidence from Supreme Court trial (including evidence on the voir dire)	28 FEB 2022 01 MAR 2022 02 MAR 2022
10 - 10	BOTTERILL, Paul (8p)	02 JUN 2020
10 -10A	BOTTERILL, Dr Paull – evidence from Supreme Court trial	25 FEB 2022
10 – 10AA	CUNEEN, Professor Chris – Expert report	
10 -10B	LEE, Katherine – evidence from Supreme Court trial	28 FEB 2022
10 - 11	McFARLANE, Alexander (210p)	15 JUL 2020
10 - 12	McINTOSH, Andrew (71p)	20 MAY 2020
10 -12A	McINTOSH, Dr Andrew – evidence from Committal proceedings	03 SEP 2020
10 -12B	McINTOSH, Dr Andrew – evidence from Supreme Court trial	25 FEB 2022
10 - 13	READE, Michael (30p)	15 AUG 2020

10 - 14	SORELL, Matthew (28p) plus supporting material	24 JAN 2020
10 -13A	READE, Michael – evidence from Supreme Court trial	21 FEB 2022
10 - 15	SORELL, Matthew Statement 2 (4p) plus supporting material	12 APR 2020
10 - 16	SORELL, Matthew Statement 3 (11p) plus supporting material	16 SEP 2020
10 - 17	SORELL, Matthew – other material	
10 -17A	SORRELL, Dr Matthew – evidence from Supreme Court trial	23 FEB 2022
10 – 17B	SORRELL, Dr Matthew – statutory declaration re Hawkings BWV	20 AUG 2021
10 – 17C	SORRELL, Dr Matthew – statutory declaration re geolocation data	20 AUG 2021
10 - 18	TIEMENSMA, Marianne (Dr) – summary post-mortem report (2p)	12 NOV 2019
10 - 19	TIEMENSMA, Marianne (Dr) – summary post-mortem report (2p)	12 NOV 2019
10 - 20	TIEMENSMA, Marianne (Dr) – post mortem report (23p) (redacted)	21 JAN 2020
10 - 21	TIEMENSMA, Marianne (Dr) – additional statement (2p)	01 MAY 2020
10 -21A	TIEMENSMA, Dr Marianne – evidence from Committal proceedings	03 SEP 2020
10 -21B	TIEMENSMA, Dr Marianne – evidence from Supreme Court trial	22 FEB 2022
10 - 22	TOWSEY, Dr Keith (12p)	25 MAR 2020
10 -22A	TOWSEY, Dr Keith – evidence from Supreme Court trial	18 FEB 2022
10 – 22AA	VAN HAEFTEN, Bruce – statutory declaration	12 OCT 2022
10 – 22B	WATEGO, Professor Chelsea; PORTER, Dr Amanda; SINGH, Dr David; STRAKOSCH, Dr Elizabeth and CERRETO, Anna – expert report “ ‘in normal circumstances’: understanding the structural nature of racial violence in the Northern Territory”	16 SEP 2022
10 – 22C	Documents relevant to 10-22B; namely NAAJA briefing documents and CVs of Professor Watego, Dr Porter, Dr Singh, Dr Strakosch and Anna Cerreto	
<i>Defence Experts</i>		
10 - 23	ACKLAND, Professor Tim - Defence Expert (34p)	22 JUN 2021
10 - 24	BLACK, Dr John - Defence Expert (91p)	04 JUL 2021
10 - 25	LEWINSKI, Dr William - Defence Expert (23p)	02 JUL 2021

10 - 26	McDEVITT, Ben - Defence Expert – Police Shooting at Yuendumu (57p)	29 JUN 2021
10 - 27	McDEVITT, Ben - Defence Expert - NTPF accoutrements and less than lethal UoF options (25p)	16 AUG 2021
10 -27A	McDEVITT Ben – evidence from Supreme Court trial	08 MAR 2022
10 - 28	VON KLIEM, Lewis - Defence Expert (49p)	02 JUL 2021
Academics		
10 – 29	DOBOS, Dr Ned – expert statement	31 AUG 2022
10 – 30	HINKSON, Dr Melinda – expert statement	
10 – 31	HOPKINS, Tamar – expert statement	
10 – 31A	McCULLOCH, Dr Jude – expert statement	05 AUG 2022
10 – 32	MUSHARBASH, Dr Yasmine – expert statement	
PART 11 NT POLICE – RECRUITMENT		
11 - 1	NT Police Recruitment Manual (109p)	April 2013
11 - 2	NT Police Assessment Guidelines for recruiting staff and the Integrity Panel (11p)	
11 - 3	NT Police Medical Standards for police recruitment (12p)	January 2009
11 - 4	NT Police recruitment file for Adam DONALDSON	
11 - 5	NT Police recruitment file for James KRISTENFELDT	
PART 12 NT POLICE – CROSS CULTURAL TRAINING		
12 - 1	USB containing a video of a 2.5hour Cross Cultural Presentation provided to current recruits in training	
12 - 2	Policing Between Cultures – Session 1 – Multicultural Awareness – Facilitator Guide (64p)	
12 - 3	Policing Between Cultures – Session 1 – Multicultural Awareness – PowerPoint Presentation (20p)	
12 - 4	Policing Between Cultures – Session 2 – Aboriginal Culture – Facilitators Guide (101p)	
12 - 5	Policing Between Cultures – Session 2 – Aboriginal Culture – PowerPoint Presentation (54p)	
12 - 6	Policing Between Cultures – Session 3 – Community Partnerships and Engagement – Facilitators Guide (81p)	

PART 13 RELEVANT HISTORICAL INQUEST FINDINGS – NORTHERN TERRITORY		
13 - 1	Report of the Inquiry into the death of Jabanardi, 29 July 1980 – Royal Commission into Aboriginal Deaths in Custody – Report presented 27 February 1991 (67p)	27 FEB 1991
13 – 1A	Inquest into the death of Andrew ROSS	09 FEB 1999
13 - 2	Inquest into the death of Eduardo Concepcion, October 1999 – Findings handed down 25 January 2001 (41p)	25 JAN 2001
13 - 3	Inquest into the death of Robert Jongmin, October 2002 – Findings handed down 3 December 2007 (30p)	03 DEC 2007
13 - 4	Correspondence between Minister for Justice @ Attorney – General Mr Chris Burns and Commissioner Of Police Mr Paul White re Robert Jongmin inquest findings. (7p)	08 MAY 2008
13 - 5	Inquest into the death of Kieffan Raggett, October 2007 – Findings handed down 8 April 2007 (29p)	08 APR 2011
13 - 6	Inquest into the death of Cedric Trigger, January 2009 – Findings handed down 19 May 2010 (18p)	19 MAY 2010
13 - 7	Inquest into the death of Terrance Daniel Briscoe, January 2012 – Findings handed down 17 September 2012 (80p)	17 SEP 2012
13 - 8	Inquest into the death of Sasha Loreen Napaljarri Green, November 2013 – Findings handed down 21 June 2018 (32p)	21 JUN 2018
PART 14 RELEVANT HISTORICAL INQUEST FINDINGS - QUEENSLAND		
14 - 1	Findings of Inquest into the death of Edward Wayne Logan, 23 November 2014 – Findings handed down 14 December 2015 (15p)	14 DEC 2015
14 - 2	Findings of Inquest into the deaths of Anthony William Young, David Kenneth Baring Young and Louise Alexandra Dekens, 21 August 2013 – Findings handed down – 14 December 2015 (19p)	14 DEC 2015
14 - 3	Findings of Inquest into the death of Shaun Basil Kumeroa, 29 September 2014 – Findings handed down 18 January 2016 (19p)	18 JAN 2016
14 - 4	Findings of Inquest into the death of Laval Donovan Zimmer, 18 November 2014 – Findings handed down 3 May 2016 (22p)	03 MAY 2016
14 - 5	Findings of Inquest into the death of Troy Martin Foster, 24 November 2014 – Findings handed down 3 May 2016 (28p)	03 MAY 2016
14 - 6	Recommendations from Inquest into the deaths of Young, Kumeroa, Logan, Zimmer and Foster – Delivered 20 October	20 OCT 2017

	2017 (94p)	
14 - 7	Queensland Police response to recommendations from the Inquest into the deaths of Young, Kumeroa, Logan, Zimmer and Foster (23p)	UNDATED
PART 15 QUEENSLAND POLICE – TASK FORCE BLETCHLEY		
15 - 1	Queensland Police – Task Force Bletchley – A review into the use of force by Queensland Police – 2015	
PART 16 THE STEPHEN LAWRENCE INQUIRY – UNITED KINGDOM		
16 - 1	Inquiry Into The Matters Arising From The Death of Stephen Lawrence (United Kingdom). Report dated 15 February 1999	15 FEB 1999
PART 17 POLICIES		
17 - 1	ANZPAA Use of Force Principles (1p)	
17 - 2	Operational Safety and Use of Force General Order (2p)	14 JUN 2018
17 - 3	Operational Safety and Use of Force Instruction v1.4 (37p)	17 SEP 2020
17 - 4	Police Practices & Procedures - Operational Safety Principles	26 SEP 2018
17 - 5	Arrests – General Order (10p)	20 APR 2017
17 - 6	Coronial Investigation and Inquests – General Order (21p)	04 DEC 2014
17 - 7	Deaths In Custody – General Order (22p)	10 NOV 2011
17 - 8	Major Crime, Major Investigation and Critical Incident Response Instruction v1.0 (23p)	15 NOV 2018
17 - 9	Police Negotiation Unit – General Order (19p)	08 NOV 2012
17 - 10	Territory Response Group – General Order (10p)	23 OCT 2014
17 - 11	Custody and Transport General Order (2p)	20 SEP 2018
17 - 12	Custody and Transport Instruction v1.2 (87p)	12 FEB 2020
17 - 13	Critical Incident Response – superseded (17p)	16 APR 2009
17 - 14	Police Training – Defensive Tactics, Facilitator Guide v3.1 (83p)	
17 - 15	Police Training – Operational Safety, Incident Management, Facilitator Guide v4.1 (90p)	
17 - 16	Firearms Operational Safety Manual v1.0 (112p)	

17 - 17	Firearms Training – Pre-Requalification Reading (8p)	
17 - 18	Glock Requalification lesson plan (2p)	
17 - 19	Firearms Accuracy Qualification Assessment (2p)	
17 - 20	United Nations – Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (4p)	
17 - 21	Australian Centre For Policing Research – National minimum guidelines for incident management, conflict resolution and use of force (156p)	
17 - 22	Australian Centre For Policing Research – National Guideline Compendium, Police Use of Lethal Force, Deployment of Police in High Risk Situations, Deployment of Police Negotiators (32p)	
17 - 23	Standard Operating Procedures - Alice Springs Immediate Response Team (14p)	30 JUN 2017
17 - 24	Dog Operations Unit General Order - superseded _Redacted	
17 - 25	Dog Operations Instruction_Redacted	
17 - 26	NT Police General Order W1 Warrants	
17 - 27	Complaints Against Police General Order	
17 - 28	General Order: Code of Conduct and Ethics	
17 - 29	General Order Note Taking, Notebooks, Diaries	01 JUN 2012
PART 18 OTHER POLICE MATERIAL		
18 - 1	IRT Training records (27p)	01 JAN 2017- 26 NOV 2019
18 - 2	Email correspondence “FW: IRT deployment to remote locations – Interim measures” Beer, Currie, Pollock, Hebb, Morgan (19p)	18 NOV 2019- 19 NOV 2019
18 - 3	Email correspondence “RE: IRT deployment to remote locations – Interim measures” Beer, Murphy, Currie, Pollock, Hebb, Morgan (6p)	18 NOV 2019- 27 NOV 2019
18 - 4	Email correspondence “RE: Use of Force” Donaldson and Anticich (2p)	29 NOV 2019
18 - 5	Email correspondence “RE: UOF” Bacon, Anticich, Hebb, White, O’Brien and Dole (3p)	02 DEC 2019
18 - 6	Email correspondence “FW: Your statement operation	28 JAN 2020

	Charwell” Dole, Anticich, Beer, Wellfair (16p)	
18 - 7	Email correspondence “RE: Zack Rolfe – Military disciplinary history” Anticich, Dole, Morgan (3p)	28 JAN 2020
18 - 8	Email correspondence “Recruit Vetting Process” Anticich, Dole, Morgan,	28 JAN 2020- 04 FEB 2020
18 - 9	Email correspondence “FW: Op Charwell – coronial investigation – statement required” Morgan, Beer (6p)	05 FEB 2020- 06 FEB 2020
18 - 10	Article “You can’t charge me, I’m a cop: should police, corrections staff and law enforcement officers be immune from criminal liability for actions carried out against vulnerable people in the course of their duties?” by Stephen Gray	2018
18 - 11	Email correspondence “Top 10: UOF / EVD” Fernandes, Anticich attaching use of force data (4p)	30 JAN 2020- 01 MAY 2020
18 - 12	Email attaching Terms of reference for Organisational Response Steering Committee (4p)	13 MAY 2020
18 - 13	Email attaching updated Terms of reference for Organisational Response Steering Committee (4p)	15 MAY 2020
18 - 14	Police Administration Act 1978 Section 19 Aboriginal Community Police and auxiliaries	
18 - 15	NTPOL ACPO Schedule of powers	23 MAY 2022
18 - 16	Yuendumu Station Profile	
18 - 17	Draft induction document dated 2020	
18 - 18	Station Profile 2014	
18 - 19	Yuendumu Police Station 2022 Induction document	
18 - 20	NTPF Workplace Induction	10 OCT 2013
18 - 21	NTPOL Types of PROMIS alerts	
<i>IRT deployments to Borroloola</i>		
18 - 22	NT PROMIS entries for deployments to Borroloola	
18 - 23	NT Police Case Note: (44027005) Escape Custody – Borroloola	26 DEC 2018
18 - 24	NT Police Case Note: (44027765) NOBLE arrested	28 DEC 2018
18 - 25	NT Police Case Note: (44027732) Running sheet	28 DEC 2018
18 - 26	NT Police IJIS Offender Journal	28 DEC 2018

18 - 27	Statement of facts 21853160	
PART 19 CRIMINAL PROSECUTION		
19 - 1	R v Rolfe – statement of facts (7p)	19.12.2019
19 - 2	Considerations in relation to bail (5p)	
19 - 3	Bail Form (3p)	13 NOV 2019
19 - 4	Notice to prosecutors (1p)	
19 - 5	Folio index	
19 - 6	Witness index	
<i>Transcripts</i>		
19 - 7	Local Court – mention (5p)	19.12.2019
19 - 8	Local Court – mention (5p)	09.04.2020
19 - 9	Local Court – mention (7p)	22.07.2020
19 - 10	Local Court – mention (27p)	14.08.2020
19 - 11	Local Court – committal day one (81p)	01.09.2020
19 - 12	Local Court - committal day two (91p)	02.09.2020
19 - 13	Local Court - committal day three (70p)	03.09.2020
19 - 14	Local Court – committal submissions (38p)	25.09.2020
19 - 15	Supreme Court (7p)	20.01.2021
19 - 16	Supreme Court (8p)	31.03.2021
19 - 17	Supreme Court (6p)	23.08.2021
19 - 18	Supreme Court (55p)	20.12.2021
19 - 19	Supreme Court (93p)	21.12.2021
19 - 20	Supreme Court – trial (22p) (published)	07.02.2022
19 - 21	Supreme Court – trial (51p) (published)	08.02.2022
19 - 22	Supreme Court – trial (62p) (published)	09.02.2022
19 - 23	Supreme Court – trial (54p) (published)	10.02.2022
19 - 24	Supreme Court – trial (70p) (published)	11.02.2022
19 - 25	Supreme Court – trial (72p) (published)	14.02.2022
19 - 26	Supreme Court – trial (59p) (published)	15.02.2022
19 - 27	Supreme Court – trial (64p) (published)	16.02.2022

19 - 28	Supreme Court – trial (62p) (published)	17.02.2022
19 - 29	Supreme Court – trial (59p) (published)	18.02.2022
19 - 30	Supreme Court – trial (45p) (published)	21.02.2022
19 - 31	Supreme Court – trial (63p) - (published)	22.02.2022
19 - 32	Supreme Court – trial (62p) - (published)	23.02.2022
19 - 33	Supreme Court – trial (61p) - (published)	24.02.2022
19 - 34	Supreme Court – trial (53p) - (published)	25.02.2022
19 - 35	Supreme Court – trial (51p) - (published)	28.02.2022
19 - 36	Supreme Court – trial (63p) - (published)	01.03.2022
19 - 37	Supreme Court – trial (67p) - (published)	02.03.2022
19 - 38	Supreme Court – trial (60p) - (published)	03.03.2022
19 - 39	Supreme Court – trial (73p) - (published)	04.03.2022
19 - 40	Supreme Court – trial (42p) - (published)	07.03.2022
19 - 41	Supreme Court – trial (72p) - (published)	08.03.2022
19 - 42	Supreme Court – trial (57p) - (published)	09.03.2022
19 - 43	Supreme Court – trial (51p) - (published)	10.03.2022
19 - 44	Supreme Court – trial (3p) - (published)	11.03.2022
<i>Judgments</i>		
19 - 45	<i>The Queen v Rolfe (No 1)</i> [2020] NTSC 80 (16p)	17.12.2020
19 - 46	<i>The Queen v Rolfe (No. 2)</i> [2021] NTSC 45 (21p)	18.06.2021
19 - 47	<i>The Queen v Rolfe (No 3)</i> [2021] NTSC 46 (15p)	22.06.2021
19 - 48	<i>The Queen v Rolfe (No. 4)</i> [2021] NTSC 58 (43p)	13.08.2021
19 - 49	<i>The Queen v Rolfe (No 5)</i> [2021] NTSCFC 6 (100p)	13.08.2021
19 - 50	<i>The Queen v Rolfe (No 6)</i> [2021] NTSC 65 (18p)	19.08.2021
19 - 51	<i>The Queen v Rolfe</i> [2021] HCA 38 (17p)	10.11.2021
19 - 52	<i>The Queen v Rolfe (No 7)</i> [2022] NTSC 1 (63p)	20.01.2022
19 - 53	<i>The Queen v Rolfe (No 8)</i> [2022] NTSC 11 (17p)	22.02.2022
19 - 54	<i>The Queen v Rolfe (No 9)</i> [2022] NTSC 22 (6p)	30.03.2022
<i>Trial MFIs and Exhibits</i>		Tendered

19 - 55	Agreed trial exhibit list (12p)	07.02.2022-10.03.2022
19 - 56	Exhibit 1: Crown bundle of documents including Agreed Facts	08 FEB 2022
19 - 57	Exhibit 2: Crown bundle including BWV transcripts and still images of axe incident on 06.11.2019 and CCTV still images of Yuendumu Police Station on 09.11.2019	09 FEB 2022
19 - 58	Exhibit 7: Person Entity Profile Report for Kumanjayi Walker (created on 24.08.2020)	10 FEB 2022
19 - 59	Exhibit 8: PROMIS Case Note (44194706) (axe incident) (created on 06.11.2019)	10 FEB 2022
19 - 60	Exhibit 9: Sketch plan of Yuendumu Police Station Muster Room	10 FEB 2022
19 - 61	Exhibit 12: BWV transcript of SC Anthony Hawkings at Yuendumu Police Station (aftermath of shooting incident; 09.11.2019; 9.12pm)	10 FEB 2022
19 - 62	Exhibit 13: Email from Detective Sgt Wayne Newell to Sgt Julie Frost (18.11.2020)	11 FEB 2022
19 - 63	Exhibit 14: Standard Operating Procedures (Alice Springs – Immediate Response Team)	11 FEB 2022
19 - 64	Exhibit 20: Sketch plan of IRT briefing at Alice Springs Police Station on 09.11.2019 prepared by Constable 1/C Breanna Bonney	14 FEB 2022
19 - 65	Exhibit 25: Crown bundle of shooting incident (BWV transcripts & still images from 09.11.2019)	17 FEB 2022
19 - 66	Exhibit 27: Aerial image of House 511 marked by SC Anthony Hawkings	17 FEB 2022
19 - 67	Exhibit 31: BWV transcript of SC Anthony Hawkings at Yuendumu Police Station (aftermath of shooting incident; 09.11.2019; 7.30pm)	17 FEB 2022
19 - 68	Exhibit 37: Part 4 (Edged and Blunt Weapon Awareness) of Police 'Defensive Tactics' Training Module (Facilitator Guide)	18 FEB 2022
19 - 69	Exhibit 40: Bundle of four forensic photographs of the scissors	21 FEB 2022
19 - 70	Exhibit 49: Bundle of two annotated photographs of the T-shirt worn by the deceased at the time of the shooting incident	21 FEB 2022
19 - 71	Exhibit 51: Summary of forensic examination and findings in relation to the scissors prepared by forensic biologist Kate Cheong-Wing	21 FEB 2022
19 - 72	Exhibit 52: Bundle of three annotated photographs of the	21 FEB 2022

	Police issue shirt worn by the accused on 09.11.2019	
19 - 73	Exhibit 53: Summary of forensic examination and findings in relation to the Police issue shirt worn by the accused on 09.11.2019 prepared by forensic biologist Kate Cheong-Wing	21 FEB 2022
19 - 74	Exhibit 54: Bundle of three annotated photographs of the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019	21 FEB 2022
19 - 75	Exhibit 55: Summary of forensic examination and findings in relation to the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by forensic biologist Kate Cheong-Wing	21 FEB 2022
19 - 76	Exhibit 56: Curriculum vitae of Dr Marianne Tiemensma	22 FEB 2022
19 - 77	Exhibit 57: Diagram and annotated photograph of bullet wounds to the body of the deceased prepared by Dr Marianne Tiemensma	22 FEB 2022
19 - 78	Exhibit 58: Bundle of email correspondence between Dr Marianne Tiemensma and investigating officers/DPP (16.03.2020 – 24.08.2020)	22 FEB 2022
19 - 79	Exhibit 61: myADAPT Police training overview for Remote Sgt Adam Eberl	23 FEB 2022
19 - 80	Exhibit 62: Crown bundle of NTPF Orders and Guidelines including Defensive Tactics facilitator guide	23 FEB 2022
19 - 81	Exhibit 63: Cordon and Containment Course Southern Command Joining Instructions (08.05.2017-19.05.2017)	23 FEB 2022
19 - 82	Exhibit 65: Cordon and Containment Course Southern Command Joining Instructions (08.05.2017-19.05.2017)	24 FEB 2022
19 - 83	Exhibit 66: Email correspondence between Timothy Simpson and an investigating officer (25.05.2020)	24 FEB 2022
19 - 84	Exhibit 67: Bundle of four photographs depicting damage to the black tactical vest with plate worn by the accused on 09.11.2019	24 FEB 2022
19 - 85	Exhibit 68: Email correspondence between Timothy Simpson and the parties to these proceedings (03.02.2022)	24 FEB 2022
19 - 86	Exhibit 69: Bundle of three reports and curriculum vitae prepared by Dr Andrew McIntosh	25 FEB 2022
19 - 87	Exhibit 71: Curriculum vitae of Dr Paull Botterill	25 FEB 2022
19 - 88	Exhibit 72: Report prepared by Dr Paull Botterill (02.06.2020)	25 FEB 2022
19 - 89	Exhibit 73: Email correspondence between Dr Paull Botterill	25 FEB 2022

	and an investigating officer (15.07.2020; 28.07.2020)	
19 - 90	Exhibit 74: Curriculum vitae of Dr Joannah Lee	28 FEB 2022
19 - 91	Exhibit 75: Bundle of five annotated photographs of the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by Dr Joannah Lee (19.01.2022)	28 FEB 2022
19 - 92	Exhibit 76: Summary of results of forensic DNA analysis in relation to the Police issue shirt worn by Remote Sgt Adam Eberl on 09.11.2019 prepared by Dr Joannah Lee	28 FEB 2022
19 - 93	Exhibit 77: Curriculum vitae of Detective Senior Sgt Andrew Barram	28 FEB 2022
19 - 94	Exhibit 78: Bundle of documents relating to Senior Sgt Barram's evidence including Police training exam papers completed by the accused + Police training Assessment Instrument relating to the accused (10.11.2016)	28 FEB 2022
19 - 95	Exhibit 79: Facebook post by Detective Senior Sgt Andrew Barram sharing video (copy of video at Exhibit 80) (02.10.2019)	2 MAR 2022
19 - 96	Exhibit 81: NTPFES Person Location Record relating to the accused (24.02.2022)	02 MAR 2022
19 - 97	Exhibit 82: Bundle of email correspondence between Dr Keith Towsey and investigating officers/DPP (15.07.2020 to 24.08.2020)	02 MAR 2022
19 - 98	<i>Exhibit 83: Curriculum vitae of Ben McDevitt</i>	08 MAR 2022
19 - 99	<i>Exhibit 84: Bundle of four documents relating to a Police use of force model developed by Ben McDevitt</i>	08 MAR 2022
19 - 100	Electronic exhibits: exhibit 12, 25, 31, 39, 59, 60, 80	
<i>Suppression and non—publication Orders</i>		Tendered
19 - 101	Order made by Chief Judge Morris	21 FEB 2020
19 - 102	Order made by Judge Birch	01 JUL 2020
19 - 103	Order made by Judge Birch	03 SEP 2020
19 - 104	Order made by Chief Judge Morris	08 SEP 2020
19 - 105	Order made by Judge Birch	26 OCT 2020
19 - 106	Order made by Acting Justice Mildren	11 DEC 2020
19 - 107	Order made by Acting Justice Mildren	18 JUN 2021

19 - 108	Order made by Acting Justice Mildren	19 JUL 2021
19 - 109	Order made by Acting Chief Justice Southwood	22 JUL 2021
19 - 110	Order made by Acting Chief Justice Southwood	28 JUL 2021
19 - 111	Order made by Acting Justice Mildren	30 JUL 2021
19 - 112	Order made by Acting Justice Mildren	13 AUG 2021
19 - 113	Amended Order made by Justice Southwood	17 AUG 2021
19 - 114	Order made by Chief Justice Grant	19 NOV 2021
19 - 115	Order made by Justice Burns	20 DEC 2021
19 - 116	Order made by Justice Burns	20 JAN 2022
19 - 117	Order made by Justice Burns	31 JAN 2022
19 - 118	Amended Order made by Justice Burns	09 FEB 2022
19 - 119	Order made by Justice Burns	15 FEB 2022
19 - 120	Order made by Justice Burns	16 FEB 2022
19 - 121	Order made by Justice Burns	18 FEB 2022
19 - 122	Order made by Justice Burns	22 FEB 2022
19 - 123	Order made by Justice Burns	01 MAR 2022
19 - 124	Order made by Justice Burns	03 MAR 2022
PART 20 OTHER MATERIAL		
<i>NORTHERN TERRITORY ABORIGINAL JUSTICE AGREEMENT</i>		
20 - 1	Letter Streeton Lawyers to Human Rights Commission	06 MAY 2020
20-2	Northern Territory Aboriginal Justice Agreement 2021-2027	
20-3	Northern Territory Aboriginal Justice Agreement Action Plan 2021-2022	
20-4	Northern Territory Aboriginal Justice Agreement Implementation Strategy 2021-2027	
20-5	Pathways to the Northern Territory Aboriginal Justice Agreement	
<i>MILITARY RECORDS</i>		
20-6	Military records for Adam DONALDSON	
20-7	Military records for James KRISTENFELDT	

<i>Material from Royal Commission into the Protection and Detention of Children in the Northern Territory</i>		
20-8	BATH, Dr Howard – report “Growing them Strong, Together: Promoting the Safety and Wellbeing of the Northern Territory’s Children”.	
20-9	BATH, Dr Howard – statement	01 OCT 2016
20-10	BATH, Dr Howard – transcript of evidence at the Royal Commission	31 MAY 2017
20 – 10A	HOWARD, Dr Damien – statement to the Royal Commission	05 OCT 2016
20 – 10B	HOWARD, Dr Damien – evidence to the Royal Commission	13 OCT 2016
20-11	Final Report, Chapter 25: The Path into Detention	
<i>Legal Issues in Inquests</i>		
20-12	Aberdeen, John ““Blowed off by a side wind”? Coronial inquests following criminal acquittals” J Law Med 2016 Mar 23(5):595-608	
20-13	Freckleton QC, Ian “Procedural Fairness and the Coroner” (2018) 26 JLM 7	
20-14	Freckleton QC, Ian “Minimising the Counter-Therapeutic effects of Coronial Investigations: In search of balance” QUT Law Review 16(3) 4-29	
20 – 14A	NEWHOUSE, George, GHEZELBASH, Daniel and WHITTAKER, Alison – article “The Experience of Aboriginal and Torres Strait Islander Participants in Australia’s Coronial Inquest System: Reflections from the Front Line” – <i>International Journal for Crime, Justice and Social Democracy</i> 9(4) 2020	2020
20 – 14B	Victorian Equal Opportunity & Human Rights Commission & Victorian Aboriginal Legal Service “Resource: Investigating systemic racism – a Tanya Day inquest resource for advocates and lawyers”	
<i>Academic articles</i>		
20-15	Butler, Judith “Endangered/Endangering: Schematic Racism and White Paranoia” 1993, in <i>Reading Rodney King: Reading Urban Uprising</i>, ed. Robert Gooding-Williams, 15-22. New York and London: Routledge	
20-16	Chapman, Lora Elizabeth “‘Cop chasing’ in Alice Springs: Youth Experiences of surveillance in a Central Australian Town” 2022	

	The Australian Journal of Anthropology special edition	
20-17	Curran, Georgia "Justice for Walker: Warlpiri responses to the police shooting of Kumanjaya Walker" 2022 The Australian Journal of Anthropology special edition	
20-18	Daly, Professor Anne & Barrett, Greg "Independent Cost Benefit Analysis of the Yuendumu Mediation and Justice Committee" 2014	
20-19	Finnane, Mark & Finnane, Kieran (2011) A Death in Alice Springs, Current Issues in Criminal Justice, 23:2, 255-271	
20-20	Folds, Ralph "Aboriginal crime at the cultural interface in Central Australia" Crime Media Culture 2019, Vol. 15(1) 107-124	
20-21	Hinkson, Melinda "Afterward: Context erasure" 2022 The Australian Journal of Anthropology special edition	
20-22	Horton, Patrick "Carceral spectres: hyperincarceration and the haunting of Aboriginal life" 2022 The Australian Journal of Anthropology special edition	
20 – 22A	HOWARD, Dr Damien & BARNEY, Jody – article "How mainstream services are failing the many indigenous people with hearing loss in custody" – The Mandarin	22 JUN 2020
20 – 22B	HOWARD, Dr Damien & Others – article "The link between hearing impairment and child maltreatment among Aboriginal children in the Northern Territory of Australia: is there an opportunity for a public health approach in child protection?" <i>BMC Public Health</i> (2020) 20:449	
20 – 22C	McFARLANE, Professor Alexander & Others – article "Problem anger in veterans and military personnel: Prevalence, predictors, and associated harms of suicide and violence" <i>Journal of Psychiatric Research</i> 151 (2022) 57-64	2022
20 – 22D	McFARLANE, Professor Alexander & Others – article "The role of inhibitory process in the relationship between subsyndromal PTSD symptoms and aggressive behaviour" <i>Journal of Psychiatric Research</i> 143 (2021) 357-363	2021
20 – 22E	McFARLANE, Professor Alexander – book chapter "Anger in occupations characterised by repeated threat and stress exposure"	
20 – 22F	McFARLANE, Professor Alexander – submission to senate Inquiry "The People behind 000"	20 JUN 2018
20-23	Musharbash, Yasmine "Yuendumu CDEP: The Warlpiri work ethic and Kardiya staff turnover" 2004 in <i>The Indigenous Welfare Economy and the CDEP Scheme</i>, ed F. Morphy and W.G. Sanders, 153-165. ANU Press	
20-24	Musharbash, Yasmine <i>Yuendumu Everyday: Contemporary life in remote Aboriginal Australia</i> 2008 Aboriginal Studies Press	

20-25	Musharbash, Yasmine “Warlpiri fears/whitefella fears: Ways of being in Central Australia seen through an emotion” 2009 Emotion Space and Society 3 (2010) 95-102	
20-26	Musharbash, Yasmine “Only whitefella take that road’: Culture seen through the intervention at Yuendumu” 2010 in <i>Culture Crisis: Anthropology and Politics in Aboriginal Australia</i>, ed. John Altman and Melinda Hinkson, 212-225	
20-27	Musharbash, Yasmine “Monstrous Transformations: A Case Study from Central Australia” 2014, in <i>Monster Anthropology in Australasia and Beyond</i>, ed. Yasmine Musharbash and Geir Henning Presterudstuen, 39-55. Palgrave Macmillan New York	
20-28	Musharbash, Yasmine (2017) “Telling Warlpiri Dog Stories”, <i>Anthropological Forum</i>, 27:2, 95-113,	
20-29	Musharbash, Yasmine “A Story in and on Signs: Making Resistance and Acquiescence Legible as Forms of Resilience” 2019, in <i>Pacific Realities: Changing Perspectives on Resilience and Resistance</i>, ed. Laurent Dousset and Melissa Nayral, 23-43. New York and Oxford: Berghahn	
20-30	Musharbash, Yasmine “An Introduction in 3 parts: Anthropological perspectives on the shooting of Kumanjayi Walker” 2022 <i>The Australian Journal of Anthropology</i> special edition	
20-31	Pawu-Kurlpurlurnu WJ, Holmes M and Box L. 2008. <i>Ngurra-kurlu: A way of working with Warlpiri people</i>, DKCRC Report 41. Desert Knowledge CRC, Alice Springs	
20-32	Perera, Suvendrini and Pugliese, Joseph “Death in a Dry River: Black Life, White Property, Parched Justice” 2011) <i>Somatechnics</i> 1.1: 65-86	
20-33	Razack, Sherene H. “Settler Colonialism, Policing and Racial Terror: The Police Shooting of Loreal Tsingine” 2020 <i>Feminist Legal Studies</i> 28:1-20	
20-34	Redmond, Anthony “Military policing and labour extraction in the north-west Kimberley” 2022 <i>The Australian Journal of Anthropology</i> special edition	
20-35	Scarfe, Liz “Erasing Trauma – Erasing Indigeneity: How the settler colonial state erased Warlpiri trauma in the wake of the police shooting of Kumanjayi Walker” 2022 <i>The Australian Journal of Anthropology</i> special edition	
20-36	Vaarzon-Morel, Petronella “Hope in a time of world-shattering events and unbearable situations: policing and an emergent 'ethics	

	of dwelling' in Lander Warlpiri Country" 2022 The Australian Journal of Anthropology special edition	
<i>FASD material</i>		
20-37	Fetal Alcohol Spectrum Disorder (FASD): An update on police and practice in Australia	2022
<i>Other</i>		
20 – 38	Australian Institute of Criminology report – Deaths in custody in Australian 2020-2021	2021
20 – 39	Australian Institute of Health and Welfare – Hearing health outreach services for Aboriginal and Torres Strait Islander children in the Northern Territory July 2012 to December 2020	2021
20 – 40	Human Rights Commission – Indigenous deaths in custody 1989-1996 Profile – Male 48 died 28 April 1990, Elcho Island NT	
20 – 41	KORF, Jens – article “Ear health and Hearing Loss” – Creative Spirits	20 MAR 2020
20 – 42	NT Health “Hearing loss is preventable”	03 MAR 2020
20 – 43	PANTHEE, Madhu Yuendumu Peace Mission Presentation	
20 – 44	Senate Report “The People behind 000: mental health of our first responders”	FEB 2019
20 – 45	Root Cause Analysis (RCA) - Department of Health responses to a Critical Incident in Yuendumu in November 2019	14 JAN 2021
20 – 46	7New Spotlight - Life and Death (45m56s) – recording	
20 – 47	7New Spotlight - Life and Death (45m56s) – transcript	
20 – 48	7News Spotlight - The Trial of 'Killer' Cop Zachary Rolfe (35m53s) – recording	
20 – 49	7News Spotlight - The Trial of 'Killer' Cop Zachary Rolfe (35m53s) – transcript	
20 – 50	7News Spotlight Footage video 1	
20 – 51	7News Spotlight Footage video 1 – transcript	
20 – 52	7News Spotlight Footage video 2	
20 - 53	7News Spotlight Footage video 2 - transcript	
20 – 54	7News Spotlight Footage video 3	

20 – 55	7News Spotlight Footage video 3 – transcript	
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SHORT MINUTES OF ORDER

COURT DETAILS

Court: Coroner's Court of the Northern Territory
Case Number: A0051/2019

TITLE OF PROCEEDINGS

Inquest into the death of Kumanjaya Walker

NATURE AND DATE OF ORDER

Non-Publication/Non-Disclosure order (Interim)
4 May 2023

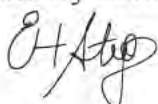
ORDERS MADE BY THE COURT

Pursuant to s.43 of the Coroners Act 1993 (NT), and/or the Court's implied or incidental powers, the Court orders that:

1. Subject to orders 2, 3 and 4, there be no disclosure or other publication of the items listed in Table A **annexed** to this Order, including audio-visual and audio material.
2. Order 1 does not prevent disclosure or other publication of the items listed in Table A to Parties granted leave to appear, for the purposes of these coronial proceedings.
3. Order 1 does not prevent disclosure or other publication of the items listed in Table A to those persons assisting the Coroner in her investigation, including legal representatives, administrative staff and experts.
4. Order 1 does not prevent the NT Police Force from using or disclosing the material in Table A for the purpose of performing its statutory functions.
5. Order 1 does not prevent disclosure where required by law or where disclosure is to a statutory entity for the purposes of them performing their functions.
6. Orders 1, 2, 3, 4 and 5 operate until further order.

SEAL AND SIGNATURE

Northern Territory Coroner Elisabeth Armitage

Signature: 

Date: 4 May 2023



Inquest into the death of Kumanjayi Walker

Table A: Material to which interim non publication order applies

Annexure to non publication order made 4 May 2023

1.	Birth name of K Walker
2.	Information concerning K Walker’s juvenile criminal history
3.	The image or likeness of witness Claudia Campagnaro in connection to any reporting, commentary, broadcast, media or social media posts or comments concerning the Inquest into the Death of Kumanjayi Walker or Constable Zachary Rolfe
4.	The names XZ, BB and “Officer B” referred to in the evidence of Claudia Campagnaro at T2791
5.	The name of the friend of Claudia Campagnaro who participated in a recorded conversation with police on 14 October 2020, or any information that may identify her
6.	The name and image of Master TG, who was arrested by Cst Rolfe on 11 August 2011
7.	The name and image of Master CW, who was arrested by Cst Rolfe on 1 April 2019
8.	The names of any victims of domestic violence alleged to have been committed by Kumanjayi Walker, and any information that may tend to identify them
9.	The names of any alleged perpetrators or victims of domestic violence to which Kumanjayi Walker was exposed as a child, and any information that may tend to identify them
10.	The name of the person D“C”C referred to in the evidence of Cst Rolfe at T3267
11.	The information redacted from MFI C by Counsel Assisting
12.	In relation to the application on behalf of Cst Kirstenfeldt: <ul style="list-style-type: none"> (a) Paragraphs [5] and [20] of the submissions filed on behalf of Constable James Kirstenfeldt dated 17 October 2022; (b) Paragraph [2](b) of the submissions filed on behalf of the Northern Territory Police Force dated 21 October 2022; (c) The evidence of Constable James Kirstenfeldt given on 20 October 2022 regarding his mental health; (d) The report of Ms Angela Lebar dated 30 August 2022
13.	Application and granting of s38 certificate on 6 March 2023
14.	Information or photographs that would identify children depicted in the Facebook live videos 4-18A, 4-19, 4-20, 4-22, 4-23, 4-25, 4-26, 4-27 and 4-28

15.	Video 4-21 "3. Still no info- plane is coming in 40 minutes. ambulance is there" Video 4-24 "6. Sitting waiting still – cant use Mr Nelson in video"
16.	Name of person "CV" referred to in phone download 3-161
17.	The names of the recipients of the SMS/MMS messages sent from Constable Rolfe at 1:08am and 1:10am on 25 September 2019, containing a video of bodyworn video of an incident in Todd Mall on 24 September 2019
18.	Sensitive images of K Walker recorded after he was shot on 9 November 2019 (including images of him receiving treatment and of immediately after his passing). In particular, the sensitive images contained in Ex 4-1 BWV: <ul style="list-style-type: none"> • Donaldson 3 of 5 • Eberl 2 of 4 • Eberl 3 of 4 • Eberl 4 of 4 • Hawkings 3 of 10 • Hawkings 4 of 10 • Kirstenfelt 2 of 2 • Rolfe 2 of 4
19.	The part of the recorded statement of Claudia Campagnaro dated 19.08.20, which is contained in the final paragraph of p18 and the entirety of p19 of the transcript of that recorded statement
20.	The following brief items: <ol style="list-style-type: none"> (a) 3-1 NT Police Recruitment File reference check- Corinne Smith (b) 3-2 Email Correspondence and certificates- Trojan Securities (12p) (c) 3-3 Statement Sgt Kevin Agnew 23 Jan 2020 (d) 3-4 NT Police Application- Rolfe (e) 3-5 Statement Superintendent Sharma (f) 3-6 AIFP Psychiatric profiling Report (g) 3-7 NT Police Interview Panel recommendations (h) 3-8 NT Police Interview Notes (i) 3-25 Career Review - Const Zachary ROLFE (j) 3-35 Email corro – Comd Currie – SSgt Williams (k) 3-36 IRT Induction Course – Joining Instructions (l) 3-37 TRG Training records (m) 3-38 PROMIS Case Note Entry – 8854742 (n) 3-39 TRG Training Transcript (o) 3-40 TRG Training Transcript (p) 3-41 TRG Training Transcript (q) 3-42 Load Bearing Vest – Business Case (r) 3-43 Patrol Rifle – Business Case (s) 3-44 Operation Moor Review

	<p>(t) 3-45 ABC News – militarisation of police</p> <p>(u) 3-46 Ben Beede – Paramilitary and Militarized Police</p> <p>(v) 3-47 Soldiers as Police Officers Police Officers</p> <p>(w) 3-48 David Baker, Crime Law Society, 2009</p> <p>(x) 3-49 Rolfe Bath Street Medical Centre records</p> <p>(y) 3-50 Pharmaceutical Benefit Scheme records</p> <p>(z) 3-50A NT Police recruitment file for Zachary Rolfe (88p)</p> <p>(aa) 3-51 Vic Pol Recruitment Correspondence</p> <p>(bb) 3-52 Email from Inspector Caroline West, Victoria Police 20 May 2020</p> <p>(cc) 3-53 Statement Caroline West, Victoria Police 25 June 2020</p> <p>(dd) 3-54 Extract of Rolfe’s application for Victoria Police</p> <p>(ee) 3-55 Email Giannulidis Victoria Police – no criminal history 5 June 2020</p> <p>(ff) 3-56 Expression of Interest for Queensland Police 1 February 2016</p> <p>(gg) 3-57 Email Terry Poole – QLD Police – no intelligence holdings (6p) 9 June 2020</p> <p>(hh) 3-58 QLD Police Report – involving Rolfe – 23/12/2011</p> <p>(ii) 3-58A Email from Stephen Quinn QLD Police 23 June 2020</p> <p>(jj) 3-59 WA Police application 2 February 2016</p> <p>(kk) 3-60 Email Manju Subramanian, WA Police re nil criminal history 5 June 2020</p> <p>(ll) 3-61 Email Marianne Walker, AFP – no outcomes 8 June 2020</p> <p>(mm) 3-62 Email Judith Crowley, SA Police – infringement only 5 June 2020</p> <p>(nn) 3-63 Email Brett Walsh, Tas Police – no record 5 June 2020</p> <p>(oo) 3-64 EVANS, Tracey (14p) (ADF) 12 June 2020</p> <p>(pp) 3-64A ADF Employment application extract (1p) 21 January 2010</p> <p>(qq) 3-64B ADF Service History (7p) 17 December 2019</p> <p>(rr) 3-64C ADF Service Certificate (1p) 3 May 2015</p> <p>(ss) 3-64D ADF Conduct record (98p)</p> <p>(tt) 3-64E Department of Defence Application for special Forces (4p) 28 August 2014</p> <p>(uu) 3-64F Special Operations Command Application</p> <p>(vv) 3-159 PAYNE, STEPHEN–statement (40p) 29 April 2022</p> <p>(ww) 3-160 PHAM, William (AFP)–statement (3p) 18 March 2021</p> <p>(xx) 3-161 Apple iPhone Xs (A1920) extraction report –redacted (8047p), Images and videos</p> <p>(yy) 3-165 NT Police Internal Investigation Intinv2020-001 - 12 October 2019</p> <p>(zz) 3-166 NT Police Internal Investigation IntInv2020-033 - 18 February 2019</p> <p>(aaa) 3-167 NT Police Internal Investigation Intinv2021-006 - BWV dissemination</p> <p>(bbb) 3-168 PROMIS Summary 9072699 8 September 2019</p> <p>(ccc) 3-169 AXON_Body_2_Video_2019-09-08_0417 8 September 2019</p> <p>(ddd) 3-170 AXON_Body_2_Video_2019-09-08_0418 8 September 2019</p> <p>(eee) attachment to Ex 7-69 – list of children of interest</p> <p>(fff) 10-11 McFARLANE, Professor Alexander 15 July 2020</p> <p>(ggg) 20-50 7News Spotlight Footage video 1</p> <p>(hhh) 20-51 7News Spotlight Footage video 1 – transcript</p> <p>(iii) 20-52 7News Spotlight Footage video 2</p> <p>(jjj) 20-53 7News Spotlight Footage video 2 - transcript</p> <p>(kkk) 20-54 7News Spotlight Footage video 3</p> <p>(lll) 20-55 7News Spotlight Footage video 3 – transcript</p>
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Annexure H

Chronology of non publication orders

Date	Oral / written	Detail	In force
11.04.22	Written	<ol style="list-style-type: none"> 1. Subject to order 2, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> (i) to and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjaya Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. 3. Orders 1 and 2 operate until further order. 	Superseded
12.08.22	Written	<ol style="list-style-type: none"> 1. Subject to order 2, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> (a) to and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjaya Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. (b) By the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 3. Orders 1 and 2 operate until further order. 	Superseded
05.09.22	Written	<ol style="list-style-type: none"> 1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. To and between the following people for the purposes of these coronial proceedings: 	Superseded

		<ul style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. <p>3. Order 1 does not prevent the disclosure or other publication of:</p> <ul style="list-style-type: none"> a. Any evidence given, or other discussion, in open court during the Inquest; b. Any documents, including audio-visual and audio material, that is tendered as an exhibit in the Inquest, c. Any material made publicly available by the Supreme Court of the Northern Territory. <p>4. Orders 1, 2 and 3 operate until further order.</p>	
07.09.22	Oral – T129 and T194	No publication of information or photographs that would identify children depicted in the Facebook live videos 4-18A, 4-19, 4-20, 4-22, 4-23, 4-25, 4-26, 4-27 and 4-28	Revoked 04.05.23
07.09.22	Oral – T132 and T194	No publication of Facebook live videos 4-21 and 4-24	Revoked 04.05.23
08.09.22	Written	<p>1. These Orders apply in addition to, and do not derogate from, any other non-publication order in these proceedings.</p> <p>2. Subject to Order 3, there be no disclosure or other publication of:</p> <ul style="list-style-type: none"> a. Exhibit 12: video 4-21 “3. Still no info- plane is coming in 40 minutes. ambulance is there” b. Exhibit 12: video 4-24 “6. Sitting waiting still – cant use Mr Nelson in video”. <p>3. Order 3 does not prevent disclosure of the documents identified in Order 2:</p> <ul style="list-style-type: none"> a. to and between the following people for the purposes of these coronial proceedings: b. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; c. Those persons assisting the Coroner in her investigation, including legal representatives. d. by the people identified in Order 3(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. <p>4. Orders 1-3 apply until further order.</p>	Revoked 04.05.23
09.09.22	Oral – T317-318	Non publication order in relation to prospect of DPP charging Cst Rolfe in relation to Ryder incident	Revoked – T322
09.09.22	Oral – T323 Discussed T369-371	MFI C (including names of other officers communicated with)	Revoked 01.12.22

09.09.22	Written	<ol style="list-style-type: none"> 1. These Orders apply in addition to, and do not derogate from, any other non-publication order in these proceedings. 2. Subject to Order 3, there be no disclosure or other publication of: <ol style="list-style-type: none"> a. MFI C: Counsel Assisting the Coroner's aide memoire in relation to relevant messages from "3-161 Apple iPhone XS (AI 920) Extraction Report - Redacted (8047p)", including the name of any person with whom messages were exchanged by Constable Rolfe. 3. Order 3 does not prevent disclosure of the documents identified in Order 2: <ol style="list-style-type: none"> a. to and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; ii. Those persons assisting the Coroner in her investigation, including legal representatives. b. by the people identified in Order 3(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 4. Orders 1-3 apply until further order. 	Revoked 01.12.22
12.09.22	Oral – T366	NPO extends to unredacted Proctor report, which is now in the brief (and redacted Proctor report already in the brief)	(unnecessary)
12.09.22	Written (discussed T368)	<ol style="list-style-type: none"> 1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. To and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. b. By the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 3. Order 1 does not prevent the disclosure or other publication of: <ol style="list-style-type: none"> a. Any evidence given, or other discussion, in open court during the Inquest; 	Superseded

		<p>b. Any documents, including audio-visual and audio material, that is tendered as an exhibit in the Inquest,</p> <p>c. Any material made publicly available by the Supreme Court of the Northern Territory.</p> <p>4. Orders 1, 2 and 3 operate until further order.</p>	
30.09.22	Written	<p>1. Subject to orders 2 and 3, there be no disclosure or other publication of:</p> <p>a. the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A,</p> <p>b. MFI C, being relevant text messages from the extraction of Constable Rolfe’s phone.</p> <p>2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A:</p> <p>a. To and between the following people for the purposes of these coronial proceedings:</p> <p>i. The family of Kumanjayi Walker and their legal representatives;</p> <p>ii. The Commissioner of NT Police and his legal representatives;</p> <p>iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives;</p> <p>iv. Those persons assisting the Coroner in her investigation, including legal representatives,</p> <p>v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives;</p> <p>b. by the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings.</p> <p>3. Order 1 does not prevent the disclosure or other publication of:</p> <p>a. any evidence given, or other discussion, in open court during the Inquest;</p> <p>b. any documents, including audio-visual and audio material, that is tendered as an exhibit in the Inquest,</p> <p>c. any material made publicly available by the Supreme Court of the Northern Territory.</p> <p>4. Orders 1, 2 and 3 operate until further order.</p>	Superseded
14.10.22	Oral – T1710	NPO over reasons Ruling No 3 until 9:30am Monday 17 October	Revoked 17.10
14.10.22	Written	<p>1. Subject to order 2, there be no disclosure or other publication of the reasons for the ruling in <i>Inquest into the death of Kumanjayi Walker (Ruling No 3)</i> [2022] NTLC 019 (re Bauwens, Kirkby and Kirstenfeldt).</p>	Revoked 17.10 – replaced re JK 17.10

		<p>2. Order 1 does not prevent disclosure of the document or its contents:</p> <p>a. to and between the following people for the purposes of these coronial proceedings:</p> <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. <p>3. Orders 1 and 2 apply until further order, noting that her Honour currently proposes to revoke the order at 9:30am on Monday 17 October 2022 in default of any application for an extension.</p>	
17.10.22	Oral – T1749	NPO re Ruling No 3 continues	Revoked 17.10
17.10.22	Written (oral T1837)	<p>1. The temporary non-publication order over the entirety of the contents of my ruling in <i>Inquest into the death of Kumanjayi Walker (Ruling No 3)</i> [2022] NTLC 019 (<i>Ruling No 3</i>) made on 14 October 2022 is revoked.</p> <p>2. Subject to order 3, there be no disclosure or other publication of the redacted passages of the copy of Ruling No 3 now annexed to these orders.</p> <p>3. Order 2 does not prevent the disclosure or other publication of the contents of the redacted passages of Ruling No 3:</p> <p>a. to and between the following people for the purposes of these coronial proceedings:</p> <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. <p>4. Subject to any further order, Orders 2 and 3 apply until the conclusion of the Constable James Kirstenfeldt’s evidence in these proceedings.</p>	Revoked by Ruling no 6 01.12.22
19.10.22	Written	<p>1. The temporary non-publication order over the entirety of the contents of my ruling in <i>Inquest into the death of Kumanjayi Walker (Ruling No 3)</i> [2022] NTLC 019 (<i>Ruling No 3</i>) made on 14 October 2022 is revoked.</p> <p>2. Subject to order 3, there be no disclosure or other publication of the redacted passages of the copy of Ruling No 3 now annexed to these orders.</p> <p>3. Order 2 does not prevent the disclosure or other publication of the contents of the redacted passages of Ruling No 3:</p>	Revoked by Ruling no 6 01.12.22

		<p>a. to and between the following people for the purposes of these coronial proceedings:</p> <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. <p>4. Subject to any further order, Orders 2 and 3 apply until the conclusion of the evidence in these proceedings of the witness whose name is subject to redaction in the annexed redacted copy of Ruling No 3.</p>	
19.10.22	Written	<ol style="list-style-type: none"> 1. Subject to order 2, there be no disclosure or other publication of the redacted passages of the copy of my ruling in <i>Inquest into the death of Kumanjayi Walker (Ruling No 3)</i> [2022] NTLC 019 (Ruling No 4) now annexed to these orders. 2. Order 1 does not prevent the disclosure or other publication of the contents of the redacted passages of <i>Ruling No 4</i>: <ol style="list-style-type: none"> a. to and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives. 3. Subject to any further order, Orders 1 and 2 apply until the conclusion of the evidence in these proceedings of the witness whose name is subject to redaction in the annexed redacted copy of <i>Ruling No 4</i>. 	Revoked by Ruling no 6 01.12.22
20.10.22	Oral – T2083	NPO re Kirstenfeldt’s evidence concerning application for NPO re Ruling 3 (text message)	Superseded by Ruling no 6 01.12.22
20.10.22	Oral – T2132	Extend NPO re Kirstenfeldt made 19.10.22 to allow further submissions	Revoked by Ruling no 6 01.12.22
21.10.22	Oral - T2185	Extend NPO re Kirstenfeldt until further order of the court	Revoked by Ruling no 6 01.12.22

24.10.22 02.11.22	Oral – T2325 Oral – T3078	Name of person CV (transcribed as CB)	Revoked 04.05.23
25.10.22	Written (discussed T2739)	There be no disclosure or other publication of the image or likeness of witness Claudia Campagnaro in connection to any reporting, commentary, broadcast, media or social media posts or comments concerning the Inquest into the Death of Kumanjayi Walker or Constable Zachary Rolfe.	Revoked 04.05.23
28.10.22	Oral – T2823- 2824	Interim NPO re the names of three officers in relation to the evidence of Claudia Campagnaro about use of racist language	Revoked 04.05.23
02.11.22	Oral – T3090- 3091	Master TG – <i>Care and Protection of Children Act 2007</i> s301 extends to TG’s name and image	Revoked 04.05.23
03.11.22	Written	<ol style="list-style-type: none"> 1. Subject to Order 2, there be no disclosure or other publication of the names of the recipients of the SMS/MMS messages sent from Constable Rolfe at 1:08am and 1:10am on 25 September 2019, containing a video of bodyworn video of an incident in Todd Mall on 24 September 2019. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. To and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives; v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; b. by the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 3. Orders 1 and 2 operate until further order. 	Revoked 04.05.23
16.11.22	Oral – T3267- 3268	NPO name DC – interim until officer spoken to	Revoked 04.05.23
17.11.22	Oral – T3367	Previous NPOs varied to permit disclosure to the Supreme Court of the Northern Territory, for the purposes of proceeding 02673 of 2022	Revoked 04.05.23

22.11.22	Written	<ol style="list-style-type: none"> 1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. To and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjaya Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives; v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; vi. the legal representatives for the Commissioner of Police and the NT Police Professional Standards Command. b. By the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 3. Order 1 does not prevent the disclosure or other publication of: <ol style="list-style-type: none"> a. Any evidence given, or other discussion, in open court during the Inquest; b. Any documents, including audio-visual and audio material, that is tendered as an exhibit in the Inquest, c. Any material made publicly available by the Supreme Court of the Northern Territory. 4. Orders 1, 2 and 3 operate until further order. 	Superseded by written NPO 24.11.22
24.11.22	Written	<ol style="list-style-type: none"> 1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A. 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. To and between the following people for the purposes of these coronial proceedings: <ol style="list-style-type: none"> i. The family of Kumanjaya Walker and their legal representatives; 	Revoked 04.05.23

		<ul style="list-style-type: none"> ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives; v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; vi. the legal representatives for the Commissioner of Police and the NT Police Professional Standards Command. <p>b. By the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings.</p> <p>3. Order 1 does not prevent the disclosure or other publication of:</p> <ul style="list-style-type: none"> a. Any evidence given, or other discussion, in open court during the Inquest; b. Any documents, including audio-visual and audio material, that is tendered as an exhibit in the Inquest, c. Any material made publicly available by the Supreme Court of the Northern Territory. <p>Orders 1, 2 and 3 operate until further order.</p>	
01.12.22	Written	<p>1. The Orders made on 9 and 30 September prohibiting disclosure or non-publication of MFI C is varied to permit disclosure and publication of the redacted version of MFI C that is annexed to these Short Minutes of Order.</p>	Revoked 04.05.23
01.12.22	Written – Ruling No 6	<p>(1) Constable Kirstenfeldt’s application for a permanent non-publication order is dismissed.</p> <p>(2) The interim non-publication order dated 14 October 2022 over the redacted passages of the copy of Ruling No 3 annexed to that order is revoked.</p> <p>(3) Subject to order 4, and save to the extent referred to in the written reasons for these orders, there be no disclosure or other publication of the contents of the following documents:</p> <ul style="list-style-type: none"> a. Paragraphs [5] and [20] of the submissions filed on behalf of Constable James Kirstenfelt dated 17 October 2022; b. Paragraph [2](b) of the submissions filed on behalf of the Northern Territory Police Force dated 21 October 2022; c. The evidence of Constable James Kirstenfelt given on 20 October 2022 regarding [redacted]; d. The report of [redacted] dated 30 August 2022; 	Revoked 04.05.23

		<p>(4) Order 3 does not prevent the publication of the abovementioned documents to and between:</p> <ol style="list-style-type: none"> a. The families of Kumanjayi Walker and their legal representatives; b. The Commissioner of NT Police and his legal representatives; c. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; d. Those persons assisting the Coroner in her investigation, including legal representatives. 	
06.03.23	Oral	Interim NPO re application and granting of s38 certificate to [redacted]	Revoked 04.05.23
22.03.23 (distributed to parties 23.03.23)	Written	<p>Pursuant to s.43 of the Coroners Act 1993 (NT), and/or the Court's implied or incidental powers, the Court orders that:</p> <ol style="list-style-type: none"> 1. Subject to orders 2 and 3, there be no disclosure or other publication of the contents of the brief of evidence, including audio-visual and audio material, as set out in the index to the brief of evidence annexed to these orders, and marked as Annexure A, 2. Order 1 does not prevent disclosure of the documents, including the audio-visual and audio material, listed in Annexure A: <ol style="list-style-type: none"> a. to and between the following people: <ol style="list-style-type: none"> i. The family of Kumanjayi Walker and their legal representatives; ii. The Commissioner of NT Police and his legal representatives; iii. Persons granted leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; iv. Those persons assisting the Coroner in her investigation, including legal representatives; v. Persons to whom brief items are provided by those assisting the Coroner, for the purpose of enabling them to determine whether they will apply for a grant of leave of leave to appear because they have a sufficient interest in the coronial proceedings, and their respective legal representatives; vi. the legal representatives for the Commissioner of Police and the NT Police Professional Standards Command. b. by the people identified in Order 2(a) to any person engaged or proposed to be engaged to provide an expert opinion or report for the purpose of these coronial proceedings. 3. Order 1 does not prevent the disclosure or other publication of: <ol style="list-style-type: none"> a. any evidence given, or other discussion, in open court during the Inquest; 	Revoked 24.03.23

		<p>b. any documents, including audio-visual and audio material, made publicly available on the coronial website; and,</p> <p>c. any material made publicly available by the Supreme Court of the Northern Territory.</p> <p>4. Orders 1, 2 and 3 operate until further order.</p>	
04.05.23	Written	<p>Pursuant to s.43 of the Coroners Act 1993 (NT), and/or the Court's implied or incidental powers, the Court orders that:</p> <p>1. Subject to orders 2, 3 and 4, there be no disclosure or other publication of the items listed in Table A annexed to this Order, including audio-visual and audio material.</p> <p>2. Order 1 does not prevent disclosure or other publication of the items listed in Table A to Parties granted leave to appear, for the purposes of these coronial proceedings.</p> <p>3. Order 1 does not prevent disclosure or other publication of the items listed in Table A to those persons assisting the Coroner in her investigation, including legal representatives, administrative staff and experts.</p> <p>4. Order 1 does not prevent the NT Police Force from using or disclosing the material in Table A for the purpose of performing its statutory functions.</p> <p>5. Order 1 does not prevent disclosure where required by law or where disclosure is to a statutory entity for the purposes of them performing their functions.</p> <p>6. Orders 1, 2, 3, 4 and 5 operate until further order.</p> <p>All previous NPOs now revoked (Advised by email)</p>	

ANNEXURE J

List of submissions received in relation to Mr Rolfe's Recusal Application filed 6 October 2023

	Description
1.	Application for material filed on behalf of Mr Rolfe, filed 14 August 2023
2.	Application and Submissions on behalf of Mr Rolfe, filed 6 October 2023
3.	Submissions on behalf of Sergeant Bauwens in relation to interim NPO, filed 11 October 2023
4.	Submissions on behalf of Mr Rolfe in relation to interim NPO, filed 12 October 2023
5.	Email sent by Ms McNally on behalf of Sergeant Bauwens on 12 October 2023 at 11.21am
6.	Email sent by Ms McNally on behalf of Sergeant Bauwens on 12 October 2023 at 1.09pm
7.	Submissions on behalf of the Walker, Lane and Robertson families, filed 13 October 2023
8.	Submissions on behalf of the Brown Family, filed 13 October 2023
9.	Submissions on behalf of the Northern Territory Police Association, filed on 13 October 2023
10.	Submissions on behalf of NAAJA, filed on 13 October 2023
11.	Submissions on behalf of Sergeant Nankivell and Constable Kirstenfeldt, filed on 13 October 2023
12.	Submissions on behalf of the Parumpurru Committee, filed 13 October 2023
13.	Submissions on behalf of the Northern Territory Police Force, filed 13 October 2023
14.	Submissions on behalf of Counsel Assisting, filed 13 October 2023
15.	Additional submissions on behalf of Mr Rolfe in relation to the order of decisions, filed 13 October 2023
16.	Submissions in reply on behalf of Mr Rolfe, filed 17 October 2023
17.	Email from Ms McNally on behalf of Sergeant Bauwens, sent 17 October 2023
18.	Email from Mr Gnech on behalf of Sergeant Nankivell and Constable Kirstenfeldt, sent 17 October 2023
19.	Supplementary submissions on behalf of Walker, Lane and Robertson families, filed 20 October 2023