

Date : 29th November 2019
Location : Alice Springs Police Station
Conversation Between : Detective Acting Sergeant Alan WELLFAIR and Superintendent Jody NOBBS
Also Present : Detective Sergeant Wayne NEWELL
Conversation Commenced : 17:05
Conversation Concluded : 20:40

Transcript accuracy disclaimer:

I, Detective Senior Constable First Class Alicia HARVEY of the Northern Territory Police, have checked the accuracy of this transcript and it appears to be a true and correct copy of a recorded statutory declaration made by Jody NOBBS in the presence of Alan WELLFAIR and Wayne NEWELL.

WELLFAIR: The time is now 17:05 on Friday the 29th of November 2019 speaking is Detective Acting Sergeant Alan WELLFAIR of the Northern Territory Police, there's another Police Officer present ah could you please state your details for the recording.

NEWELL: Ah Detective Sergeant Wayne NEWELL of Operation CHARWELL.

WELLFAIR: This is an audio recorded statutory declaration of Superintendent Jody NOBBS being conducted at the Alice Springs Police Station could you please state your full name.

NOBBS: Yes, certainly Jody James NOBBS.

WELLFAIR: And your current address is known to Police ah could you please give me your date of birth.

NOBBS: [REDACTED].

WELLFAIR: And the best contact phone number for you.

NOBBS: Ah it's on record.

WELLFAIR: Okay and email address?

NOBBS: Ah [REDACTED] and that's Jody with a y.

WELLFAIR: Okay and what is your current job title?

NOBBS: Ah Superintendent ah Southern Desert Division, ah attached to Southern Command -

WELLFAIR: Okay

NOBBS: in Alice Springs.

WELLFAIR: So, you're an experienced and Senior Police Officer and I understand that much of my explanation of process ah will be very familiar to you however I will remind you of certain important aspects before you tell me anything today. Can you please confirm that you understand that it is an offence to make a statutory declaration that is false in any material particular?

NOBBS: I understand and agree.

WELLFAIR: Ah please repeat after me, I Jody NOBBS.

NOBBS: I Jody NOBBS.

WELLFAIR: Solemnly and sincerely declare the following to be true.

NOBBS: Solemnly and sincerely declare the following to be true.

WELLFAIR: Okay, the reason that we – we are speaking to you today is we're conducting a criminal investigation into the death of ██████████ WALKER, you're providing this statement to help establish the full circumstances and details surrounding the deployment of Police members including the Alice Springs Immediate Response Team or IRT to Yuendumu on or around Saturday the 9th of November 2019, including your knowledge of or involvement in the deployment use or subsequent activities of those members or other members in Yuendumu, do you understand what we're gonna' be talking to you about?

NOBBS: Yes, certainly do.

WELLFAIR: Okay, as a reminder to you of certain ground rules, what you say in your statement is entirely up to you, you're the person with the

information so you'll be doing most of the talking, please describe everything in as much detail as you can, please don't assume that I know anything, tell me everything relating to this matter, even things that may think are trivial, and after you've told me everything I may have questions and so may ah Sergeant NEWELL, um to identify further details, if I ask you something you don't know please tell me, please don't force you're memory and don't guess, before we start do you have any concerns about the process, and I'm talking here about confidentiality or influence of others or anything like that?

NOBBS: No, no concerns at all thank you.

WELLFAIR: Is there anything at all that may affect your ability to give us a statement today?

NOBBS: Certainly not, no.

WELLFAIR: Okay, so I will ask you please to cast your mind back to the first time you became aware of any of the circumstances or information leading to the deployment of additional members to Yuendumu on or around the 9th of November 2019, and tell me everything you know relating to this deployment and the incident in Yuendumu on the 9th of November 2019, start from the beginning and go all the way right through to the end.

NOBBS: Yes, certainly thank you. Ah look it probably prudent to ah to go back ah well before the 9th of ah November, um ah and as I advised before we started today I have ah prepared ah some notes ah that were ah developed over the course of the weeks after or the week after the 9th of November ah so ah if you please ah there's ah quite a bit of information so I might read from that if that's suitable your end.

WELLFAIR: Sure.

NOBBS: Okay, ah in addition to my ah substantive portfolio Southern Desert Division I have also responsibility for the chair of the

Yuendumu Family Safety Framework, I've been the Chair of this ah Chairperson of this since November sorry, January of 2017, ah the last meeting of the Yuendumu Family Safety Framework was on Wednesday the 30th of October 2019, um I was unfortunately unable to attend this meeting due to other operational priorities in Yulara at the relevant time, ah the Yuendumu Family Safety Framework oversees the interagency response and broader case management of repeat and high-risk family violent ah family violence clients that have linkages to Yuendumu, ah during the time that I've been on the Family Safety Framework I've been involved with the, with Yuendumu residents Rekeisha ROBERTSON, ah and Kumantjayi ah ████████ WALKER, there are a number of matters that are relevant from the Yuendumu Family Safety Framework in response to this critical incident ah specifically, ah both parties ah Rekeisha and Kumantjayi have been in and out of the Family Safety Framework for considerable period of time, ah the multiagents response for both parties have been ah extremely challenging as Rekeisha is relatively disengaged ah safety plans for Rekeisha have been established by supporting agencies including WoSSCA and WYDAC, ah WoSSCAs the ah Women's Shelter and WYDAC are the Warlpiri Youth Development Aboriginal Corporation I think or similar to that.

WELLFAIR:

Yup.

NOBBS:

Ah, on the basis that they maintain some rapport with her however the actions under these plans such as providing relocation options for her including pan - plan and paid for arrangements for her and support person to relocate to Ade- Adelaide ah remain unactioned due to ah her apparent dis-ah-approval of the arrangements and disengagement in the ah the framework and the action, or the plans around that, um notwithstanding that WoSSCA remains her primary case managers ah and were the last agency to provide her with a safety plan as I'm led to believe which included

emergency response arrangements should we, she require any assistance, ah through the framework ah I've been advised as a Chair that ah Keisha's asserted position is that she wants to maintain an ongoing relationship with WALKER despite the ongoing risk, so that's what's made it relatively challenging. Ah on the 30th of October 2019 I received advice relevant to this matter, specifically that ah Kumantjayi WALKER had absconded from CAAAPU and as a consequence this matter has been placed ah so the matter relating to um WALKER and Rekeisha being placed back on the Yuendumu Family Safety Framework for further consideration and action and although I wasn't present during these conversations I'm advised that the outcome of this conversation was that all agencies were requested through the-through their engagement with Rekeisha to advise her that WALKER had absconded, his whereabouts were unknown and to reinforce the safety arrangements and I've got an email from the secretary of um the framework that's um Miss Gemma BONANNI email dated Wednesday the 30th of October um which was completed preparatory to that meeting um so that was effectively all agencies notification um for awareness.

WELLFAIR:

Okay.

NOBBS:

Ah as I indicated I wasn't ah present at that meeting so I can't say for certainty ah the conversations that came out of that, ah at 9:30 pm on Wednesday the 6th of November 2019, I received a telephone call from Sergeant Julie FROST being the officer in charge in Yuendumu Police Station in relation to a critical incident occurring with sorry occurred that had occurred within Yuendumu community that evening, specifically that that evening ah member Senior Constable Christopher HAND and Lanyon SMITH became aware that arrest target ah WALKER being a nineteen year old ah and a person known to me well through the framework was in attendance at the location within Yuendumu ah specifically that he was in the rear bedroom of that residence, on entering the

premises ah the two members according to ah FROST were hindered by WALKER's partner ah Rekeisha who blocked the entrance from the members entering the room, I was advised that WALKER then emerged from the room armed with an axe held over his head and threatened Police before running away from the scene and while being pursued ah WALKER threw a number of rocks at the police vehicle causing maj- ah minor damage, at that time his whereabouts were unknown, ah and that the incident as described was observed by WALKER's grandmother ah Lottie ROBERTSON, ah through subsequent engagement with WALKER's grandfathers as indicated by FROST, that is Eddie ROBERTSON who is relatively pro police ah he expressed remorse and apologised for the conduct of his grandson and indicated that he would contact Police should he return to the residence. As a result of the report received from FROST I asked for advice as to the welfare of the members who were in the station at the time, um concerned um, and she advised that they had been subject to the debrief with FROST they were in the station I could hear them having a conversation um she advised me certain things, she said that they were somewhat shaken however they were in relatively good spirits, um members had no pressing or current welfare needs ah no injuries were sustained as a consequence of the event. Further to this report received I requested FOST make, FROST make a notification to the Watch Commander as the incident facilitator WebEOC notification being generated for notification of the event to the relevant reporting channels, I know that this was done shortly after my request and contained advice that aligned with the advice received from FROST at the material time, um I haven't got a copy of that but um I've got the notification WebEOC notification should that be required, um at this time I've not reviewed the 'Use of Force' report um, including what I'm led to believe being the body-worn video depicting the critical incident and response. I am aware however ah through a conversation with Senior Sergeant POTTS the next

day that he had reviewed ah the footage on the 7th of November, ah from his ah from a supervisory ah context so as the supervisor audit, um POTTS has not provided me with any critical information or welfare advice or priorities relevant to the review of the use of force, um I hadn't had an opportunity to look at it over the course of the next two days ah given some other pressing priorities so that I was working through over, over the next two days. Ah Thursday 7th of November I was rostered on duty commencing at eight am attached to ah my normal portfolio, during the course of the shift I had a number of engagements in relation to this matter, specifically discussions with Senior Sergeant Michael POTTS in relation to the circumstances ongoing welfare considerations for the members concerned, during this conversation due to other pressing priorities I directed POTTS to make contact with the members and asses their welfare needs, I was later advised that this had occurred. I further had a conversation with FROST that day around the plan being generated at a local level to locate and arrest WALKER and assess the welfare of ah Rekeisha, ah from this conversation FROST advised me of certain things specifically that she did not know the whereabouts of Rekeisha as she was outstanding with WALKER however from the members perspective she appeared safe while she hindered Police attempting to arrest WALKER the night before, that ah FROST had good dialogue with Ed- Eddie ROBERTSON ah whereby they established a plan that would see Eddie ROBERTSON either bring WALKER to the station or SMS local Police ah as to his location if he returned to the residence, ah this plan from my perspective was endorsed on the basis of being a no and less force option and an opportunity for WALKER to surrender, ah myself and Julie had some reasonable and long conversations around the fact that um the plan also recognised that WALKER was to attend a funeral scheduled in the community on Friday, I don't have the specifics as to the fun- who the funeral was for but ah quite clearly from Eddie ROBERTSON that um, WALKER was

in town or in the community for the purpose of attending the funeral, ah so on that basis ah the plan further established that we will not actively pursue WALKER prior to the funeral, if he presented at the Police Station surrendered then he will be dealt with um and equally for cultural reasons and we did quite robustly discuss whether we should or shouldn't go to the ah funeral but we conceded that ah due to cultural reasons ah we wouldn't um, as such we planned that the police wouldn't attend the funeral to arrest WALKER, ah these arrangements as I'm led to believe ah were communicated as far as I'm aware with ah Eddie ROBERTSON and he was amenable to same, ah on Friday the 8th of November 2019, I was rostered on duty commencing at eight am attached to the ah Southern Desert portfolio, during the course of this shift I had a number of engagements in relation to this matter, specifically discussion with POTTS where he sought advice as to whether I had made a formal notification to ESS in relation to the critical incident involving the Yuendumu member HAND and SMITH on Wednesday evening, I advised I had not, POTTS subsequently completed the notification, ah I also had a conversation with ah Julie ah discussions with FROST primarily around unrelated matters applicable to an unrelated assault at the school but something that took Julie away from her main functions over the course of that day, and we also had conversations applicable to this matter, ah specifically that funeral scheduled for that day had been postponed to the following day being the Saturday, that WAL- WALKER still had not presented ah or surrendered to the Police Station nor had any contact been received from Eddie ROBERTSON as to his whereabouts, pursuant to our arrest slash engagement plan for lack of a better term, um we again tossed around as to whether we should or shouldn't ah conduct an arrest at the funeral and concluded that ah we wouldn't, we'd honour our ah previous undertaking and hope that at the end of the funeral um albeit be the following day that he would, he would present um as Eddie ROBERTSON said

he would, ah on Saturday I was rostered off-duty at some time during the morning I routine checked, I routinely check my emails to see that I had received an email throughout the night ah currently being sent and received around 5:46am, I've got a copy of that email here ah from Julie FROST ah apparently dated Saturday 9th of November 05:46am sent cc'd to me but sent predominantly to JESSC Supervisors and the Watch Commanders, ah this email to summarised just detailed certain things that the Yuendumu members had been on duty since 12:30am that ah that they were fatigued and undeployable until two pm, that they have established a contingency plan for the adjacent Police Station um Nyirripi with police officers PARBS and sorry Mark PARBS and Felix ALEFAIO to cover Yuendumu arriving at ten am that morning, on the basis of the information provided by FROST I did not contact Yuendumu Police to allow, obviously to allow members to rest as a basic, again of lack of a better term fatigue and respite management plan, at approximately 11:35am that same day I received a call from FROST during which time I was advised of certain things, specifically that Yuendumu Police were back on duty at eleven am after resting throughout the night, that the Yuendumu clinic staff had contacted Yuendumu Police and advised that they'd recently been subject of unreported property crime, namely trespassing and unlawful entry on their residence address and as such they were in the process of leaving the community, ah Julie was quite concerned that this would leave the community without any medical service and obviously a concern that I shared, ah FROST request I provide her with a IRT deployment to supplement ah the local Police resources, ah that support was required that day as FROST has concerns that the absence of medical staff would result in an overflow of Police calls for assistance, and I, that was a particular concern cause' ah from Julie's assessment is that um she already had some conversations with Nyirripi ah sorry not Nyirripi um Yuelamu and

it was Yuelamu's expectation that Police were gonna' accompany, to accompany them to every job throughout the course of the night, so Julie was concerned that that was gonna' create a fairly substantial impost on the local members throughout the night. Um, that support was required that day as FROST was concerned that the absence of as I indicated of medical staff would result on overflow of Police call for assistance and when questioned in relation to the property offences FROST suspected that WALKER was either directly or indirectly involved given his influence on other known ah younger community property offenders and he's also known to us as a property offender, ah FROST though when spoken to around that could see that there was no evidence available to support this proposition, when questioned in relation to who made the determination to close the clinic FROST advised that believed it was made at a local level in conjunction with remote health management structures, I requested contact details from FROST on who reached the determination, um at that time I guess ah in request or in response to the ah request from Julie for IRT resources I made a number of assessments um and I've covered those assessments off under a number of key headings, ah the status of WALKER, the safety of Police, safety of community, and relevant Police doctrine and statue, um as it relates to the status of WALKER obviously at that time WALKER was outstanding, ah we had made a number of attempts to engage with Eddie ROBERTSON, ah no result um, having no result in his surrender of WALKER however the relevant time we'd note that the funeral was still ongoing in the community, um so the intent of ROBERTSON around that was still unknown, ROBERTSON did indicate that he was ah, sorry Eddie ROBERTSON indicated he was gonna' bring WALKER in after the funeral, um in relation to the safety of Police obviously um WALKER had already demonstrated violence towards Police to avoid apprehension during a critical incident on Wednesday evening, um, we did have some arrangements in place with Eddie

ROBERTSON regarding the surrender of WALKER, that remains current, there was further engagement opportunities for us remaining given ah Eddie ROBERTSON's pro-police sentiment, ah advise from FROST during our conversation that WALKER is known to run, ah Julie asked specifically for a dog unit, um as she indicated it would be crucial in any arrest arrangement, that any arrest plan developed at a local level would be heavily relying letting WALKER run and doing round up by the dog, FLOST - FROST believes and articulates that local Police are expecting increasing calls for assistance from community given medical services withdrawal this will impact and stretch local Police capability. FROST asserts that the additional staff are needed to maintain anticipated regular business and anticipated increased workload due to medical draw down, there was a need for members to be given respite over the following twenty-four hours, ah, - respite over the following twenty-four hours prior to advancing any plans to locate and arrest WALKER which may be not necessary if he surrenders, um as such any IRT deployments first priority are the first twenty-four hours was gonna' be around providing a general duties um high-visibility response capability in Yuendumu, ah I obviously turned my mind at the time or was acutely aware of some of the community safety imperatives ah Eddie ROBERTSON and ah Lottie were pro-Police and supportive of Police intent to locate WALKER, ah the surrender plan around same had been developed and agreed by all parties, there was no medical capability in the community, it will impact on policing services and expectations on Police, Police response to priorities local respite, community safety, general business and arrest of WALKER requires an enhanced response ah a capability which could not be provided by local Police in isolation or from my assessment at the time with the assistance of additional ah general duties ah resources, ah it was my view at that time as it's been with similar matters in the past that an enhanced response ah would be better situated with IRT personal that have a

particular skill set and advanced training to ah that of general duties aligning with ah a general um deployment um capability, ah obviously I was aware of some relevant policy um notwithstanding the critical incident on Wednesday evening, the planned response ah scope which was discussed with FROST fits within the general support ah operations under the IRT concept of operations through the provision of sport to ah support to other units in particular the arrest of a violent offender, IRT deployment as a general support to Yuendumu Police Station fits within the Yuendumu command structure as the specialist support capability and it was my expectations that IRT deployed on all occasions within the remote policing area with full kit including AR-15 if qualified shot gun with non-lethal am- munitions and tactical uniform notwithstanding the request as a general support request, ah it's my position to ensure that they ah have sufficient tactical options available on a as needs basis should the deployment change from general support to high-risk, ah albeit under the approval from Assistant Commissioner. At approximately 11:40am I contacted the Watch Commander on duty ah FURNISS whereby I briefed him in relation to the emerging priority for Yuendumu, I covered off on five basic things which were ah reinforced across all my telephone calls, ah advised him of ah the health staff removal from Yuendumu, the alleged increase in property crime impacting on the medical staff, the fact that WALKER remains outstanding although not confirmed is possibly linked to the property crime spike, established that FURNISS was aware of the relevant circumstances associated with the critical incident involving WALKER and Yuendumu members on Wednesday evening, request that he start to coordinate a plan for operational deployment of IRT teams comprising four members and a dog unit, ah for a general support, um, sorry comprising a general purpose dog and handler for anticipated general support deployment to Yuendumu subject to the approval of Assistant Commissioner WURST in the absence of Commander CURRIE,

ah FURNISS was asked specifically if the members could deploy in, sorry FURNISS asked me specifically if the members could deploy in a tactical uniform, i.e. camouflage uniform, he was advised that ah CURRIE's known and previously stated position is general support is in regular police uniform, and it was my determination in relation to this deployment, I did say I didn't have a particular concern or didn't care if they took their tactical uniform, um in the event that the general response or tactical crime is mandated it's use as part of a response plan, ah FURNISS advised that he was ah working with ah Senior Constable Shane McCORMACK who was ah on duty at the time, he's a senior member within IRT, ah and he would work with that member around the plan for deployment. At approximately 11:45am I contacted Assistant Commissioner Travis WURST to authorise the proposed IRT and dog general support deployment, it was acknowledged that ah approval for general support deployment sits under Southern Command, command allocation however, sorry commanded delegation however Commander Bradley CURRIE was out of Alice Springs district and uncontactable at the time, I apprised WURST of the general situation and provided ah, and was provided with approval for general support deployment as proposed, um I relayed the same five things that I'd previously stated to um to FURNISS around the ah health staff move from the clinic, um, intended services potentially out of Yuelamu, the etch- alleged increase in property offending, ah impacting medical staff, the fact that WALKER remains outstanding and although not confirmed potential link to the spike, established that WURST was aware of the relevant circumstances associated with a critical incident on Wednesday evening and I also expressed ah WALKER's Family Safety Framework links and regarded and risk regarding ah Rekeisha, um, I provided advice that the Watch Commander's coordinating deployment of IRT comprising four members and a dog unit um whether in principle assessment ah awaiting obviously approval, um for a anticipated

general support deployment to Yuendumu, advised that IRT, the names of the IRT were not known at this time as coordination of same was ongoing, advised that direction provided to watch command ensure there was coordination around deployment of the IRT and subsequent plans with FROST, ah WURST advised that timings for IRT, sorry I advised WURST that the timings for IRT would be through to Monday with Saturday evening to provide general duties support to Yuendumu, as respite as a priority for members who had worked considerable hours over the preceding twenty-four hours. I provided recommendation to WURST that members take non-lethal munitions, beanbag rounds and AR-15 and this was approved. WURST ah requested to be provided with an update and any relevant advice on significant matters, I had no further contacts with WURST throughout the course of ah the pre-deployment um until later on. At noon I contacted FURNISS and advised him of the approval from WURST, the IRT deployment as proposed that same time I request that ensure that IRT contingent were briefed in preparation for their deployment reflecting current situation and planned response at the time, I also spoke to McCORMACK who was coord- coordinating the callout and deployment, provided particularly advised to McCORMACK ah preparatory to deployment and that was those same five factors ah, in addition, ah provided advice that the IRT will be through till Monday, approval from WURST ah for members to take non-lethal munitions, beanbag rounds and AR-15, this was approved. Tasked McCORMACK to assure that IRT was briefed accordingly based on the details provided and that I, I received, that I was to receive written advice as to deployment advice stipulating same, this was task was complete in an email received at 4:24pm, ah the email referred to is ah email to myself ah from Shane McCORMACK dated ah Saturday 9th of November apparently at 16:24, sent to FROST ah cc myself and a number of other ah people including ah Alistair GALL being the Watch Commander on duty or the oncoming Watch Commander um, myself and the

IRT members ah applicable to the deployment, so Shaun FURNISS being the actual Watch Commander, GALL being the Watch Commander to come on duty, the IRT members concerned and myself, this was basically ah just a basic um administrative order I guess in terms of um who's being deployed and ah a basis for their priorities based on the conversation I had with um McCORMACK and equally um tasked McCORMACK to maintain dialogue with ah FROST ah in relation to an anticipated conversation I was about to have with FROST.

WELLFAIR:

Yup.

NOBBS:

Um around coordinating that. Ah at approximately 12:15pm, I contacted FROST and provided her with advice and where necessary direction ah provided advice that the approval from WURST to deploy IRT comprising of four members and a dog unit, for, comprising a general-purpose dog and handler for a general support deployment to Yuen- to Yuendumu, advised that the names of IRT are not known at this time as coordination of same was ongoing with Watch Commander and McCORMACK and they were gonna' have ongoing conversations with FROST around that, tasking to establish command and control over IRT and establish plans as to the response specifically sighted as my expectation that IRT and not just randomly driving through Yuendumu on an unstructured adhoc basis and that there had been some coordination structure to their activities and actions, provided ah my determination reach with FROST that IRT to be deployed over Saturday night to give local respite and then further consideration and refinements of plans in relation to the arrest of WALKER would occur throughout Sunday with an anticipated early morning ah coordination act coordinated activity on Monday, approval that if the opportunity presents for an early morning arrest on Sunday this would be approved however required structure and the plan for same. FROST was tasked to provide a written administrative plan for my consideration and endorsement,

ah so I've got two emails that arised from that task, the first email um, is an email to myself ah from FROST dated ah Saturday the 9th of November ah at 16:49pm subject, the arrest of ██████████ WALKER with a particular PROMIS number, this aligned with the broader conversation I had with Julie at the time around establishing what our intent was, what our sort of broad plan was and the plan predominantly was a high visibility presence providing just general duties type activities throughout the course of Saturday night, a coordinated action on Sunday morning if intel was presented throughout Saturday night um and then a further refinement and further development of our plans on ah Sunday on a as need basis.

WELLFAIR: Sure.

NOBBS: So that the first emails, so that's the one she sent to me, I assessed that email um from my phone um, whilst out walking.

WELLFAIR: Ah ha.

NOBBS: Um it looked to align with um the conversation we had on the phone and accordingly I approved that and requested that Julie then disseminate it more broadly ah to the members concerned, the Watch Commanders on duty and ah the um duty Superintendent um, I note so the second email is ah again dated Saturday the 9th of November from Julie FROST to me ah ten minutes later so obviously reflecting the ten minutes um consideration that I had in relation to um assessing the plan, um and that was then sent I note in align, in accordance with my expectations although I didn't notice at the time but I've since noticed that it was sent to Territory Duty Superintendents which is ah a, ah email address that is no longer current or monitored and I neglected to provide Julie with advise that it needed to go directly to the duty officer ah who was ah Hege BURNS at the relevant time so um so that was an oversight, ah so at approximately 12:45pm I contacted Superintendent Pauline VICARY of Alice

Springs Division in relation to IRT deployment as IRT capability fits within her portfolio, I ah briefed her on the circumstances known and previously provided to all other rele- relevant personal to enable her to consider and identify any contingency plan for reduced ah reduction in operational capacity in Alice Springs arising from the no notice deployment of IRT from Alice Springs. At approximately 2:24 pm, I received an SMS message from FROST um just to summarise the message indicated that remote and ah health services managers that made the determination as to as to the removal of medical service from Yuendumu were Miss Helen GILL or Mr David REEVES and she provided me with those contact numbers in that SMS, at approximately 2:30 that same day I contacted ah Helen GILL ah primary health care branch ah Department of Remote Health during which time I had a conversation with her, ah GILL confirmed health's intent to leave the community forthwith with the decision relating to alleged property crime impacting health clinics staff in Yuendumu, advice provided to GILL as to the Police enhancement of local resources namely four IRT members and dog unit, I don't, actually I don't think, I withdraw that, I didn't say specifically but I said we'll have an increased Police capability in the community that will assist local Police and would this arrangement change the determination of remote health advice ah received ah irrespective of, sorry the advice received was irrespective if the local arrangements the determination remains unchanged with Yuendumu medical services to be further considered on Monday when Yuendumu clinic staff will meet with remote services managers um in Alice Springs to discuss Yuendumu medical arrangements going forward, um GILL was advised by me that the absence of medical service in Yuendumu was an unacceptable risk and advice was sought as to contingency plans, advise was provided that contingency plan were that Yuelamu ah were was the Yuelamu clinic, sorry Yuelamu clinic situated thirty kilometres from Yuendumu would cover the clinic on an all call on call, call out

basis, provided advised to GILL that Police would support Yuelamu clinic um with escorts to critical responses only and not to routine calls for assistance recognising that Police would likely be responding to critical incidence or issues in any event, these arrangements were accepted by GILL with an undertaking that arrangements would be provided to clinic staff accordingly, GILL advised to cont- was advised to contact myself on Monday to progress arrangements where Police could assist in re-establishing medical services in Yuendumu, ah GILL agreed to same. At approximately 2:40pm I was contacted by FURNISS and provided advice in relation to an unrelated ah significant incident in the Kulgara district which fits within my broader operational portfolio, it related to a tourist bus rollover on Ernest Giles Road um, talked about ah tour bus colliding with a vehicle forty kilometres west of Stuart Highway, the location was a hundred and thirty kilometres south of Alice Springs, and then further forty kilometres along the Ernest Giles Road, there was reports of numerous casualties and one person trapped, a report accounted for approximately eighteen persons injured including broken bones and dislocations, that was the broad information provided at the time, in response to, in response to the report received I instructed FURNISS to contact VICARY to coordinate the response to the new incident given expanded control restraints over-responding to the new incident and the Yuendumu response, notwithstanding this commander control arrangement as the nominal Superintendent for Southern Desert Division I made and received numerous calls over the next hour in response to the new incident including receiving a call from VICARY at 12:34 where she formally assumed commander control of the new incident, in the absence of the duty Superintendent physically on duty at the time, at 4:50pm I received a call from FROST in relation to a draft administrative order, sorry I've already covered off on that but a draft administrative order completed by her design, ah sorry by her designed to apply some structure to the IRT deployment and

to articulate the intent of IRT deployment and we had previously discussed that I said I, I want something that stipulates our, our intent and we basically spit balled some ah up to uphold the law, establish safety with the community through supplying support to local Police and ultimately the arrest of WALKER on outstanding matters, these being the intent priorities developed during our earlier conversation, this administrative order was emailed to me as before mentioned at 4:49pm which I assessed the contents at the time, I then contacted FIR- FROST by phone, had a conversation specifically um approving the administrative order, tasking FROST to email the administrative order to relevant personal including IRT and the dog members involved, Yuendumu Police members the broader Alice Springs Watch Commander group and the Territory Duty Officer for oversight, I note the dissemination of this document was at 5:50 4:59pm, ah it reiterated my expectations that IRT response remained structured um, sorry I reiterated my expectations IRT response remained structured and I requested to be updated on any matters of significance to reinforce and reinforced to contact me if there was any issues arising, ah there are a number of matters that are contained within the administrative order which are of particular relevance and arising from the conversation I had with FROST throughout the day, ah one, IRT deployment to Yuendumu on Saturday night applicable to nine November was in relation to respite arrangements for local Police not about locating and arresting WALKER, as such IRT were deliberately rostered to commence duty at eleven pm and provide high visibility patrols of the community, an arrest of WALKER early on Sunday would have continued, sorry, arrest of WALKER early on Saturday evening would have continued to compromise general Police response in Yuendumu and respite imperatives as IRT would then be responsible for the cost ah custody and inevitable transfer of WALKER to Alice Springs leaving local members to revert back to responding to the anticipated influx of calls for assistance

throughout the night due to no medical response capability locally, an opportunity to arrest WALKER was to be considered in appropriate only actioned at five am the following morning. The five am plan was derived to mitigate risk to the community, WALKER and the Police members concerned, the extended deployment through to Sunday and Monday was core noted in line with the exs- anticipated increased expectations on Police given the medical response gap and further to allow for response plans to be developed during Sunday, um, whilst also giving ah incorporating Yuendumu members with sufficient stand down time. At approximately 7:30pm, I received a call from GILL from the remote health, this call was brief ah during which she advised that shh ah that her Yuelamu medical staff had been advised that Police had shot someone at the back of the Police Station and required assistance, ah she sought my advice as to the veracity of the call, I advised her that I was not aware however as a matter of urgency I would assess and make contact ah and contact her straight back, 7:31pm, I called FROST to assess the veracity of the call received from GILL this call was brief, FROST advised that IRT had shot [REDACTED] he's alive but not in a good way, he's presently on the floor, on the floor in the Police Station alive with defibrillation paddles attached, all Police members are safe in the station, no injuries to the members, I advised FROST that I had to hang up ah to arrange medical response, at approximately 7:31pm, I contacted GILL provided with advice from FROST and requested immediate deployment of medical services from Yuelamu to Yuendumu, at 7:33 I contacted WURST and provide him with advice known at the time while concurrently making my way home from a location in Alice Springs to put my uniform on and deploy to the Police Station, while making and receiving calls from FROST, WURST, the Watch Commander on duty being at this time Alistair GALL and Assistant Commissioner Narelle BEER, these calls were primely, primarily situation reports and notifications around same, these ongoing situational reports

outline the situation became very volatile in Yuendumu with significant numbers of angry community members at the front of the Police Station demanding entry and advice of the status of WALKER, fear being expressed by all Police members in the station as to their safety given the angry, anger apparent from outside the Police Station, senior ACPO Derek WILLIAMS being the Yuendumu ACPO and respected Elder in community undertaking engagement activities at the front of the Police Station in attempt to calm, ah the community group present, at 8:15pm I arrived at the Alice Springs Police Station received a short brief from GALL ah on the situation as above ah it hadn't really changed whilst in transit given the frequency of the calls I'd received. At 8:20pm, I established a Police Operation Centre on the ground floor of the Alice Springs Police Station next door to the Watch Commander's office given that command had sat with the Watch Commander who was still progressing relevant actions and noting outcomes in ICAD, ah the scene was flow of information from the Watch Commander to the POC was of significant importance particularly in the early stages of an escalating response from my perspective at the time, at about 8:20pm I gave a formal ah proclamation to all ah present that I was in charge of the events as the incident controller, I remained incident controller situated when the POC until relieved or handing over to ah CURRIE at approximately 4:15am Sunday the tenth of November, during that time as the incident controller I made a number of critical decisions based on the information known or believed to me at the relevant time, ah through this statement I'm providing you today these critical decisions as I've already indicated would be linked back to my assessment of the situation known or believed to me at the time with regard to broad matters namely the status of WALKER, safety of Police, the safety of community with community sentiment being linked into that and Police policy doctrine or statute. In relation to the quest around question around establishing an appropriate command and control response

structure to provide an effective response the following matters were considered at this time before reaching a critical decision, ah in relation to the status of WALKER, WALKER was alive within the Police Station, advised that he remained in a critical life-threatening condition with defibrillation paddles attached, the safety of Police um from FROST staff on the ground in the station were comprised of FROST, IRT members um, dog team, five members plus one dog, ah Yuendumu members HAND and ALEFAIO, Yuendumu members ACPO WILLIAMS who was outside the station engaging with the swelling crowd of angry community members demanding entry into the station, um my current and personal and intimate knowledge of the configuration of the station and the security of same, station being a structure with a limited security integrity of the building easily accessible through smashing the front glass door at ah the main entrance of the station, glass front doors attached to courthouse and glass windows along the frontage and rear of the station via the compound, um I was at Yuendumu today and ah that was what I believed to be the case at the time but I do note today that there's ah security screens on the window that I just didn't appreciate on the night in question but I thought the whole frontage was glass, ah I was aware at the time that there was no Police partners or non-police family situated at Yuendumu Police Station, ah and knowledge through a previous and recent community engagement as to negative anti-Police sentiment from some community members directed towards local Police including a significant high community representation of people ah persons having a history of assault Police or violence towards Police relative to other ah like communities, um I travel out to Yuendumu on a fortnightly basis have since um March this year so as part of my Yuendumu community safety committee um and in doing so have established a good appreciation of ah community members and ah their um attitudes towards or what I think is their attitudes towards Police, I was also aware of the insufficient numbers Police numbers given

the response to medical needs of WALKER and the capability to provide an effective inner cordon to the station if a breach had occurred, as the infield command and control with the forward command, within the relevant forward command post as being presently with FROST, as the most senior member on duty, FROST's ongoing assessment and ongoing capacity was tenuous due to enhanced stress and fear although she appeared calm in the circumstances but it was quite clear to me that she was somewhat shaken by what was occurring, as the limited and ongoing communication between the forward command post and the POC was limited to mobile phone contact between the incident controller and um FROST, in respect to community safety and community sentiment um I was aware or as communicated to me that there was community members approximately two hundred per- ah persons outside the Police Station yelling, throwing rocks at the Police Station and demanding entry, only being prevented from entering by WILLIAMS being the isolated Police Officer engaging with the community outside. I was aware at the time that the shooting occurred in the residential address within the community resulting in Police picking WALKER up and conveying ah from the location of the shooting to the Police Station for medical attention to be administered for members safety reasons and as such community knowledge as to the fact that Police had ah shooting was common and that no medical capacity or capability in the community and no ETA on Yuelamu other than the assertion from GILL that deployment would be imminent, the time um from a policy perspective um I was acutely aware of the imperatives around the investigation ah secondary to this time to protection of the life and property and I was also ticking away in the back of mind at the time um my duty of care for the protection of life of the Police Officers and the liability for same, um at that time I ah probably didn't reflect it as a critical decision but clearly made a critical decision um that I was to establish a POC within Alice Springs to be established with a small incident control

management team so an IMT comprising of scribe being McCORMACK to document critical decisions and other relevant information on the log, and operational officer being ah POTTS who was recalled to a duty to assist to action operational priorities and we needed to maintain the ongoing and fluid link to the Watch Commander GALL, immediately next door who was receiving relevant enquiries due to his previous control of the critical incident. In relation to ensure they all, - in relation to ensuring that all decisions within the IMT where being sufficiently recorded in response to the critical incident in recognition of the subsequent investigation which will be undertaken the following matters where considered at the relevant time before reaching a critical decision, um in ordinary circumstances all critical decisions and relevant information would be captured on a respective catalogue ah for time date stamping however given the volume of information and fast pace flow of information an alternative determination was made to capture running commentary on the situation log generated within the POC by McCORMACK contemporaneously entered as an alternative to the cumbersome process of conveying information from the POC to the Watch Commander where ICAD capability was situated, the reason I note that is ah there was um ongoing dialogue with myself and um Superintendent FOLEY around her insisting that um we ah establish a POC within the Watch Commanders office to ah make sure that we captured everything on ICAD um there was no way that ICAD licences in any other of the officers downstairs and I made the determination that that wasn't ah suitable or um practical in the circumstances, um so established the POC where I did and captured all critical decisions on a, a situation log ah this determination was made in the interest of capturing as much information as possible in support of future review enquiry and to maximise efficient and actual response to the evolving event ah incident, so although I didn't note it as a critical incident decision at the time I, I've since noted as a critical decision, all critical

decisions and relevant information to be captured on a situational log by scribe McCORMACK for later upload onto WebEOC, ah the situation log as described in critical decision, this critical decision had been used ah by me as notes at the time to assist in the completion of um these notes I have here today and obviously preparatory to this stat dec that I'm providing now, and I have a copy of the situation log here as well, um that I used as part of my generating the notes, - [clearing throat] at approximately 8:25pm, I spoke to chief pilot at RFDS Mr Damien MILLS, ah MILLS was appraised of the evolving situation and priority to expedite medical air evacuation of WALKER from Yuendumu, advice provided to MILLS in relation to the safety risk and options available to fly either into the community or land at adjacent community Yuelamu if unacceptable risk remains, ah MILLS advised by myself that the POC will develop a safety plan whilst RFDS are in transit and that mobile communications in the air while flying over Yuendumu will be established to convey safety plans or actions or any other contingency plan, ah I provided MILLS with advice that four additional Police members would be deployed from Alice Springs with RFDS into the community to enhance safety arrangements ah with resources to be incorporated into the safety plan that was under development, MILLS was advised that ah he advised me that he had to speak to his RFDS ah supervisor prior to deploying RFDS assets and he would make contact with ah myself urgently on receiving a determination. At approximately 8:35pm, four members were deployed from Alice Springs Police Station in anticipation of the medical response deployment into Yuendumu to enhance capability and increase community safety. At approximately 8:35pm Papunya Police members were deployment from Papunya Police Station by myself ah and they were tasked to discretely enter the outskirts of Yuendumu community remain concealed while in phone range and ultimately be part of um the air plan ah whereby they will check the status of the airstrip immediately prior to the landing of the ah RFDS

aeroplane ah when directed to in- assess the safety of, for landing, Um I provided a further tasking um for - Papunya to then pick up the four members deployed from Alice Springs by air and convey them to Alice Springs ah sorry to Yuendumu Police Station to enhance capability whilst concurrently oversighting the safe loading of the injured WALKER into RFDS plane, in relation to the question around deploying civilian personal um namely the RFDS ah air assets and additional Police officers into Yuendumu being a volatile location, um under the previous ah few comments that I've made ah the following matters were considered to me at the relevant times so the situation um as outlined before um WALKER being alive still within the Police Station life threatening condition um, the staff that I had on hand um my personal knowledge as to the configuration of the station ah no other Police um parties within the ah, sorry no other family within the Police Station ah broad negative Police sentiment within the community, insufficient numbers um given the medical needs of WALKER to provide an inner cordon of the local field command, ah arrangements in place, my ah liability concerns um as well so those factors hadn't changed at this point in time and it was my view that ah the risk to the ongoing welfare of WALKER and the need to protect the community and protection of Police Officers that were presently there ah through the enhanced deployment of Police outweighs the risk applicable of sending further Police personal and civilians into a volatile location, accordingly ah I ah concluded that the deployment ah was to be actioned subject to the approval of RFDS supervisor, approximately 8:38pm a contingency plan was being developed should RFDF not deploy, um or not approved for deployment so we started [REDACTED]

[REDACTED] was advised that ah our air wing asset was not in Alice Springs and was presently flying around the broader southern region um with the pilot being on a night exercise, pilot being Mr Graham COOKE. I contacted him um and he advised so over the mobile in fact I contacted him, he called

me back um but he advised that he was about forty minutes away from Alice Springs so as part of the contingency plan I gave him an immediate direction um to return to Alice Springs fuel up and await instructions from myself, potential and immediate deployment into Yuendumu should RFDS deployment not be approved by their supervisor. In relation to the question around the adequate capturing the fast flow of information and critical decisions in the IRT and support of future investigation the following matters were considered at the time, before reaching a critical decision um particularly as it relates to policy and process ah, I had some considerations and thoughts around the potential loss of a station, injury to members, critical incident response and subsequent invest- investigations around police shootings all being significant matters and events, I had a real concern within the IMT of not being able to sufficiently capture ah the information from within the POC or the IMT through conventional recording methods being running sheets and note taking, I couldn't prod any notes at the time I was just too fast flowing, so at that time I made a determination that the ah POC IMT was to be electronically recorded given the volume of information being conveyed and decisions being made, so I tasked McCORMACK to source and immediately activate a recording device on locating it, ah so I then provided that ah critical decision to WURST ah with the direction to him to provide advice of same to all of his personnel up in Darwin that were anticipated to occupy and IMT that was being established in Darwin, so namely that ah the Police POC was being recorded, ah recordings with the Alice Springs POC arising from this critical decision have been since ah reviewed by me um there's a number I've got them on a USB here, there's a number of um recordings ah various length and duration ah, seven in total ah and I've used those ah over the week after this event to assist me in um more identifying the time lines and times specific to decisions and um actions. Ah at approximately 8:40pm um received an updated situation report from FROST ah as noted in

the critical decisions considerations in relation to the question around evacuating Police Stations, ah so Julie was quite adamant that she wanted to evacuate, it was necessary um particularly around their, their imminent safety, she advised me at this stage, this was 8:40pm that WALKER was now deceased, ah in addition to the previous safety considerations that I've already outlined um that WILLIAMS was still not aware of WALKER's passing ah anxiety and a fear experienced by Police in the station is escalating giving WALKER's passing, concerns expressed that if the station is breached and WALKER is identified as being deceased then Police members safety's compromised with the retaliation expected, FROST expect ongoing concern that if the Police Station would be set on fire with Police members within, ah sorry that it would be set on fire with Police members in within, she expressed that a number of times although offered no tangible evidence or information attained to offer or support that assertion. In terms of community safety and community sentiment the things that I've already raised to ah still remain relevant but in addition to that um the community negative sentiment as conveyed to me and aggression towards Police was escalating, the medical staff from Yuelamu were still not in attendance and I still had those same concerns in the back of my mind in relation to um how serious these matters were and any liability for me around um decisions I had to make, um I provided or made a critical decision at that time and noted it as a critical decision that the Police Station was to be evacuated ah with WALKER, FROST provided with the following task preparatory to the evacuation, ah namely prepare to move, establish a evacuation plan of the sta- ah station um should evacuation be required WALKER be placed in the Police vehicle ah for the preservation of evidence, secure all ammunition and weapons should the station be breached, establish a cordon within the station ah, sorry establish coordination with the station ah consistent advise to all members in relation to the evacuation. In relation to the question around direction to all plss Police

personnel to evacuate the Police Station the following matters were considered at the time before reaching a critical decision, um, I received further advice that from FROST that WILLIAMS was refusing to leave the station, from that I gave um FROST a direction um to convey to WILLIAMS a direction from me to leave the community with other Police and no Police would be left in the station without community support given um I had the concerns that the, the ah the risk for him would be ah heightened of Police just left him there being a police member or being a ACPO with community linkages but wearing a Police uniform. At approximately 8:43pm FROST was advised by me, sorry FROST advised myself that the evacuation plan was complete or tasks from me had been actioned and local police evacuation was imminent, at approximately 8:45pm I ah contacted ah the remote services manager GILL to seek advice as to the where about of Yuelamu medical personnel who were tasked to respond to Yuendumu approximately one hour earlier, GILL was unable to provide advice, GILL tasked to follow up as an urgent priority as existing, as concerns exist as to the status and welfare of the medical staff deployed into a volatile location, and a potential to when they arrive ah there would be no Police presence had we evacuated the station. I also made a decision at that time to stand the Police pilot down ah sorry the RFDS pilot MILLS down given the passing of WALKER, um from my perspective the risk of conveying RFDS contractor into Yuendumu given the pass WALKER was not acceptable and the deployment four Police members in transit to RFDS were then diverted to police airwing to await the arrival of police airwing. Approximately 8:46pm I received a call from ah TRG Senior Sergeant Meacham KING um he provided me with the following advice that TRG deployment is in the advanced stages of coordination they were likely to depart around 9:30pm they were going to be on a commercial air charter as such ah chemical munitions were unable to be taken reducing tactical options when arriving at the location, um KING advised me

that he would be the tactical commander, Mason would be the EA commander, couldn't provide me advice as to who the TRG members were other than that ah he anticipates to be seven, and ah I tasked ah KING to start considering an inner cordon plan that will likely involve with a vacant station ah due to the evacuation, he indicated that um there likely arrival was at 12:30am the following morning, approximately 8:48pm Papunya deployment was suspended on the basis the likely evacuation of Yuendumu personnel from Yuendumu Police Station, approximately 8:49pm – I participated in a teleconference with Darwin based IMT chaired by WURST, ah brief provided to WURST ah WURST later formally assuming the role of Operations Commander although at this stage hadn't indicated that was his position, um, but I provide him advice in respect to the Yuendumu evacuation plan, um, he then provided contrary advice or a, a contrary determination that um they were not to evacuate not to leave the community um my decision was over ridden on the basis that ah the station cannot be abandoned given the safety for the broader community and needs to broader community needs to be maintained, he essentially said if we lose the station then we would lose the safety and protection of the community, um, I then received a task from him ah from the meeting that I was to deploy four further ah members from Alice Springs to airwing to bolster the deployment, I tasked ah Operations Officer POTTS to coordinate this, ah there was a critical decision from IMT Darwin, that ah so the critical decision from IMT Darwin was conveyed over the phone, I couldn't get hold of FROST but we conveyed that to ah HAWKINGS that the or um evacuation was not authorised um I didn't make the call but I was present when POTTS, no ah McCORMACK spoke to HAWKINGS and effectively said don't evacuate, it hasn't been authorised, further to that conveyed that um Alice Springs resources were being deployed and they were likely to arrive within the hour and TRG deployment was being, also being further coordinated. At approximately 9:06pm contact with FROST um

situation report was received from FROST to myself, particularly in relation to the um Darwin IMT critical decision namely that the Police Station was not to be evacuated. The following matters were considered by me that the situation as it relates to WALKER was unchanged, the situation as previously ah mentioned relative to the safety of members was unchanged however there was some further information um that WILLIS- WILLIAMS was still not aware of WALKER's passing, WILLIAMS remains an expected, respected Elder and family member of WALKER, WALKER's ongoing engagement and dialogue with the community was critical to maintain safety of the station, community members and family are um are of the ongoing belief that Police are providing some medical attention to WALKER and any entry of the station or violence towards Police will compromise this, um, I had a concern ah well myself and Julie had a concern that WILLIAM become aware of the passing and possible, be a possible risk given cultural obligations and could result in WILLIAMS standing down and commencing cultural business and removing the buffer and ongoing safety arrangements for Police within the station, um, in respect to community safety and community sentiment um, the aforementioned items remained relevant, at that time community negative sentiment and aggression towards Police remained high, medical service was still not in attendance and I still had the same concerns from a policy ah position, critical decisions ris- arising from this updated situation report, um I made a further determination in relation to the evacuation, notwithstanding the determination from Darwin, um I provided a direction that they could leave and only leave if the station is breached and members safety is compromised and should the deployment out of community be required at a moment's notice the body is to be left in the police vehicle, further critical decision I made at the time although didn't accept it as being a critical decision although it was, that ah the determination of WILLIAMS being notified of the death of WALKER um my position was that ah WALKER and

family not to be advised of the passing, sorry WILLIAMS and family not to be advised of the passing of WALKER at the time due to the risk of safety of members within the station, provided a further task to FROST by myself arising from this situation report that the task were FROST to attempt to contact clinic, clinic personnel who were deployment to Yuelamu and to ascertain their safety and get them to the Police Station to maintain their safety and WILLIAMS to continue to mediate with the community and family from outside the Police Station. Approximately 9:09pm I had a conversation with Senior Sergeant, Acting Senior Sergeant ah Terry ZHANG the Alice Springs ah Police airport um, sorry Alice PFES airwing awaiting deployment advice provided at that time was to stand by at airwing, further deployment resources from Alice Springs were imminent, assessment ah I made an assessment as to accouchements advised from ZHANG at that time it was only Police issued Glocks, advice that additional long arms will be taken with additional resources to the airport for deployment, I provided ZHANG with advice that a communication plan as to the safe landing in Yuendumu and I conveyed that to him the airstrip was being developed. At about 9:10pm I tasked Papunya to again return back to Yuendumu in accordance with our previous plan, at 9:11 ah I tasked Operational Traffic Units to deploy along the Tanami for intel purposes not and gave them specific instruction through um, the Operations Officer not to proceed past Tilmouth Well and to contact myself on arrival at Tilmouth, approximately 9:15pm I approved three members to be deployed to the airport, I briefed them outside of the POC as to the situation and threat to provide situational awareness ah and members safety, there was no questions from those members arising, um, members aware of the circumstance and were able to deploy to the airport. At 9:20pm I received a call from VICARY and told her to ah prepare for commander control transition at some stage. 9:22pm received advise from Detective Senior Sergeant Leith PHILLIPS advice

specifically that the investigation function of coordinating cell are under the IMT had been established and the regional investigation area of the Alice Springs Police Station, um I had a request for PHILLIPS to consider as a critical decision whether the Police Officer directly involved in the shooting is to return to Alice Springs on airwing given its anticipated ETA in Yuendumu of one hour, -- I also said to ah PHILLIPS that um there would be an opportunity for one hour ah to facilitate this and then after this it's anticipated that opportunity would pass. At approximately 9:24pm um contact was established with FROST, I provided her with the following taskings, tasking that fifteen minutes sit reps would be established and maintained with FROST, ah advice provided to FROST as to my ah intent, three priorities specifically the safety of the station members is our priority further priority around broad safety broader community safety imperatives and then obviously investigation secondary to safety priorities, ah provided her further direction that no notification as to the death provided outside of the station on the basis the need to balance the sensitivities and the safety of the station members, um I receiving advice at that time from FROST that members ah ROLFE received a minor stab wound that is being treated by Yuelamu clinic staff that are now in attendance and this ah stabbing was or this injury was a non-life threatening ah injury. Approximately 9:29pm I had phone contact with ZHANG at the airport ah I provided um ZHANG with the following or the members that were deployed to the airport with the following, I provided ah telephone briefing to all members at the airstrip awaiting deployment and no questions concerned preparatory deployment were arising, that briefing essentially aligned with the briefing that I provided to the three members ah twenty minutes earlier, ZHANG tasked to contact the Incident Control plier - by phone prior to landing at Yuendumu for me to assess the safety of um landing on the ground at the time, I provided a specific ah instruction to ZHANG that he was in charge as the forward command on arrival at Yuendumu, I s- ah I outlined

the three priorities um as afore mentioned, um to all the members awaiting deployment, - and I also received advice from COOKE to assist in the development of contingency plans namely that Mount Allen is a twenty four hour airstrip situated thirty kilometres from Yuendumu Police Station, ah ZHANG was also directed to maintain fifteen minutes sit rep with the POC. At approximately 9:34pm Incident Controller received advice from FROST so I received advice from FROST that there was two hundred people out the front of the Police Station fighting and there was ongoing concern raised by FROST as to member's ongoing safety. Approximately 9:34pm received advice, no sorry withdraw that, at ah 9:35pm ah WURST was provided with a situation report ah by myself um again situation as it relates to WALKER was unchanged, safety of Police and concerns relevant to that were unchanged other than the following matters, that seven members from Alice Springs airwing were in transit, traffic had been deployed ah by road ah no further than ah Tilmouth ah ROLFE had been stabbed during the critical incident, minor stab sustained ah presently being treated, FROST continues to express concern for ongoing safety and request to evacuate Police Station is ongoing, ah direction to FROST by myself to remain within the station, in terms of community safety and community sentiment things I've already raised were still relevant at the time, um changes being clinical, clinic staff from Yuelamu were now in the Police Station, still two hundred persons outside the premises and WILLIAMS engagement was ongoing as it relates to policy and ah process I still had the same concerns ah as previously mentioned, this briefing to WURST was part of the Darwin IMT and is part of our um IMT ah Incident Controller communications ah there was some critical decisions from Darwin arising from that ah in particular the engagement needs to be ongoing but there need to inclusion of FROST supporting WILLIAMS around the community engagement, further decision ah reinforcing the critical decision um as previously mentioned namely that Police ah in Yuendumu

are to remain in the community and not to evacuate the station. At 9:41pm I had a conversation with FROST, again reiterating the, the two critical decision, well reiterating the not to evacuate but expressing the critical decision as it related to community engagement, um and I conveyed her with the following tasks. Um for FROST to establish or for our communication plan with FROST namely that ah phone contact being maintained with POTTS ah only to ensure that ICP remains responsive to calls we were in some cases having to play phone tag and missing what was considered to be critical calls so direction was that she was to maintain calls to POTTS only ah FROST advised that, FROST advised myself that the station was not under siege there was no overt acts of aggression other than rocks being thrown at the station, directions from FROST for myself to assist ah WILLIAMS in the engagement in accordance with the Darwin based IMT ah determination, - I was advised at that time that the body was now back in the station and it was to be left in the station, and I was also advised that ah we were in the development of a potential ah alternative plan to deploy more resources into ah airwing via airwing into ah Yuendumu potentially via Mount Allen. Approximately 9:59pm I was present when PHILLIPS provided some tasks to FROST particularly that ROLFE was to be deployed to the plane and removed from the community when additional Police ah Officers deployed from Alice Springs arrive, that the body is to remain in situ at the Police Station and not to be placed on the plane, at approximately 10:10pm ah I had a conversation with FROST, FROST advised that the plan had landed in sorry, I provided FROST with the advice that the plan the plane was to land in Alice Springs, FROST advised that there was calm in Yuendumu on the basis that the community were of the view that treatment of WALKER can only be achieved um, can only be achieved if safety and order is established in the community to enable the plan to lane, sorry the plane to land. I also instructed FROST to um identify Elders that needed to be bought into the

conversation to start engaging in support for WILLIAMS, I tasked as I indicated FROST to locate a cohort of Elders to assist as a unified approach to community engagement, I directed FROST and WILLIAMS to establish an engagement plan through identifying appropriate community elders, and also that FROST to make contact with Papunya via radio coms to establish an ETA as part of the airwing transport plan. Approximately 10:11pm a teleconference conversation again with Darwin IMT, I provided IMT with a situation report, specifically that the deceased remained in the station, ah resources namely three Yuendumu IRT and dog remain in the station, WILLIAM engagement is ongoing, seven in transit in, in the air likely to be on ground in five to twenty minutes for landing. Com- plan communicated for the transfer, transfer from airstrip to station, task to FROST and WILLIAMS to establish engagement structure with the cohort of Elders, accepted that this may be difficult as the main Elder being Eddie ROBERTSON is WALKER's grandfather, concern continues to be expressed by FROST in relation to personal safety and probable breach of the station, between twenty to two hundred have approached the station um with numbers and aggression fluctuating, at this stage no overt acts of violence other than rocks being thrown at the Police Station roof, from Julie's assessment calm predicated on community belief that aircraft is coming into the community for the purpose of treating WALKER, ROLFE to be conveyed to the airstrip for conveyance, ah plan around same still in development, injured person ROLFE treated and superficial, TRG deployment arrival um in Yuendumu ETA twelve-thirty am, crime deployed to Yuendumu in plain clothes with approach appropriate accoutrement, media have already noted incident ah with significant negative negative social media ongoing, WILLIAMS still not aware of WALKER that WALKER is deceased and then that sit reps have been provided from relevant personnel on a fifteen minute basis. The following are critical decisions from ah WURST arising from our conversations um

command structure established and conveyed to Incident Controller um myself, ah being a full structure in Darwin being a Darwin POC at this stage, ah WURST gave the um direction that he was assuming overall Commander Operations Commander role, um so specifically Darwin IMT and OI Operation Commander WURST to have overall command of the event, and ah there was an agreement or approval for ZHANGS appointment as Forward Commander by the Incident Controller on arrival at ah Yuendumu, ah at this time um WURST also establishing communicated his intent ah the objectives communicated from WURST aligned with the intent as previously communicated by myself to the Forward Commander, there was some critical decisions in conversations relative to a media strategy ah next of kin notification and community, notification as to the death of WALKER, particularly that a media plan the determination was not to release the information to media or community as to WALKER being deceased until after notifikin, next of kin notification, the media spokes-person would be Rob CROSS being the media directcher director, and decisions to continue to withhold advised to community next of kin until TRG are on ground and inner cordon is established due to safety concerns, ah there was a further critical decision ah from this IMT or from this JMC that um directions that ah, direction that priority remains within the Police Station and directioned throughout the course of the night not to patrol the community throughout the nice, night unless life threatening response and that would be required by TRG only, further advice arising from the Darwin IMT is that ah I received advise that the Deputy Coroner had been advised of the circumstances and evidentiary concerns regarding WALKER's movement around the station and placement ah while um treatment was being provided and also advice that um Darwin were considering a fatigue management plan um sorry will establish a fatigue management plan, ah this JMC concluded at 11pm. At Approximately 11pm I received advice from Operations

Officer POTTS, um of the outcomes of the planned action to attend ah Yuendumu ah airwing to convey Alice Springs members to ah the Police Station, the transport plan was generated and actioned by POTTS whilst I was engaged in the Darwin IMT um, I was advised that the conclusion of the IMT that um the plan resulted in a nurse being hit in the head with a rock during the conveyance, that was thrown from the crowd um there was minimal life threatening injuries, sorry minimal and non-life threatening injuries being sustained, there was a number of Police vehicles damaged, smashed through crowds throwing rocks at the convoy, all Police members were in the station safely and airwing departed ah safely and the ah facilitated a safe departure. Approximately 11:03pm um I contacted ZHANG and tasks were delivered to ZHANG ah one firstly is ZHANG was in charge with forward command the critical decision from Darwin that supported my previous ah determination, um he was to start to ah establish an inner cordon after security of the station, establish a plan for ongoing safety of nurses, ah not to leave the station ah effectively said that we now own the nurses and they're not to leave and we were responsible for their safety going forward, um and ah body worn in the station is to be operating. At 11:10pm I established a logistics and planning cell under Alice Springs IMT ah GALL who had just finished ah his evening shift ah Watch Commander stint ah was to assume this role the logistics and planning coordination role and tasked by myself to start consider things such as food supply and deployment into ah Yuendumu, respite fatigue management plan and resources ah tasking sorry re- ah resource taskings into the community down the track. At approximately 11:20pm conversation with FROST um at this stage I conveyed to her it was the first opportunity, the command structure um conveyed namely that ZHANG was the Forward Commander in the station. Approximately 11:21pm I had a conversation with ah WESTERHUIS he was one of the traffic members, ah he called ah the POC I think it was to POTTS but I communicated with him,

no I didn't ah POTTS communicated with him but conveyed the information to me, there was concerns expressed from the traffic members, no sorry it was on speaker phone so we had a three way conversation, there was concerns expressed from the traffic members that they were traveling two up into a broader Yuendumu area with limited communication, ah further reiterated ah our advice that the traffic were being tasked as an intel conduit not to trap vehicles um they effectively still maintain concerned ah that they were being deployed into Tilmouth Well um they suggested um and particularly that they had no communications ah once they got to just past the turn off, ah other than mobile phone to the turn off and then sporadically throughout the course of, so the determination ah in consultation with traffic that they were not to proceed to Tilmouth Well based on reasonable concerns raised and were to establish a road block at the Tanami turn-off only, not to proceed past the turn-off and the road block location will remain in mobile phone coverage enhancing intel conduit and obviously for safety reasons. Approximately 11:24pm, ah I received advice from FROST namely that the clinic was on fire and the WYDAC'S civilian personnel were responding, I made a decision at that time local Police not to respond to report of structure fire, namely the Yuendumu clinic which was obviously known at the time to be NTG asset, um my considerations around that were that the building is a stand-alone building not adjoining no clinic staff as I was led to believe were in attendance, was an unoccupied dwelling Police response to same will deplete capacity to main station inner cordon, deployment will compromise Police members ongoing safety within the station responding Police - so accordingly ah directed the members not to respond. At 11:30pm, I received a telephone conver- I had a telephone call with, with ah Suzanna from WYDAC, she's the manager from WYDAC ah being a service provider in the community, I maintain a reasonable relationship with Suzanna and was aware that um WYDAC were heavily involved in some of

the issue occurring outside of the Police Station so felt it prudent to have a conversation with her but I gave her a very brief situation report um, specifically that ah, I had been advised that there was ah WYDAC personnel that are mobile throughout the community which is a community safety risk to WYDAC, um I did not give ah her any condition on ah the status of WALKER despite her ongoing request for an update, ah advice provided to her that there was no intel suggest that WYDAC are any under any risk ah direction or request to her that WYDAC'S ah staff are to return to home and shelter in home, and an undertaking to her that advice would be provided to WYDAC in the morning in relation to ongoing community safety concerns, ah in particular as it relates to service providers and advice received from her that the clinic is not on fire contrary to the reports, that there had only been a small fire at the front which had been extinguished, advice to her that any advice as to the condition of WALKER is to be provided to the family in the first instance when appropriate and then determination to the broader community notification were made after that. Approximately 11:36pm phone contact between myself and GILL being the remote health services um I was unable, I, I provided an update on the condition of the nurses known to me at the time, provided advice that medical staff remain in the Police Station as part of the safety plan, um and I gave her an undertaking that I would get the medical staff to give her a call at the first opportunity. 11:38pm I had a telephone conversation with ZHANG, ah communications plan established ah again for similar reasons to that of um Julie, um directed him to maintain contact and provide fifteen minute sit reps with McCORMACK because we were missing some critical calls, ZHANG advised ah to me that the inner station had been established with regard to the following, the front of station being a vulnerable glass door, he put a sheet over the front door for early warning, four members patrolling rear car park, radio comms maintained. ZHANG at that time expressed concern as to food water and supplies, I provided advice that resupply plan

is being established through the logistic cell, ah I advised ZHANG that respite arrangements to be established at a local level, effective of being rest in place within the inner cordon. Ah the following critical decisions arised from the conversation with ZHANG in particular as it relates to the four members that were ah believed to be or advised to be patrolling the rear car park, um in respect to the rear external cordon um I directed for the four members not to extend beyond the close proximity of the rear door to allow for a expedient retreat into the station if under threat, um the basis of establishing the outer cordon was around the close proximity to the cars and obviously recognition that would need the vehicles so we drew that back to close proximity to the door, further taskings from the insk- from myself arising from this conversation with ZHANG ah was that he was to establish two well start to establish two plans for the imminent arrival of TRG, ah part of the transport plan, pick up arrangements ah with that community being calm and a contingency plan if unrest um plan needs to be developed, and that plan has to be communicated to me for approval no later than 12:15am, um prior to the anticipated arrival. Approximately 11:49pm, ah had ah phone contact with ZHANG seeking advice ah ZHANG expressed to the Incident Controller that the grandfather ROBERTSON is seeking advice as to the status of WALKER, ZHANG effectively said to me he just wants to know either way whether he's dead or alive, um I (inaudible) ZHANG and said, ah sorry I didn't I had a a advised ZHANG at that time ah unable to provide a notification next of kin notification to (inaudible) ROBERTSON at this stage until we have sufficient capacity and safety plan established, so that was direction aligning with the Darwin um critical decision um provided at the last IMT, that decision was to withhold advice to the community, next of kin until TRG on the ground and inner cordon established. 11:55pm I provided a brief to the welfare and chaplaincy services who were kind of loitering outside the door um to enable them to start considering welfare needs of the Alice

Springs, at a station level there was a lot of sort of going on's in the muster room, so provided them with a briefing that was ah Senior Constable PARSON and Chaplain Rob - Robert WEEKES. At 11:59pm Commander CURRIE arrived in the Alice Springs POC, um at 12 ah so 12:02am there was a teleconference with the Darwin IMT um I provided them with a situation report CURRIE was in this meeting, a personal, effectively personnel on the ground unchanged, TRG in transit, unrest had settled, no nil clinic on fire as reported, increase in capacity namely traffic at the Tanami turn off, determination necessary to main communication for safety, inner cordon established, four members at the door of the station for early warning and vehicle oversight, appears to be relatively calm in the community, WYDAC had been advised to return to houses and shelter inside, plans for TRG pickup, calm and contingency unrest plans being developed, welfare briefed and have attained um welfare brief and have or are in the process of attaining supplies for the Yuendumu resupply so they went out and effectively assisted our logistic cell. The following are critical decisions arising from this IMT ah through our communications ah there was their determination that further to the media strategy that a press conference notification will be actioned by a media unit on confirmation of next of kin notification being made, press conference is to be undertaken in Darwin during the morning of the 10th of November, no date was provided at that time. That JMC concluded at 12:25am. At approximately 12:30am I had a telephone conversation with ZHANG, ZHANG provided me with the following situation ah report ah the transport plan for TRG conveyance from the airport to ah Yuendumu Police Station was complete, details of which were communicated to me, situation on the ground was calm although concerned ah air ah plane might reignite community unrest, ah communication plan with TRG in the air, Yuendumu station ah plan to bring them to the station won't deplete a inner cordon, task from ah myself to ZHANG arising from this conversation, further develop the transport plan

with all members involved to be briefed by ZHANG in particular, print map of airstrip for staff involved, outward facing assets for early warning while loading occurs, sit report ah required by, to incident controller on commencement of action um coinciding with the arrival of the aircraft and situation report ah to myself on departure and assets will remain in place until the aircraft safely departs, ah briefing at this stage I then had a formal briefing to CURRIE not withstanding he was in the IMT, provided him with ah the current situation ah the events leading up to the critical incident and response post critical incident, given CURRIE had been out of the district and uncontactable over the relevant time. At approximately 1am ah Incident control- Control critical decision documented ah relating to Alice Springs Police operations conveyed to Watch Commander on duty by the Incident Controller specifically that any Police assets that were responding to any incidents within Warlpiri locations within Alice Springs that was to be two units to respond, um no single unit Police deployment. At approximately ah 1am – we established a IMT structure for a 4am rotation, the Incident Controller was to transition to CURRIE, CURRIE effectively went home at this stage in preparation for that. Approximately 1am IMT was also located from the first floor next to the Watch Commanders office and re-established on the second floor of the Alice Springs Police Station, in the command management area with all communications and critical decisions to be recorded contemporaneously on the WebEOC rather on the running log that I've previously mentioned, a rationale for the determination was to enable Alice Springs business continuity to conclude ah continue unimpeded from a ah critical incident response, relocation to a more suitable location within the Police Station in recognition of anticipated IMT increase in scale and composition during business hours while the response to the critical incident um evolves over the coming days, and certainly that next day. At approximately 1:30am advice from ZHANG that TRG arrival in Yuendumu was imminent um information conveyed

to ZHANG by myself to enact deployment and communication plans and support of TRG pickup and transfer arrangements. At approximately 1:51am phone contact with ZHANG advised that TRG arrived safely to the station, no incidents arising and no community unrest. At 2am telephone conference ah conversation with Darwin IMT this stage ZHANG had ah rung into that um being the first on the first occasion, ah expressed that there was no community unrest at that time, there was a number of critical decisions from ah WURST arising from that um namely ah command structures for Darwin, Alice Springs and Yuendumu were refined as part of the fatigue management plan, Operations Commander WURST had transitioned to Acting Commander JACKSON at the conclusion of the JMC, Incident Controller NOBBS to transition to CURRIE at 4am, Forward Commander ZHANG to be maintained and Tactical Commander KING to be maintained. Further critical decision for outgoing WURST um was further development of the tactical plans tasked to KING, TRG to develop local station-based plans, further development cordon plan, to cease extrication plan and formal notification of ah next of kin to plan be um developed for imminent notification. Last critical decision by outgoing WURST was that notif- next of kin notification and management of WALKER um deceased to be removed from the community once notification complete, ah TRG to develop plans around that. The following are further taskings from ah WURST arising from this IMT that I've not noted as critical decisions, um taskings around interagency notification in the morning ah DMC notification task pending, deployment of assets from Darwin are required as a priority as part the fatigue management plan, ah specifically that four members to be identified and at Darwin airwing in the morning for ah airwing deployment with TRG, ah Yuendumu sit reps to continue into the Alice Springs POC giving communication gap every fifteen minutes, this ah IMT concluded at ah 2:25am. Approximately 3:06am I had a conversation with KING, advice from KING was as

followed, that a fatigue management plan, resources are being stood down and rest within the common area of VOQ and FROST was coordinating same, halfway plan being developed for the deceased extrication, advise to KING that HAIG um by myself to ah deploy to Yuendumu with supplies and munitions with central ah centre funeral contractors as part of the deceased escort, KING advised by myself that, sorry KING advised me that ah NTES fire trailer and extinguishers are being centralised to be utilised on a as needs basis. Approximately 4am I provided a handover brief to incoming CURRIE, ah covering all the relevant matters applicable to the following, around broad IMT structures, general discussions, ah decisions ongoing including ah emerging and current threats and risks, general situation report and staffing priorities. At 4:30am on completion, completing my hand over of the IC arrangements to CURRIE I completed duty, ah that was effectively my involvement in the IMT that night, um. At approximately 2pm that next day, 10th of November I commenced duty, resumed my role as Incident Controller, received a ah briefing from the outgoing CURRIE, um I then later handed over assumed that role until midnight, handed over to ah incoming Incident Controller VICARY at 11:45, um I then for the next three days assumed the role of Incident Controller taking over from and handing back to VICARY on a twelve hour rotation, um so Monday the 10th, Tuesday the 11th and Wednesday the 12th from 8am ah through to ah 8pm, on each of those days, on Thursday the 13th of November I commenced duty presuming the role ah as Incident Controller in the IMT, received a brief from VICARY, but handed over that day at 2pm to HAYES, Superintendent Neil HAYES, um and then Friday the ah at 8am ah 4th 14th of November again assumed the role of Incident Controller within the IMT taking over from VICARY who was on night shift and handing over to HAYES at 4pm that day. Um in respect to my involvement as the Incident Controller ah on the Monday the 10th, sorry from 2pm on Sunday the 10th all the way through to ah that Friday the 14th um I made a

number of ah critical decisions um in relation to those matters that around protests ah Police Station being damaged ah and a multitude of other things I, it's a matter as to whether you want me to cover off on those for the purpose of this statement today but ah certainly available to provide further details and any ah supplementary statement that might be deemed relevant to those matters um.

WELLFAIR: I think um, where you've got to at that point um would be a good place ah to rest, ah for the moment, I appreciate ah there's a lot of information that you've gone through there, I think the time now is um 18:45, so that's nearly an hour and a half that you've, you've been speaking, so I can appreciate you taking the time to do that, so I will ask you first of all whether you would like to take a break ah for ten minutes to, before we ask you further questions?

NOBBS: No, I'm fine thank you.

WELLFAIR: Your happy.

NOBBS: Yeah.

WELLFAIR: Okay, so just coming out of um what you've said, I'd like to just clarify a few things before I go into the questions that I have okay just so I understand certain things. Um you talked about um on the 6th um that Kumantjayi ██████████ WALKER ah was an arrest target, why was he an arrest target at that point, what is your understanding?

NOBBS: The, I, I was aware of from the Family Safety Framework.

WELLFAIR: Yup.

NOBBS: That he was outstanding in relation to what I believed at the time to be a suspended sentence, I'm not too sure if that was the case but certainly um outside of um, so certainly in breach of some court ordered imposition.

WELLFAIR: Yup.

NOBBS: Um additionally for the critical incident the night before, um and so that was essentially my understanding.

WELLFAIR: Okay.

NOBBS: As it relates to WALKER on the 6th.

WELLFAIR: And the critical incident the night before, are we talking about ah um this is where the, you hadn't reviewed the use of force um and hadn't seen the body worn, is, is this that the incident you're talking about?

NOBBS: correct, so that was on the 7th, so I guess that's what, on the evening of the 6th I made that determination, I was aware, sorry before the critical incident.

WELLFAIR: Ah ha.

NOBBS: Of the outstanding matter um being a suspended sentence or similar.

WELLFAIR: Yup.

NOBBS: And then obviously ah that further developed from the communication post the critical incident on the 6th, after my conversation with FROST.

WELLFAIR: Yup.

NOBBS: Um, so they were the two matters so depending on what time on the 6th you refer to so.

WELLFAIR: Okay, ah you say you hadn't reviewed the body worn footage at that point of time, ah what was your understanding of that incident and how did you come to that understanding?

NOBBS: Through the conversation I had with FROST -

WELLFAIR: Okay

NOBBS: Um and it was it was limited to what I provided already in relation to that so that, um that is that HAND and um SMITH had deployed to that location, um sometime throughout the course of that evening I wasn't privy as to the reasons why they had deployed, um but certainly sufficed that they had deployed, um they were hindered in entering ah the premise um by um Rekeisha -

WELLFAIR: Yup.

NOBBS: Um, during a subsequent interaction within that ah premise ah that's when um as FROST conveyed to me um they were threatened with an axe um and then he subsequently ah absconded from that location um, I'm told at the time they gave chase, um but his whereabouts from then was unknown, so ah obviously in based on the information in my mind at the very least prima facie it was ah reasonable sort of um belief around the assault on Police on that, that occasion so that was a relevant factor as well.

WELLFAIR: You talked about discussions with FROST, [clearing throat] excuse me around the surrender of WALKER and looking at the no force option, the least force option.

NOBBS: Yes.

WELLFAIR: Um, tell me about your, your risk assessments at that point with regards to ah WALKER.

NOBBS: Look ah suffice to say there was concern from the event from the night before.

WELLFAIR: Yup.

NOBBS: Um, I guess one of the critical point for me and, and knowing Eddie ROBERTSON um when Julie expressed um the I shouldn't use the term discuss but the discuss for lack of a better term from Lottie and Eddie, particularly Lottie that observed WALKER um

from what Julie advised me that ah Eddie was quite adamant that he was going to assist Police.

WELLFAIR: Ah ha.

NOBBS: He was gonna' either contact Police or bring WALKER in um, so I guess from a risk assessment context um, that was a preferred method of um apprehending WALKER then us deploying to a location to, to arrest him if that makes sense.

WELLFAIR: It does, um just to clarify then, the risk assessment with regards to deploying and um arresting um Mr WALKER, ah what was your risk assessment on doing that?

NOBBS: Well I guess my risk assessment evolved over, over the days but um, - it was clear that night from my perspective and conversations with Julie and obviously the members were shaken that we weren't going to take any action that night.

WELLFAIR: Yup.

NOBBS: The further conversation I had with Julie um at that time was quite clear to me that she'd already engaged in some dialogue with Eddie, and they amongst themselves hatched this plan which I supported, namely that um Eddie was gonna' make contact with us um so for I guess from a risk assessment context looking at that as a option, given there was a multitude of other options available, given my assessment of that as an option from a risk assessment context that was probably the best option for us, namely, hopefully a surrender um as opposed to us having to deploy to a particular location, and arrest him in a, in a unknown location.

WELLFAIR: Okay, Eddie Eddie and Lottie you mentioned, who are they?

NOBBS: Ah grandparents.

WELLFAIR: Yup.

NOBBS: For ah Kumantjayi WALKER.

WELLFAIR: Okay.

NOBBS: And ah Eddie is probably one of the most senior Elders within the community and also a PM&C employee so he's the PM&C representative for the community.

NEWELL: What's PM&C?

NOBBS: Ah Prime Minister in Cabinet, um I don't know what his exact title is but he'd the PM&C representative for community, so an articulate very sort of he sits within a lot of our interagency structures and conversations so I know him well in that regard.

WELLFAIR: And what sort of relationship like between Police and the Yuendumu ah Yuendumu community generally, or was at that time?

NOBBS: It, It's a difficult one for me to answer I guess, from my position as the manager, um Yuendumu is my most challenging community, um, there's various factions in my mind within the communities so you've got a, a cohort of stakeholders and, and from my perspective Yuendumu is probably the most um serviced community that I've gotten down here, so there's a lot of stakeholders, you've got a number of those stakeholders that have been there for a long time. Yuendumu quite clearly is my community that has most of the crime, I, I accept that's probably relative to the pop- population base but it had most crime, significant property crime issues, um considerable domestic violence issues and that's obviously why we've got a distinct Yuendumu Family Safety Framework.

WELLFAIR: Mm.

NOBBS: It's the only community that has that, um so there is a cohort of community members ah stakeholders that are, for lack of a better term fed up, every time I go out there to have broader community

engagement they're the ones that come to those community meetings and point the finger at Police and say you're not doing enough, then you've got the other section of ah service providers such as WYDAC or other um service providers, I don't want to cast a broad dispersion but are somewhat anti-Police, very, they provide some sort of broader um youth advocacy service um constant at odds with Police although they fit within my Yuendumu community safety framework um as part of our sort of broader interagency um coordination and problem-solving, um frameworks that I've established out there in March, but you've got, so it's not just um WYDAC there are a number of others that have are similarly placed, and then from a community perspective, um, as difficult as it, as it sounds from my perspective um, it's a pretty, apathetic community, um every community meeting I have I get no community representation at all, um, as I said ah ah in that in my mind is probably attributed to a multiple factors but one of which in my mind is is the over representation of services ah so there's, there's someone doing you know what I mean, it's hard, it's not really a resilient community but I guess to go back to your question, there's those that are fairly negative Police from a stakeholder context because they've been there so long and are sick of the crime, those that are negative Police because they're a broad sort of advocate for a lot of the um repeat offenders, and then you've got a community that um by and large don't really offer too much support to Police at all, that said there are small pockets of um, those that do support Police on an ongoing basis ah Eddie, Lottie on occasion, um but again that's, that's a fairly tenuous relationship depending on the day.

WELLFAIR:

Okay, you spoke ah later on about and I will just go to this now, um having a knowledge of the Yuendumu Police Station, intimate knowledge.

NOBBS:

Yup.

WELLFAIR: Um, what's the reason for having an intimate knowledge of that?

NOBBS: Ah in so between December, I'm digressing a little bit here but between December and March last, ah this year we had unprecedented property crime numbers, ah I think it was our unlawful entry rates were up a hundred and sixty seven percent, um and it, it got to the stage that we had to do something decisive so from that I established a community safety committee that was kind of under the broad ah community safety action plans, but a, a, a committee that I Chaired that went out there at at that time once a fortnight, host a meeting an interagency meeting within the, the courthouse the Police Station um and then that continued every fortnight for certainly the next ah six months and probably after that six months it kind of then dropped down to once a month so I'm, I'm out there very, very frequently and the commencement of the Operation NEWTON which was the overarching operation to this creation to this framework, um I went out there for a whole week um and that was about knocking on doors and having community engagement and trying to establish some relationships so-

WELLFAIR: Sure

NOBBS: so I've got a, a good knowledge of Yuendumu um from that.

WELLFAIR: Okay, you mentioned um, not arresting at the funeral um and you mentioned because um of cultural reasons, um are there any other reason why um you wouldn't arrest ah Mr WALKER at the funeral?

NOBBS: Ah look to me it was just, it just wasn't, it wasn't sensible.

WELLFAIR: Yup.

NOBBS: There was you know, probably nothing I could put my finger on it just it was a no brainer in my mind, we weren't gonna' go, although I do concede myself and Julie had a sort of to and fro dialogue in terms of ah risk versus reward, but it was quite clear the consensus was we're not gonna' go to a funeral um if we've got,

we and I don't want to hang our hat on one thing but we had hope and faith that Eddie's, ah Eddie's undertaking would generate the result that we're after.

WELLFAIR: Okay.

NOBBS: Um so, yeah, so that was ah basically the reason, it just wouldn't have, wouldn't have been good in terms of broad community support, to go to a funeral and drag our offender out of there.

WELLFAIR: Yeah, you mentioned that members were fatigued at Yuendumu, why were they fatigued?

NOBBS: There was a lot going on at Yuendumu at the time, we had ah very, very limited staff and I've, I've said this repeatedly ah, Yuendumu has been an under resourced location for a really, really long time, um so we had some people on stand down and days off, we had issues going off at Nyirripi at the time, um, that were um matters arising from a sports carnival there the week prior that um were compounded from issues at a sports carnival at Kintore the week prior to that, so we had ah a lot of situations where the members were backwards and forwards from Nyirripi dealing with um violence and, and other community um community type issues out of Nyirripi, there's, there's just a lot going on at that part particular time. Um although I don't know specifically um what the job was but clearly when I woke up that next day it was no surprise when I saw the email from Julie on Saturday morning that said we've been up all night, um and we're going to bed and don't call us effectively, so um that on the back of the Nyirripi matters, the WALKER matter from a couple of nights earlier, it was, it was clear that there was, there was a lot going on.

WELLFAIR: Okay, so there was a discussion with um Julie FROST regarding the medical staff and, and the concern surrounding that and this is where she's asked for the IRT, um tell me about your thoughts

at that point with regards to medical staff um removing themselves from um the community and the IRT being potentially deployed.

NOBBS: Look ah I guess they're two distinct issues although they're intrinsically linked so if I talk about the medical staff firstly

WELLFAIR: Sure

NOBBS: um, I was somewhat disappointed by that um and although it was sometime later in that day that I ultimately spoke to their manager, um, I was particularly disappointed particularly in the context that their decision was predicated on the fact that they had been broken into a couple of time over the preceding nights but that hadn't been reported to Police, I just thought it was kind of ah um a disappointing position for them to take, that they would just be, a simple pack up and leave the community, um that I guess was and I can't speak for Julie but in my mind based on the conversation was the straw that broke the back and the need for her to then say to me I need something

WELLFAIR: Okay

NOBBS: um but when I say they're linked, clearly that was one of the factors but that wasn't the isolating factor. So, I knew that the clinic staff weren't there.

WELLFAIR: Mm.

NOBBS: But I equally knew that there was a whole lot of other pressures um that required some additional response ah and it was on that basis, so it wasn't the clinic staff in isolation cause' I was still hopeful that when I spoke to the manager that common sense would prevail and, and we would um achieve a, a reasonable outcome and that was that the clinic staff wouldn't leave, um but then obviously the IRT that's what Julie asked for and, and that's what I accepted was appropriate, necessary in the circumstances given those three factors.

WELLFAIR: Okay.

NOBBS: Um, one the clinic staff weren't there, two, we still had WALKER outstanding, and three and most importantly at that time, I had members that were just shagged, they couldn't work and ah um and needed some respite.

WELLFAIR: Okay, we'll come to the IRT a little bit later on.

NOBBS: Yup.

WELLFAIR: Um you mentioned Yuelamu, is that right, am I saying that right?

NOBBS: Yup, Yuelamu Mt Allen

WELLFAIR: And you mentioned ah Palumpa, tell me about the communities surrounding um Yuendumu, and the (inaudible) you can draw upon (inaudible).

NOBBS: I can't I'm afraid, I've never been to them, other than to know where they're situated, so Yuendumu district ah is a is a fairly large district, the neighbouring Police districts are Papunya, so that's situated ah as the crow fly's maybe a hundred and twenty k's or thereabouts, about an hour drive as um through a back track.

WELLFAIR: Yup.

NOBBS: So that's the neighbouring Police district, but Yuendumu is the substantive station obviously it's ah has a gazetted strength of one Sergeant, three Constables and one ACPO, um it's services ah Yuendumu community, it has a number of outstations including Yuelamu, um oh there's a multitude, there's about half a dozen outstations that I couldn't I couldn't even name, the closest one which is Yuelamu, there's also um Mount Theo, and there's also the police post at Nyirripi which was one of the police posts established under the intervention in 2007 but hasn't had a Police capability out of there for some time, ah so they also, also service that on a as needs basis although um from time to time we do deploy resources in there um, I, I again on as need basis through our sort of local deployment um model so but part of patrol based

but by and large Yuendumu services Nyirripi and at that particular time Nyirripi was a particularly challenging location.

WELLFAIR: Okay, so just, just to get a picture, so you've got, you've got the Police presence in Yuendumu and, and what Police presence is at those other locations at that time?

NOBBS: Well Papunya is the next closest Police Station.

WELLFAIR: Yup.

NOBBS: A hundred k's away.

WELLFAIR: Yup.

NOBBS: Um, Yuendumu is situated ah three hundred and seventy kilometres from Alice Springs, that goes all the way through to the WA border, has a fairly substantial footprint, and the next Police Station over is um, so you've got Yuendumu broadly covering Nyirripi, sorry covering Nyirripi, is the redundancy for Willowra which is another Police post that is unmanned um that's again situated probably a hundred and fifty k's away from Yuendumu, that's ultimately serviced by Ti-tree but um it's right in the middle of Yuendumu and Ti-tree, but um but quite often Yuendumu travel to Willowra as well, so the next substantial substantive Police Station is Ti-tree, ah which as the crow flies is probably two hundred K's away from, oh no probably more, probably four hundred k's away from um Yuendumu.

WELLFAIR: Okay, did you have questions? Um, um you talked about the IRT deployment and again we'll come to that a bit later on, but you, you because you said this that initially as a high visibility deployment, what does that mean?

NOBBS: Well essentially a an additional general duties unit, the, the, the plan that myself and Julie kind of thrashed out was that they were to come into the community, they were to kick off and all of that 11pm that night, they were to do some high visibility patrols around

that sort of deterrent peace relative to property crime, um and then 5am the next morning we were then going to action our plan to try to get WALKER.

WELLFAIR: Okay.

NOBBS: If he hadn't surrendered prior to that after the funeral, so when I say a high visibility patrol it was in uniform, in a police car, driving around throughout the course of the night as you would in Alice Springs or any other location, that was the plan.

WELLFAIR: Okay, and when you say enhanced response, what do you mean by that?

NOBBS: Well it's enhance, enhancing the local capability.

WELLFAIR: Okay.

NOBBS: The local capability is x resources, three, three members at the time, and we were enhancing it by an additional four so, um that's that's what that basically means.

WELLFAIR: Okay, and you mentioned a general support request, um and you talked about the Assistant Commissioner, ah there, so what's a general support request?

NOBBS: Under the IRT deployment there's two sorts of deployments, there's a high-risk and general support, um general support there's a number of factors that can be considered in terms of does it fit within general support um one of those is the arrest of a, a violent offender, um so it was, um so in terms of a general support approval is provided, or sorry it, it's considered by the Commander the Commander level, and approved by the Commander, but a high-risk deployment in ordinary circumstances is approved by um the Assistant Commissioner in this case, I went to the Assistant Commissioner wholly and solely because the Commander was uncontactable at the time -

WELLFAIR: Okay

NOBBS: so it was, um that was the reasoning around that but it still fit within the general support um capacity.

WELLFAIR: Okay, I think because we're there, I might go to the questions I have surrounding the IRT now because our, our heads are in that space.

NOBBS: Yup.

WELLFAIR: What is the IRT, tell me what it is?

NOBBS: Well look IRT I guess um and they don't sit under me.

WELLFAIR: Yup.

NOBBS: Um, so I don't have an intimate knowledge of them but the IRT to me is akin to a TRG, so it's a it's a capacity with a higher level of training and skill to that off um your general Police, so if we have something that um requires um some support or additional assistance, we generally call on IRT given their apparent skill set um and structures.

WELLFAIR: Okay, so it doesn't sit under you, where does it sit?

NOBBS: It's um sits, ultimately approved by the Commander, but they sit, their members, so we, we don't have a IRT capability that just sit idly by waiting for a call, they're our just general duties Police Officers that are a cadre of resources that can be deployed on a as need basis, so um yeah so they sit within the Alice Springs Division under ah Superintendent VICARY's control from a general duties context -

WELLFAIR: Yup.

NOBBS: ah so day to day sort of administrative control attached to general duties but um ultimately under the Commander if being deployed in a IRT context.

WELLFAIR: Okay, so um look I understand you're saying it's ah volunteer based, is that correct or-

NOBBS: I'm not too sure how that were established, they were established when I got here, I don't know how they went about the selection protect, process, I don't think it was, I'd suggest probably it was and I'm speculating here, it's probably not appropriate to that, but I'd suggest is probably ah expressions of interest or similar, ah before my time here in Alice Springs um but certainly when I came here ah in January of ah 2017, they were a an, an established unit.

WELLFAIR: Okay, so quite right, ah you don't need to speculate on it, it's ah your understanding of what the IRT is um and what their structure is, what could you tell me about your understanding of that?

NOBBS: Ah in terms of a structure again I, I, all I know is that as a broad sort of proposition they have a Sergeant, but again it's not the IRT Sergeant, it's a Sergeant that was previously attached to TRG, as a particular skill set, ah that's Sergeant Lee BAUWENS, he I guess had some drive and um interest and motivation around IRT so he's the one that generally coordinates ah not only their deployment but their um integration and, and training with ah TRG and things such as that so um so there's a Sergeant, and then I guess, I, I don't know how many they've got as part of the cadre but there is a cadre of um personnel of various ranks, that, that um up deploy for IRT on a as need basis.

WELLFAIR: Okay, and you said they're, they're a TRG type capacity, what's TRG?

NOBBS: Ah Territory Response Group.

WELLFAIR: Okay, and how would you um, tell me how you understand that TRG would be deployed?

NOBBS: Okay, similarly TRG are a specialist support capability, they have um you know again enhanced levels of training and, and accordingly skill set, ah they deploy for a multitude of reasons again

general support, and high-risk type matters, on a again as needs basis, um deployed similarly to ah IRT and so far as ah they provide a specialist support capability to Divisions or to stations or whatever so if we determine there's a need obviously we make an application or a request to TRG, that's then assessed ah and then they're deployed accordingly from there based on you know the requisite approvals required for that -

WELLFAIR: Okay

NOBBS: um providing a whole ah a multitude of functions all the way from um being members in a van providing that enhanced capability, all the way through to tactical high risk um response depending on the, the circumstances.

WELLFAIR: And is there a difference between the deployment of TRG or the deployment of IRT?

NOBBS: Clearly there is, um, particular from an Alice Springs context, um, an IR a deployment of TRG in my mind given that they're not locally based, um, I guess there's more, ah – it, it's more difficult to get them down here

WELLFAIR: Yep

NOBBS: ah as required, um but IRT I guess um as a local capability um, the manner in which they're deployed is somewhat easier on the basis that they're locally here, equally providing a similar function or range of functionality but um but easier to deploy given that they're locally based. Um obviously still with the approval processes ah inherent in that as well.

WELLFAIR: Okay, so why would you, why would anybody deploy IRT, tell me about when they would be deployed and why they would be deployed?

NOBBS: As I kind of touched on, they're deployed primarily because they have an enhanced level of training, an enhanced skill set, um, there's some consistency in continuity in my mind in terms of their structures, um so they're deployed on that basis, they I guess

provide another level of um capacity to that of your general duties um, so if it's a situation where I need to enhance capability and in this case Yuendumu, it's preferable from my perspective to send four blokes that will, ladies or men who are attached to IRT that have intimate knowledge of each other, they've trained together, they've got as far as I'm concerned a higher level of skill, rather than the alternative arrangement whereby I try to find whatever GD's I can get, put them together and send them out, to provide probably not the level of response that the IRT should provide.

WELLFAIR: Okay, um can you give an example of a previous deployment of IRT?

NOBBS: Yeah I've ah used them on a number of occasions, I couldn't give you the specifics in terms of times and dates but I can provide that later if required but I've utilised them for ah violent offenders in um Barrow Creek, um, Docker River, particular the Docker River was in response to when the Police Station was um unlawfully entered and um, Police Station was unlawfully entered, some ballistic vests were taken and there was also some speculation at that time that a property within the community had also been entered and potentially some firearms taken, so deployed there, also deployed to Barrow Creek over the last six months again for high-risk offender who was a repeat um and fairly nasty ah DV offender, um was also breaking into the Barrow Creek pub over multiple nights so, that's just two that I can think of but I've used them a number of times and in similar, similar situations.

WELLFAIR: Have you used them in a similar situation in as much as you were talking about um, the high-visibility patrolling as opposed to what you're talking on some of those occasions about um arresting offenders?

NOBBS: Yes certainly, s- s- s- same.

WELLFAIR: Okay, what, if, if you know can you tell me what equipment is available to the IRT?

NOBBS: Ah as a, as a general, so they've got their tactical uniform, um, that's one of the items, ah they have non-lethal munitions, beanbag rounds etc. Um I believe they have chemical munitions here, ah they have AR-15's and um but that's about the extent of ah my knowledge relative to their ah equipment.

WELLFAIR: And, and what training are you aware of, you mentioned that they, they work with TRG or they train with TRG on occasion, what, tell me about that training that you know of.

NOBBS: I have no idea, it's specifically ah as to what they are but I do obviously ah see from time to time that TRG run multiple ah things out, out of our ah EOC there that IRT tap into so from time to time TRG come down for ah multiple things but I, I couldn't provide you specifics as to that but um I do see frequently um that there's there's training across TRG and IRT.

WELLFAIR: Okay, um you talked about um the authority um and the fact ah that Commander Brad CURRIE was not available and so therefore you went to the Assistant Commissioner, is that correct?

NOBBS: Yeah correct.

WELLFAIR: Okay, um so on these previous occasions ah who ah have you gained authority from?

NOBBS: Oh same, the, the Commander as the, the first call, um I don't think I've had to escalate it to the Assistant Commissioner given the absence of the Commander.

WELLFAIR: Yup.

NOBBS: There was no, no reason other than availability on this occasion that I went to the Assistant Commissioner but I'm pretty confident that in most cases, if not all it would have been the Commander but

certainly comfortable enough to go to the relevant Assistant Commissioner if the Commander is not available.

WELLFAIR: Are you aware whether there's a difference um in authority requirement with regards to the Commander or the Assistant Commissioner?

NOBBS: I guess it's just a further checks and balance that um so there is ah under the SOP, that if it's a high risk, it has to be the Assistant Commissioner, um, but in the case of a general support, it's um, it, it sits with the Commander.

WELLFAIR: Okay, so to clarify then on this occasion, um you're saying that, if Commander CURRIE had been in position, that's where you would of sought the authority for this particular -

NOBBS: Certainly

WELLFAIR: operation? Yup, um, so just, just on that, where was Commander CURRIE in your understanding?

NOBBS: Ah he was out camping

WELLFAIR: Okay

NOBBS: um yeah out camping, I think Ross Highway or somewhere, somewhere in the bush -

WELLFAIR: Alrighty.

NOBBS: For a couple of days.

WELLFAIR: And within the Alice Springs set up, um, who um sits in his position when he's not available?

NOBBS: Myself, I'm generally his proxy, so if he's every away I generally assume the role of Commander, I, I didn't on this occasion um, yeah.

WELLFAIR: Okay, would it be fair to say your second in command in Alice Springs?

NOBBS: Yeah, certainly.

WELLFAIR: And you mentioned um, SOP, Standard Operating Procedures, with regards to the IRT, um how familiar are you with those?

NOBBS: Look when I first I got here I think the first deployment I had a look at it, um but to, to be honest I haven't looked at it since then other than post this event, um, so I, I was familiar enough to, to satisfy myself that I had a good understanding of what a deployment looks like in terms or um levels of authority um etc.

WELLFAIR: Okay, and um have you previously seen ah or been aware of um either risk assessments or um orders given by Commanders within the IRT as they progressed towards an operation?

NOBBS: No look um, two, two different questions there, I think.

WELLFAIR: Yeah, apologies for that.

NOBBS: Um, in terms of a risk assessment um as far as I'm aware, there's there's no structured risk assessment, I inherently undertake my own risk assessment um through a you know a, a broader appreciation of what's occurring, how it's evolving and, and generally develop that through consultation with the relevant people, ah so in terms of risk assessment, no. In terms of a Commander articulating a Commander's intent, no, generally what occurs is um I'll seek approval from Commander CURRIE, I'll basically give him an update as to what, and this is this is generally speaking, give him an update as to what's occurred, the, the situation as, as it's aware, as I'm aware at the time, I'll give him some advice as to what my broad intent is, and then he will generally say, yeah happy with that, um and proceed, and then I will then develop further plans with either IRT or the Sergeant attached to the Police Station, um or both -

WELLFAIR: Okay.

NOBBS: on a as needs basis.

WELLFAIR: Okay, the reason I ask that question is because you mentioned um, during a conversation um, with regards to ensuring that certain things were conveyed um to members, um as I wanted to clarify how you would ensure that things are conveyed as a Commander um in those instances.

NOBBS: Sorry can you repeat the question sorry?

WELLFAIR: Yeah sure um, you mentioned during your, your talk to me.

NOBBS: Ah ha.

WELLFAIR: Um that there were certain things that you wanted to ensure were conveyed to the IRT as they were progressing towards the operation in Yuendumu, um how do you ensure that those things are conveyed, how are those orders, um how are you satisfied that they go through the chain to those members?

NOBBS: Yeah look in answer to that I guess again as a, as a general proposition I you know whether it's Ti-tree as it related to Barrow Creek, or um, Docker, um I have more certainly sorry, Docker was a difference scenario but I have a conversation with um the Sergeant in charge, from that we develop our plan, cause' ultimately it's the Sergeant at the local station that assumes overall control of the um resources that are deployed into the particular district, in the case of this matter, having a conversation with um the Watch Commander on duty, there was some critical things that I wanted to convey and that was those factors that I referred to before so there was a, a really good appreciation of what the situation was at the relevant times, so I covered off on those five things, the Family Safety Framework, the critical incidents satisfied that um who's aware of that from the, the night before, ah sorry from several nights before, um the fact that um the medical staff had left and the fact that um ██████ um was potentially linked into a series or property offending, so they were the sort of things that I

conveyed to um, to ah the Watch Commander and in this case requested that the Watch Commander and um in the case of McCORMACK who I guess is certainly not, nominally a IRT coordinator but I used him as a IRT coordinator on this particular occasion, um so I conveyed the situation to them and then it conveyed my expectations to them that they would then work with Julie to develop a plan, um recognising that I ultimately had a conversation with Julie and enhanced the plan but um, and then that I expected that was then to be conveyed to the members preparatory to the deployment.

WELLFAIR: And I think you mentioned um in these emails that the plan ah was conveyed to you through these, is that correct?

NOBBS: Yes certainly, particularly, particularly the plan the, the conversation myself and Julie had and it was a, a lengthy conversation where we, where I was quite adamant that I wanted the IRT to have some structure and she was to develop what that structure looks like and that they had um sufficient oversight, I, I essentially said I don't want these blokes wandering around the community doing whatever they want, we need to make sure that whatever we do is planned and structured

WELLFAIR: Yep

NOBBS: and it was from that I then said, you need to give me something by way of a plan that I can hang my hat on and go I'm happy with that, and that was the development of this plan and we kind of, although Julie captured the plan, it was I guess a, a um a product of the conversations we had, um in the development of the plan.

WELLFAIR: Okay, ah just lastly generally on the IRT that in your mind is there any heightened risk um to deploying IRT into a community as opposed to general duties?

NOBBS: - Yes um, by virtue of their deployment I guess they're generally deployed in, in in as the criteria allows for, in those situations where there is a heightened um need or sense of the need for response.

WELLFAIR: Okay.

NOBBS: Um, from a community context, particularly in terms of a general response

WELLFAIR: Mmm

NOBBS: it would be in my mind and in my mind at the time fair to say that um, there shouldn't be any heightened concern from a community

WELLFAIR: Mmm

NOBBS: context because they're Police Officers in general Police uniform driving around in a general Police vehicle.

WELLFAIR: Yup.

NOBBS: Um no different ah to anyone, anyone else

WELLFAIR: Mmm

NOBBS: um but I guess by virtue of the tasking um there's a heightened sense of risk if that's what your question was?

WELLFAIR: Sure yeah. Just in regards to IRT, do you have any questions generally on?

NEWELL: No.

WELLFAIR: No.

WELLFAIR: I, I might stay, as we're with the IRT, I might stay with um, we'll go into this particular incident then, um so the process on the 9th of November, um, the deployment of the IRT, why, I understand that you talked about the fatigue of Yuendumu members and the need to deploy um further resources um, but why then, why at that point were IRT deployed as opposed to um any other resources you might have had.

NOBBS: Well I, I think the starting point is satisfying myself that there was the need for an enhanced deployment at that time, so that that was the first box ticked I clearly recognised there needed to be a enhanced capability, particularly around the fact that, so put WALKER to the side but very particularly around the fatigue

management, and the fact that the medical staff had left the community, and then flowing from that the, the reasonable expectation that there was gonna' be a lot of work occurring over the next twenty-four hours to forty-eight hours. Um, so, that was the first box ticked as far as I'm concerned that there needed to be something. The IRT I guess comes into the equation now, that they've got some diversity, some enhanced capacity so not only can they provide that front-line general, just general support, support, general support in the context of IRT but just general business, business as usual, um they then have that in my mind enhanced skill set and capacity um and fluidity within the plan that if we then have to go from a general response to a high-risk

WELLFAIR: Mmm

NOBBS: I've got the assets on the ground um, to seamlessly tran- seamlessly transition into that, so I guess that was the IRT um, the, the IRT determination from my perspective, does that make sense?

WELLFAIR: It does, at the point of which um you made the decision or the decision was made should I say ah to deploy the IRT, what were the risks that were assessed to be relevant?

NOBBS: Okay, at the time of deploying the IRT, I guess I probably need to go even before that cause' there was a multitude of risks leading up to um, to, to that so, I will talk about the risks, then I'll talk about the mitigations I guess.

WELLFAIR: Sure.

NOBBS: But the risks were, um, one we had that critical incident on the Wednesday night.

WELLFAIR: Yes.

NOBBS: So, there was a risk I guess for a further volatile situation, interaction between um WALKER um and or anyone else for that matter, and Police, that was certainly ah on the present risk, um there was a risk that the plan we established, so this is part of the

evolving risk assessment, the risk, there was a risk that the plan we established namely um the low-forced option that ROBERTS, ah Eddie would bring WALKER up to the station and surrender him peacefully without any issue wouldn't yield any um, wouldn't, wouldn't, wouldn't be achieved, um, there was some obviously ongoing risks relative to the absence of ah the medical personnel, um, so they were the risks, they were all still relevant risks when we deployed IRT, so at this stage um the plan I guess was still um a plan that I had some hope would eventuate.

WELLFAIR: Ah ha.

NOBBS: Um but they were I guess the, the broad risks, but then I guess the mitigations is where myself and Julie then had the conversation, so how do we mitigate those risks, ah sorry, the other risk was ah the, the fact that the members had, were fatigued and inevitably um there was some concerns around that, but then I guess that's where we'd had the mitigations around the risks, so there was an evolving risk assessment and it's from that that we worked out that um in recognition of those risks um our primary objective was to provide that high visibility front-line response, just business as usual, um, the action the following morning at five am aligns with how we've done business forever, um in terms of um effecting a, a cordon and arrest early in the morning and, and um achieving that, um so they were the, the mitigations around that, and then from that um the mitigations were that we would further evolve our plans um the following day, and it was that reason that they were deployed, not for, you're deployed as long as it takes to go get WALKER, your deployed now for the next two days, prepare for such because it's gonna' be a, a sustained deployment firstly being the fact that you gotta provide some respite.

WELLFAIR: When you talk about high-visibility, um are you talking about um patrolling as a GD's unit would, or are you talking about having a higher visibility?

NOBBS: No, no just general business, patrolling so around that deterring um preventative um benefit so, in uniform, in a Police car, doing some patrols that night, and that was in, in what I know historically about Yuendumu and I had no reason to accept ah it was different on this occasion is that most of our crime occurs in the early hours of the morning, it's the kids that have finished their time at WYDAC um and then they've they run amok throughout the course of the night, so on that basis you know patrolling at night, um, hopefully acting as a deterrent so we had a night where there was no break and enters, that was the plan effectively.

WELLFAIR: Okay, and um, at any time was, you talk about the five am, so the plan being that five o'clock in the morning um potentially there would be an arrest ah attempt made, um, what contingencies or tell me about any contingencies that were considered with regards to a prior um meeting between IRT or any of your Police members there and as to WALKER?

NOBBS: No contingency developed by me.

WELLFAIR: Okay, were you aware of any contingency –

NOBBS: No.

WELLFAIR: in regard to that? Were you aware of any discussions with regards to that when it came down to um the IRT and any order they have to either, or to deal with that sort of situation?

NOBBS: No, look from, from my perspective um, they were to arrive -

WELLFAIR: Yep

NOBBS: be briefed by Julie, have some kip -

WELLFAIR: Yep

NOBBS: and then deploy at eleven o'clock. I had no plans or conversations with Julie that if from eleven o'clock to that five am if we had a chance discovery or a chance

WELLFAIR: Mmm

NOBBS: um meeting with ██████, what that looked like, there was no conversation around that.

WELLFAIR: Okay, I will ask you the question whether you were aware of any specific restrictions ah placed on the IRT unit or its members with regard to that sort of scenario?

NOBBS: No, no restrictions other than I guess the timings applicable to the deployment.

WELLFAIR: Okay, um.

NOBBS: The, the plan clearly was that they would work a night shift and that, that was the arrangement, so they were the restrictions I guess, but, but um, but I guess the restrictions potentially are inherent in the plan, that is we're gonna' go there at five in the morning, it's gonna' be a structured um, response um so I guess um its, its inherent that you know they went to go there at tree in the morning, or eleven at night or whatever the case may be, it was about this is gonna' be our coordinated response, we as far as Julie was aware had a good idea as to where he was at um and that was the location we were gonna' look at the next morning at five am so I guess although no not explicit, the restriction was inherent within that.

WELLFAIR: How would you describe the um the risk level of Mr WALKER as an arrest target?

NOBBS: Certainly a, a, a high-risk ah target um, but yeah particularly in the context of ah his engagement with Police on Wednesday, it's, it's clear it's a high-risk ah and it was on that basis that we established the mitigations around that to mitigate that risk.

WELLFAIR: Sure, um who was deployed, which, which to your knowledge, which IRT members um and I believe you mentioned a dog, who were they that were deployed?

NOBBS: Um, I got and so one of the, the pieces for um, -- so one of the pieces from McCORMACK was around providing me with advice

as to what the coordination looked like and that was hence that email, so it was ROLFE, ah KIRSTENFELDT, ah HAWKINGS, and EBERL, so they were the members and then obviously the dog handler DONALDSON, and I don't know the name of the dog, but and a dog, um.

WELLFAIR: And who was in charge of them, who was in command on the ground with regards to that unit of Police Officers?

NOBBS: Ah, well, FROST ultimately there, there were four members um provided to akin to any Constable within the local structures, so um, so within the respective vehicles, it's inferred or implied that the senior person in the car is the person in charge.

WELLFAIR: Yup.

NOBBS: Um, but if there's any sort of things that extends beyond your general response

WELLFAIR: Yep

NOBBS: ah Julie is the Forward Commander that is in charge of that ah I guess inherent in my request that whatever they do needs to have some structure, um I don't know the members intimately but I was satisfied there was a reasonable based on the, the email I got a reasonable mix of seniority

WELLFAIR: Yep

NOBBS: ah two of the members were former um Police Officers from other jurisdictions, so I was although I didn't know the members intimately, knew that, that I had some capability in terms of relative seniority.

WELLFAIR: Okay, so from what you're saying as I understand it, um, you're saying that you're not aware that there was a one particular member of that IRT team, who was the Commander of that unit as it were.

NOBBS: No, no and, and, no, I deferred um the coordination of the unit and the deployment of the unit to McCORMACK and FURNISS.

WELLFAIR: Okay, are you aware of any, any plans for, we've sort of touched on this, ah for unexpected occurrences, what if scenarios, that sort of thing?

NOBBS: No, no, no contingency plan on the night for that chance, chance meeting, that I'm aware of other than again, articulating to Julie that we need to have plans around um what the deployment looks like, so.

WELLFAIR: Sure, and other than the documentation that we've seen in these emails, any other documentation provided to you with regards to deployment?

NOBBS: -Not in terms of plans or structures no.

WELLFAIR: Any other?

NOBBS: Ah, no.

WELLFAIR: Um, communications into the community you mentioned when you were talking about um, I'm talking about this within the IRT ah and that deployment, what was your understanding of um the level or quality of communications between those members, the members in Yuendumu, Alice Springs etc?

NOBBS: I have no idea, no, no other than um, a I've managed Julie for two years now

WELLFAIR: Mmm

NOBBS: and know her to be a highly competent Police Officer um so no, um on that basis making I guess ah an assumption that um, in, in light of my request that there would be those communications with the members as they arrive within the Police Station in terms of articulating my intent, not only my, the intent of the operation but the, the intricacies within the plan.

WELLFAIR: Okay, so ah my apologies, what my, my what I wanted to understand there was um, the physical communication means, so

you talked about mobile phones, um, what's the radio, mobile phone coverage etc.

NOBBS: Ah sorry, look ah Yuendumu has ah you know ya your standard radio communications network, um, has mobile phone coverage

WELLFAIR: Yep

NOBBS: um, the members take the on-call phone so there's an on call capability, so it's within the confin, within confines of the broader community, good communications across the board.

WELLFAIR: Okay, and good communications with Alice Springs, you have the ability to communicate to the main centres?

NOBBS: Yes.

WELLFAIR: Do you have any questions surrounding the deployment?

NEWELL: Um, you said you had um some instructions or intent on what you wanted to occur, the reasons for the deployment, um, how was that ah reasons for the deployment ah to be conveyed to the members of the IRT?

NOBBS: My expectations were by proxy, by the Watch Commander and McCORMACK as the IRT coordinator and terms of the situational awareness piece prior to deployment and then through FROST, um upon the members arriving in Yuendumu again articulating our intent and the parameters of our plan, but certainly as it, it was implied it wasn't explicit, I didn't say to FROST, as soon as they arrive you are to give them a brief and the brief is to align with our plan etc. I just assu- ah implied that, that would occur.

NEWELL: And that plan is the plan that you've demonstrated with the emails.

NOBBS: Correct as, as the broad administrative plan as it related to that night, with the expectation that plans would further develop

tomorrow or the following day um, if we were unsuccessful with our five am action.

WELLFAIR: At any time did you consider not to deploying IRT as in, did that decision change from the point at which you said, or, or it was, it was decided they would go, was there any point at which ah there was a consideration that they should either not go be withdrawn?

NOBBS: No never, I was quite resolute in my, my position and ah resolute in conveying that to um that intent to the Assistant Commissioner as well.

WELLFAIR: Okay.

NOBBS: Um, they were the fit as far as this matter was concerned, um, there was not a doubt in my mind that we needed additional resources out there

WELLFAIR: Yep

NOBBS: um and to me at the time, I was resolute that those resources needed to have a greater level of skill set to that of ordinary Police Officers, oh sorry front line Police Officers.

WELLFAIR: Tell me about the discussions with um, the Assistant Commissioner, we're talking about Travis WURST,

NOBBS: Mm hmm

WELLFAIR: yeah, tell me about those discussions ah from the beginning um through to when that decision was made.

NOBBS: Look, the conversation, I had multiple conversations that day and, and by the time I got to WURST it kind of rolled off my tongue in terms of um the five factors that I relied on.

WELLFAIR: Yeah.

NOBBS: Um so quite clearly um articulated that and the concerns in relation to that, um and it was from the conversation there, he said you know what is your broad intent and then we had some basic conversation around that, once he was satisfied that um, that, that

was the rationale for it, he, he said yep, endorsed, um and, and as I indicated in the statement um, indicated if there was any issues arising give me a call, um but was comfortable it's, it sat and expressed such, sat within the general support parameters ah was comfortable with my assessment relative to um, the accoutrements um and endorsed that accordingly.

WELLFAIR: Was there any discussion um with regards to alternative options with between yourself and um Assistant Commissioner WURST?

NOBBS: No.

WELLFAIR: Okay.

NOBBS: As, as I said I drove the conversation as a, as, as the one, one approach, um without, ah although um, there was the conversations relative to the other plan in relation to the funeral, so had conversations about that and the fact that the funeral was ongoing at that point in time and, and there was still some hope around that but I clearly pushed or um insisted, well not insisted but clearly was quite forthright in the need to have some capacity there to assist um the front line, and in my mind that capacity was the IRT.

WELLFAIR: What awareness um during these conversations did um Assistant Commissioner WURST have of um the, risk assessment with regards to the arrest of WALKER, what level of risk he was?

NOBBS: Ah, I guess we didn't have the, the conversation in the context of risk.

WELLFAIR: Yup.

NOBBS: Ah again potentially assuming too much but um but I provided him the same information that I had provided to me, that allowed me to make some informed decisions relative to the deployment of IRT, namely the absence of medical personnel, the critical incident the

night before which he was aware of, oh sorry, two nights prior, so on the Wednesday, um, the fatigue levels of the members locally

WELLFAIR: Mmm

NOBBS: the need to provide them some respite, so um, he was aware of, of those factors, um, and again without speculating ah, assumed he reached the same conclusions as, as me relative to a fluid risk assessment -

WELLFAIR: Mmm

NOBBS: applicable to those issues.

WELLFAIR: The deployment of IRT, when you spoke to um Assistant Commissioner WURST, the deployment with regard to the fatigue, and the lack of um, the medical ah personnel within Yuendumu, those sorts of risk um, you're saying they were made clear to him, you're talking about a plan also um earlier on to ah effect the arrest of um Mr WALKER in the morning around five am.

NOBBS: Ah ha.

WELLFAIR: Um, tell me or describe for me, um what you told Assistant Commissioner WURST with regards to that part of the deployment.

NOBBS: I'm pretty confident we didn't get into the weeds, because the plan was ultimately developed with further conversations with myself and Julie

WELLFAIR: Yep

NOBBS: ah after, subsequent to, to the call to Assistant Commissioner WURST, um, provided advice relative to the plan A, ah the, the surrender plan, um and then provided advice relative to they're gonna' be deployed tonight, high visibility around the breaks, um and general respite, and then we'll look at some option or opportunity if it presents in the morning, and then we'll look at what that might look beyond that um, that was basically the, the extent of the conversation around that.

WELLFAIR: So at that point ah was it formulated in your mind that there was going to be um an arrest of Mr WALKER in the morning?

NOBBS: Well that was our hope, that was our intent, um.

WELLFAIR: That was your intent, and just to clarify, was that intent conveyed to Assistant Commissioner WURST?

NOBBS: -Yeah, I'm, I'm pretty confident it was, um, that's what the deployment was in part for.

WELLFAIR: Yup.

NOBBS: Um, as I said I, I we hadn't developed the intricacies of the plan, not that it's an overly intricate plan

WELLFAIR: Yep

NOBBS: but um, but it was clear, it was, it was to look at a morning activity but then redefine what it looks like the following day um if we were unsuccessful in the morning, I'm pretty confident of that.

WELLFAIR: And what would unsuccessful look like?

NOBBS: Well not, not arresting WALKER, we attend the location he's not there and, and, and he's not arrested, and he is still at large in the community.

WELLFAIR: Okay, um, ah, to your awareness, were any discussions had um between um Assistant Commissioner WURST or anybody else and any members of the TRG hierarchy?

NOBBS: - Not that I can recall, not certainly not in that morning I, I don't think, ah I, I certainly don't think conveyed to me.

WELLFAIR: Okay, --

NOBBS: I, I don't think so, but, but I'm not a hundred percent there.

WELLFAIR: Did that consideration of the use of TRG come up during any of your conversations with Assistant Commissioner WURST?

NOBBS: No, not that I, not that I can recall.

WELLFAIR: Okay.

NOBBS: No.

WELLFAIR: And you mentioned that that the deployment was I believe through until Monday that was the initial.

NOBBS: That was the, the concept.

WELLFAIR: Okay, and after that what was the, the anticipation of what might happen then?

NOBBS: That's fluid, we hadn't turned our mind to that, it was, it's get to Monday and, and then reassess, ah yeah honestly hadn't turned my mind to that at this stage.

WELLFAIR: Okay.

NOBBS: In although recognising that um ah the IRT cohort are the front line general duties personnel here so, um, it would inevitably be something that wasn't sustainable long term because I would have business continuity ah implications here in Alice Springs, but again that's just me saying, you know, ah it's nothing I really turned my mind to at that time, other than to say I knew quite clearly that I it, it, it had to be through to Monday, it couldn't be too much beyond that because would have to reassess what our priorities were after that.

WELLFAIR: I believe that um, just coming off that a second, um, you mentioned that ah Commander CURRIE was back, it's four-fifteen in the morning or something like that.

NOBBS: Na he came back at ah, um, midnight, midnight, sat in the, ah IMT.

WELLFAIR: Yup.

NOBBS: And then um, um he kind of, he, he arrived back um, um, just as the IMT was about to start so I, I didn't have sufficient opportunity to um to brief him at that stage, um.

WELLFAIR: Okay. So rather than look at it, what I wanted to understand was um, -

NOBBS: So at eleven fifty-nine he arrived back, arrived in the station, that was the first, I may have had a telephone call with him but I, I, I can't say with certainty around that um but yeah, so eleven fifty-nine we then had a IMT at 12:02

WELLFAIR: Yep

NOBBS: he sat through that, as soon as that was complete I gave him a brief of, of where we where we're at and um how we got there.

WELLFAIR: Okay.

NOBBS: Um and then he stood down um to get some rest before he, he came back, intended to come back at four am.

WELLFAIR: So, at what point of the proceeding's um was ah Commander CURRIE fist communicated with? Eleven fifty-nine, what was happening at that time?

NOBBS: I, I know although it wasn't me, um, at some stage WURST got in contact with CURRIE out, out camping somewhere, um cause' as some stage and I can't quite remember what time it was, WURST indicated to me, "I've spoken to Brad, he's on his way back, he will get there first opportunity", so I know there was a communication but I, I don't think that I communicated ah with Brad, there might have been a missed call or two, maybe there was a, a, a quick conversation whilst everything was fluid but I can't say for certainty, any sort of meaningful dialogue occurred after that twelve, or that midnight IMT at, at around one o'clock.

WELLFAIR: So, so that involves with a question I wanted to ask which was um did you make any attempt to communicate with ah Commander CURRIE ah prior to or during the deployment of the IRT?

NOBBS: No, not at all.

WELLFAIR: Prior to the incident.

NOBBS: No.

WELLFAIR: Why not?

NOBBS: Only because I knew he was camping out of range, well I assumed out of range but clearly not, um, but yeah so no not at all.

WELLFAIR: So your understanding was you that he was actually out of contact and it would have been pointless to of.

NOBBS: Well.

WELLFAIR: To communicate.

NOBBS: Look I, I, I thought he was at Ross Highway, there potentially was communication there I just, I didn't ah, I recall the Friday before he left he said "I'm going out camping, if there's any issues, Travis is happy to answer, answer the call" so.

WELLFAIR: Okay.

NOBBS: So that was the sort of ah um instruction prior to that and um I, I didn't even think ah of it being anything other than just a conversation with Travis in Brad's absence.

WELLFAIR: On the, on the whole deployment um IRT, or IRT, got anything at all?

NEWELL: No.

NEWELL: You ah, you mentioned earlier that um, you had some specific requests in relation to what equipment IRT took.

NOBBS: Yup.

NEWELL: To Yuendumu, why was that?

NOBBS: Ah, it, it, it, one of the first requests I'm always asked is can we take our cams, um, and or sorry, can we wear our cams, that's the first question the Watch Commander generally asks me on behalf of IR,

IRT and on this occasion I said no, take your cams, I, I don't particularly care if you take your cams but Brad's position is quite clear, it's a general support, so I reiterated that, take your cams, if they're required for some sort of higher risk tactical action well then we'll deploy with that but equally, take your non-lethal munitions and your AR-13, my expectation as I've always had every time I deploy them somewhere is that I want them to have their whole array of tactical options available, and if the circumstances require well then obviously they're there, it's better to have them and not need them than not have them and ultimately need them, so it was that's, that's been my standard position um that they take their, their relevant tactical options with them.

NEWELL: And when um, just generally when they are deployed, um, under a general deployment and um, a high-risk situation develops which may require them to ah change clothing and

NOBBS: Mm hmm

NEWELL: and do certain things, how, how is that generally undertaken, what's the process there?

NOBBS: Well to be quite honest I, I haven't got to that stage, um, not on this occasion and not in the past but it's quite clear um that if we do have to go to some sort of deliberate or emergency action under some sort of enhanced um high risk activity well then first and foremost they need to, to seek approval to satisfy us as to what the extent of the plans are relative to that action, have that endorsed ultimately endorsed and approved by the Assistant Commissioner, so that's I the implied expectation under the policy and, and aligning with my understanding of their deployment and my expectations around that as well.

WELLFAIR: Okay. Um just catching up on a few other um things you've spoken about which, which, which a relative as well, the motor vehicle accident um, that you talked about um which occurred in, in close

proximity ah what impact if any did that have on your thinking with regards to um the deployment of the IRT? (inaudible)

NOBBS: Well it wasn't in that close proximity it was, so Yuendumu is north west, it was south west, so south west of Alice Springs so completely different quite distinct matters, um so I guess the MVA um the only issue from my perspective was one of, if I'm now coordinating the response to this, was coordinating so it was a span of control issue for me, not, not anything that would have any impact on um resource allocation or deployment into to Yuendumu, that, that was already actioned and this was just f- noise for me in the background, something that took my attention away for that for an hour that I um kind of loosely coordinated that although I acknowledged that I had other command structures around that but by virtue of the fact it was my district, I was inevitably dragged into a number of con- conversations relative to that so, I guess it was noted within my statement purely to, to demonstrate there was a, a lot of things going on that particular day.

WELLFAIR: You talk about um the resources, um that it wouldn't impact necessarily on the resources that you had um available to yourself or Yuendumu, um what about from the point of view the resources medically?

NOBBS: No.

WELLFAIR: Was there any impact in your mind?

NOBBS: -No, no well, no nothing that I, I ultimately turned my mind to then, I guess if you asked me now um, it was a situation that had at the time of being reported to me um, eighteen um casualties, I didn't know the extent of those casualties, I guess it's quite conceivable to say that ah there may have been a RFDS deployment to that location, turned out not to be the case but it could of quite possibly been a situation where there would have been a, but certainly in, in regards to local medical personnel attached to that broader western, north western region, no impact at all.

WELLFAIR: Okay.

NOBBS: Completely distinct from what they would normally do.

WELLFAIR: As we're there I'm gonna' just touch on the medical support um and the medical situation, um at the time of the deployment, what was the level of medical support in Yuendumu, your understanding?

NOBBS: The time of the deployment um, unknown

WELLFAIR: Yep

NOBBS: ah well not unknown, it was, it was ah a assertion provided to me through Julie that their intent was to um self, well not evacuate but to, to leave the community, ah that was their intent, um, so quite conceivable in my mind that reasonably suspect that by the time IRT got there, there was potentially going to be no, no ah medical resources and quite clearly I've already expresses many times that, that was one of my considerations as to why I deployment them, so I was quite clearly present in my mind that highly likely there was gonna' be no medical personnel there, although I was still hopeful that the conversation I had with their manager which occurred many hours later, um might have resulted in um, um the personnel staying, um but obviously it didn't but I was although not completely satisfied but on seeking advice from um GILL as to their contingency plan, I was not overly satisfied I still think it was an unacceptable risk from a medical perspective but I was at least satisfied that there was some medical capacity relatively close by to Yuendumu, namely thirty kilometres away.

WELLFAIR: Okay.

NOBBS: At Yuelamu.

WELLFAIR: Okay, you, you said in that, that ah part there that um having the IRT there, and it sounded to me like you were saying it was a positive thing with regards to um there being, if it ended up there

being no medical staff being there, why would having the IRT there be a positive thing in that regard?

NOBBS: Well it, it probably not a positive in, in the sense that ah there is no medical but I've got IRT, um again, looking at IRT relative to the absence or presence of medical staff in isolation is I, I don't think that's, that's appropriate, it was IRT from being a positive context was, was across a whole wider array of considerations, not just the medical one in isolation so, the IRT were positive in so far as it enhanced their local capability, it provided that um capacity for me or the local Police to have that high visibility patrolling throughout the course of the night, it would inevitably provide the respite for the local members quite clear notwithstanding the um direction I provided to the medical manager, namely we will not be responding to um routine calls, we will only respond in support of critical incidents, that's the direction I gave but I knew that it wasn't ultimately gonna' occur, I anticipated multiple calls throughout the night for um Police response um, to, to medical matters um so again IRT being positive in that regard wasn't just positive that it's IRT it was positive that we had extra Police there whether it was IRT or GD's um the IRT part was about um the linkages to WALKER and any actions that we might've had to take relative to that.

WELLFAIR: Okay.

NOBBS: Does that make sense?

WELLFAIR: It does. Um, what was your anticipation ah or expectation with regards to, I know you, you talked about an ETA with of Yuelamu um when they were called upon to actually be there, but what was your, your expectation of their ability to get to Yuendumu um if they were required, what sort of time frame are you talking about?

NOBBS: Well as I'm led to believe if was thirty kilometres away, that was the advice I had received, um when I got the call from GILL at around ah nineteen forty-five, um and ah at that time had, was not, could

not confirm that we had the critical incidents, someone had been shot was subsequent injured and in a bad way, um I called her immediately back upon getting that confirmed by a confirmation from Julie, um, so when I spoke to GILL, I was quite adamant we needed a urgent immediate medical response um so I guess the expectations in my mind although didn't get a confirmation of such that thirty kilometres away gives them an ETA of ah half an hour or I, I, I'm not too sure, at tops, depending on and, and, and I didn't ask the question but I guess depending on whether they were actually in community or potentially dealing with something else, I, I, I don't know, but all I said to GILL was, we I could confirm someone's been shot, he's in a bad way, we need to get the staff there.

WELLFAIR: Okay and who is GILL?

NOBBS: She's the remote ah services manager, she'd the one that I had the dialogue with -

WELLFAIR: Yup.

NOBBS: Throughout that day, where I expressed the unacceptable risk and the concern from my perspective um and the appeal to them that um that they should reconsider their position particularly in the context that I had an enhanced capability.

WELLFAIR: Are you aware of um any communication with the um Yuelamu medical staff prior to the incident occurring, so what I'm asking there is, you've got Yuendumu staff leaving, was there communication with those other staff?

NOBBS: I, I don't know other than my direction to GILL, specifically at that sort of ah whatever time that was, in, in the afternoon where I said you need to convey to your people that we will not be going on ah routine, responding to routine call-outs, we will assist with um critical issues but not routine matters, so other than I guess me giving GILL that direction and, and she um was amenable to, to

that arrangement, um I, I certainly didn't have any conversation whether Julie did I'm not too sure.

WELLFAIR: Okay, tell me about any conversations or discussions you're aware of um by anybody um with the Yuelamu or any other medical staff concerning the potential for the arrest warrant being executed in the morning.

NOBBS: Nothing from me

WELLFAIR: Okay

NOBBS: and nothing that I'm, I'm, I'm privy to.

WELLFAIR: Okay, ah what is the, are you aware of any ah medical training um that IRT members have above and beyond standard um medical um training that Police Officers have?

NOBBS: No idea, I, I am aware that and I know your questions specifically to IRT but Julie is a registered nurse but that's about the extent of my knowledge relative to um, ah increase medical training or ability um but no, no advice at all.

WELLFAIR: Julie being?

NOBBS: Julie FROST.

WELLFAIR: Okay.

NOBBS: So her former life she was a registered nurse working within remote communities.

WELLFAIR: Okay, and are you aware of any um equipment other than the standard equipment ah carried by GD's crews or whoever it might be from the Police perspective, ah within the IRT-

NOBBS: No I am aware that ah TRG have that capacity but I, I can't say for certain whether IRT do or don't.

WELLFAIR: Okay. - Um with regards to medical ah Wayne do you have any questions?

NEWELL: No.

WELLFAIR: - Um just a couple of questions that have come out, I just want to finish off with them, that have come from your discussion ah, earlier on, sorry or what, what you spoke of in your free dialogue, um you talked about dialogue between yourself and FOLEY, um who's that?

NOBBS: Oh sorry, Superintendent Jo FOLEY, she's the investigations manager here, Superintendent in charge of, so Detective Superintendent Jo FOLEY.

WELLFAIR: And why were you having a discussion with her?

NOBBS: Ah look she, and I don't know how she became aware but clearly at some stage she became aware of, of the incident and ah, um she was in contact with the Watch Commander and so I didn't have direct conversation with her but the Watch Commander is saying well Superintendent FOLEY insists that we put everything on um ICAD um and I said well we can't, we don't have the capacity, it's too clunky, we don't have a um a licence within any other office other than the Watch Commanders, I said no, um I'll do a log and that was the extent of it.

WELLFAIR: Okay, how many Superintendents are in the Alice Springs?

NOBBS: Ah there's three, so myself representing the bush the Southern Desert Division, um, Superintendent Pauline VICARY representing Alice Springs and Superintendent FOLEY representing crime although myself and um Pauline VICARY are under the um Southern Command structure and obviously Superintendent FOLEY is under the broader crime structure.

WELLFAIR: Okay, you mentioned that you become second in command pretty much um if Brad CURRIE's not around, why you, why not one of those other Superintendents, is there any reason?

NOBBS: Ah only because, ah sorry when I say, there is a third Superintendent that's ah Kylie PROCTOR out at sorry Kylie ANDERSON out of ah Tennant Creek, ah so she's also under the Southern Command but um, yeah, I've been a Superintendent for six or seven years.

WELLFAIR: Yup.

NOBBS: Acting Commander in most locations other than Crime, um, and just and Pauline is ah relatively new, newly promoted, um and on that basis I'm generally the one that provides ah provides that role in Brad's absence.

WELLFAIR: Okay, I might stay with you just for a second, I've just got a few questions to understand exactly where you sit within the fabric of the whole thing, um so you work here in Alice Springs as I understand it, is that correct?

NOBBS: Correct.

WELLFAIR: Correct okay, um, and, who do you report to?

NOBBS: Ah Commander CURRIE is my direct report.

WELLFAIR: Okay, and describe for me your responsibilities.

NOBBS: Ah I am the Superintendent in charge of Southern Desert Division, Southern Desert Division is four hundred thousand square kilometres incorporating eleven Police Stations and six Police posts, so I've got around, it fluctuates but ah between thirty-nine and forty-five Police Officers attached to those stations um, um, the largest Police Station is Yuendumu, um most of, or, a, a number of my Police Stations are um ah two man stations – three man stations through to Yuendumu and Yulara as being ah four and five member stations respectively, um, that's my footprint, um I sit on a multitude of interagency um committees, ah and share a number of those, including but not limited to the Yuendumu Family Safety Frame Family Safety Framework, um my job requires me to ah to

visit communities on a, on a fairly frequent basis, the most of which is Yuendumu given particularly over the last twelve months given some of the, the crime and property type issues, um, in terms of my Command structure I've got um myself as the Superintendent, I've got one Senior Sergeant, ah two substantive Sergeants um and then obviously ah a number of remote Sergeants depending on what the Police Station is and Constables that fill those positions as well. We've established ah under the, so from, arising from the intervention in 2007, um we've got six Police posts that ah are rarely staffed and we've developed a um which was prior to the TRP but we established a cadre of resources that patrol into those communities on a as needs basis, that's somewhat structured but it evolves based on, on need um but the structure relates to general sort of support and um particularly enhanced engagement and preventative type activities, um but managing those areas are somewhat challenging ah given obviously at some stage under the intervention they were established as Police Stations and now um over the years that's um, um, reduced and being drawn down to situation now where they're, they're, they're very rarely policed, um I guess that's it from, from my Division, (inaudible) got questions particular to it.

WELLFAIR: Um, briefly describe for me your, what how your authorities sit, so for example if we talk about um, um Brad CURRIE having the authority to deploy IRT, what sort of authorities do you have?

NOBBS: Well I've got the, the standard Superintendent delegations but from a um, ah functional span of control, um I obviously run the front-line operational support, sorry operational response ah within the remote area.

WELLFAIR: Yep.

NOBBS: Um I also have um the events management unit under my control which um looks at ah sort of broad event management coordination and planning ah for tier one through to tier four events within the

broader Southern Command, um, as said normal delegations um, I've got delegations in terms of um prisoner escorts, ah airwing deployment, I exercise the delegations afforded to a Duty Super when I'm acting as a Duty Super for one, one week a year, um.

WELLFAIR: And your, briefly your history and background ah in policing.

NOBBS: Okay um, twenty-two years with Police ah, joined as a Constable um in 98'.

WELLFAIR: Ah ha.

NOBBS: Ah deployed out of college to Alice Springs, um, spent the next fourteen years in Alice Springs predominantly in the front line, oh sorry general, general policing response, um spent a couple of years in Crime as a Constable, spent a couple of years in um Prosecutions as a Police Prosecutor, ah a large part of my way through the law degree at, at that time relevant to that, promoted I guess quite quickly through the Constable ranks into Sergeant and Senior Sergeant, so I think five years as a Sergeant about the same time as Senior Sergeant and I guess around the last seven years as a Superintendent, um, transferred to Darwin in 2011, November of 2011, spent the next ah six or seven years up there, spent one year ah seconded as the Director of Emergency Services, from that have assumed ah Incident Control role in a lot of events out at Darwin, cyclones, other bits and pieces, have ah done some training relative to that along the way, um, generally fortunately the go to person in terms of um particularly emergency management response to events.

WELLFAIR: Sure.

NOBBS: Um, that's sort of my broad history.

WELLFAIR: Okay, do you have any specialist training at all and talking with regards to um ah any specialist units or anything like that?

NOBBS: No, no haven't ah I obviously completed the D's course ah didn't spend long enough time in um Crime to get the designation um, no, I haven't, haven't worked in TRG ah or any other specialist areas.

WELLFAIR: What's your experience of, um and obviously you have ah people reporting to you in all sorts of ah guises, what is your experience of arrest warrants or search warrants um and the planning and execution of those?

NOBBS: Yeah look um, again not operating in Crime, probably not as um as much as, as a Crime Superintendent but certainly um particular given a fairly intimate team here, um quite often whether it was here or in Darwin, um, particularly actually sorry when I was in Casuarina ah that obviously Trident, Strike Force Trident under me there so um I would quite often, quite frequently ah you know obviously went through the risk assessments relative to that, signed off on warrants, um I'm aware of the process of which to do that um, quite clearly when I've got a Constable coming in or whoever seeking approval for a warrant I, I quite ah methodically work through um, what it is they've got, um what is the, the ground relevant to that and satisfy myself that um, we've covered off on the requisite criteria before I endorse it and then obviously if there's any sort of ah tactical elements around it um obviously I'm aware of the risk assessments relative to that as well.

WELLFAIR: Okay so it's something that you've seen before?

NOBBS: Correct.

WELLFAIR: Um, I haven't got very many more Superintendent to, to talk about, there's a few things I just want to quickly cover off on, before I do so, is there anything that you ah want to ask about anything I've talked about so far?

NEWELL: Yeah look just one question that will be probably my only one, um just in relation to the plan that ah you devised with Sergeant

FROST, um, how was that plan communicated to the IRT members?

NOBBS: I'm not too sure. Not too sure. Um it, ah it, it's been difficult for me over the last month, I'm not, not too sure what happened from when they deployed, to ultimately I got the call that an incident had occurred, um so that there's a substantial gap for me, um, but, yeah I don't know.

WELLFAIR: Um Shaun FURNISS, who is that?

NOBBS: Ah Senior Sergeant Watch Commander on duty on that particular day ah Saturday the 9th ah day shift.

WELLFAIR: And how did he fit into this whole equation?

NOBBS: He ah he was the Senior Sergeant I called in the first instance to say look, I've obviously gotta get approval but this is the, the circumstances as, as they are, um can you start turning your mind to what an IRT deployment looks like administratively, um obviously subject to my approval, and then, so that was the, the first call, ah where I again and went through those five things, ah so they kind of rolled off my tongue at this stage by the fact that I'd mentioned them that many times but um, um, so communicated with him in the first instance to do the deployment then had subsequent communications with him after the ah approval from WURST, communications with both him and, and McCORMACK

WELLFAIR: Okay

NOBBS: around the approval.

WELLFAIR: Um, you talked about non-lethal options with regards to IRT, I will talk generally about non-lethal options on deployments, um, tell me what non-lethal options there are available to any Alice Springs members.

NOBBS: We've got a multitude on non-lethal, as I said in terms of, so we just talking Alice Springs members or IRT?

WELLFAIR: Both, all.
NOBBS: So, there's a, there's a wide array of non-lethal options you know open hand tactics, um closed hand tactics, all the way through you know your broad accoutrements ah even, ah non-forced tactics, negotiation etc. so negotiations from empty hands, closed hand tactics um, into you know batons, um tasers, OC spray, um, and the various um variations of those OC options.

WELLFAIR: Yup.
NOBBS: Um, although it's not a tactical option but you know your, your vests
WELLFAIR: Yep
NOBBS: and equally um your body worn, um
NEWELL: So tasers?
NOBBS: Yep um and then obviously you then start going into, did, did you question non-lethal options?

WELLFAIR: Non-lethal options yeah. Okay.
NOBBS: So, they're your, they're you array of non-lethal options, oh sorry ah you've got munitions as well, chemical and, and non-lethal munitions as well which TR, IRT have at their disposal so your beanbag rounds um, chemical ah munitions.

WELLFAIR: We spoke about, when we spoke about the IRT deployment we spoke about non-lethal options, you spoke about beanbag rounds.
NOBBS: Ah ha.

WELLFAIR: Um, I don't recall any other non-lethal options being particularly mentioned, um is that because they weren't considered or is that because um we just weren't mentioning them at that time?
NOBBS: No I didn't mention them at that time, I didn't, I didn't go through the array of non-lethal options, I simply said that FURNISS, we could take our non-lethal options and said beanbag rounds, but I

didn't got to the full array of other chemical munitions or things such as that.

WELLFAIR: What would be your anticipation of the non-lethal options that would be deployed with um IRT?

NOBBS: My anticipation and expectation is that the full array of the ah options available to them would be deployed.

WELLFAIR: Okay, and were they?

NOBBS: I don't know, I don't know other than um, getting some response from um Shane McCORMACK in response to my tasking to him that covered off on the equipment, namely beanbag ah shot guns and two ah AR-15's

WELLFAIR: Okay

NOBBS: but it doesn't say here the other munitions but to me it's implied if, if I've given the, the approval for that, um but certainly didn't convey that to WURST either the, the array of non-lethal options that I was considering other than say um I recommend that we ah take non-lethal options, um as well and I'm pretty certain I said beanbag rounds.

WELLFAIR: Where do IRT draw their um equipment from, is that from the general equipment pool?

NOBBS: I'm not too sure.

WELLFAIR: You don't know?

NOBBS: No, somewhere downstairs, ah I think they've got their own armoury but again don't quote me on that.

WELLFAIR: Okay, and just from a general perspective within the Alice Springs ah policing environment um what is the level of availability of the sorts of options you talk about there, so whether is be Tasers or um ah, chemical ah type ah weapons, what, what what's the availability of those sorts of tools?

NOBBS: Well look if, if we are talking about I guess the higher end although I don't say higher end in terms of force but I, I mean the sort of obscure, your beanbag rounds and your chemical munitions, I, I can't tell you what the availability of that is other comfortable or quietly comfortable in, in the absence of someone telling us we don't have enough that we do have sufficient stock but again I'm speculating there, um but in terms of the other type standard accoutrements um so you know as far as I'm aware everyone's got their body worn because we, we carry, you know that's, that's a big issue for us within our CMT process

WELLFAIR: Yup

NOBBS: um, it's never been raised within in our CMT an absence or gap as it relates to tasers or other and then most of the others are your, your standard um issued accoutrements, that are issued to all of our personnel um, but again those are administrative matters that are under the control of Superintendent VICARY, so I don't I, I can't say with certainty other than my expectations if, if they've gotta go we've got the equipment available to, to go.

WELLFAIR: Sure, okay, um, other than these documentations that you've put here that we're gonna' annex in a minute, I will ask Wayne to do that for you in a second, um do you have any other notes or recordings relating to this matter?

NOBBS: Well, yeah um no further notes.

WELLFAIR: Ah ha.

NOBBS: Um, that night there was, it was, it was just so fluid um, I've got the, the audio as it relates to this event up until five am or sorry, um well certainly as far as it relates to me through to four-thirty am the next day, I think the recording that goes beyond that ah which obviously doesn't relate to me but is also contained on there but, there's also a broader series of um further audio recordings relating to all of our IMT's, so I thinks there's about forty, um, that relate to ah a lot of

the activities subsequent to this so throughout so from um the Sunday all the way through to today

WELLFAIR: Okay

NOBBS: ah ongoing so they're available but not contained on this USB

WELLFAIR: Okay

NOBBS: these relate specifically to the parameters of the statement I've provided tonight through to four-thirty am the next morning.

WELLFAIR: And where have they been downloaded from?

NOBBS: Um, combination, so McCORMACK's ah I, well actually I don't know, I, I think it was McCORMACK's, no it wasn't McCORMACK's iPhone, and iPhone McCORMACK sourced on the night.

WELLFAIR: Yup.

NOBBS: Ah and then when he stood down um we then got a a standard sort of um

WELLFAIR: Recording?

NOBBS: recording device um from Senior Sergeant POTTS and Senior Sergeant POTTS other than the first five from McCORMACK have been, has been the one in control of downloading and, and filing within our southern desert division file on N drive, L drive sorry

WELLFAIR: Did you take any notes whilst you were going through all this?

NOBBS: None at all.

WELLFAIR: I know you said it was very busy, you, no, okay.

NOBBS: None at all.

WELLFAIR: My last question really unless I come up with something when I read through.

NOBBS: Well sorry, to answer your question, I as I indicated the notes that I've written in, in the format that I read before were developed so um, no notes on the, the night other than the notes taken through the log, um I then went to the next ah next evening, Sunday

evening, um no notes there as well, um, but then the next night after I stood down at eight pm is when I started to develop ah these notes, and they were developed over the next week so um, so yeah so extensive hours after my day response putting those together, so I guess they're notes at the time albeit commenced a couple of days later.

WELLFAIR: Okay, um so whilst um Wayne is putting these things together if you're happy to that Wayne, um I, I just want to read through my own notes to see if there's anything else, there's one last question I will ask you prior to that, um, during the course of the deployment of the IRT, did anybody raise any objections or concerns ah with either yourself, or anybody ah Assistant Commissioner WURST, um, to your knowledge?

NOBBS: Not to my knowledge, it, it was a business as usual response on this occasion aligned with how we've done it many times before.

WELLFAIR: Yep.

NOBBS: Um, Yeh.

WELLFAIR: Okay, alright, I might just leave Wayne now to, to just go through these documents with you and get them incorporated on the statement and whilst I'm doing that I'm just gonna' go through this and so I, I will um be silent for a while.

NEWELL: The first one um you referred to is an email marked Annexure A, um it's an email from Gemma BONNANI, BONANNI.

NOBBS: Correct.

NEWELL: Ah to yourself and a number of other people ah dated Wednesday the 30th of October 2019, sent at eight-fifty am.

NOBBS: Correct, two pages in total.

NEWELL: Two pages of an email printout, um and that will be marked Annexure A. And the page marked Annexure B which is a single page of an email printout sent from Julie FROST on Saturday the 9th of November, 2019 at five forty-six am, to JESSC Supervisors, Watch Commanders Alice Springs and cc'd to Jody NOBBS.

NOBBS: Correct.

NEWELL: Next documents marked Annexure C, comprises two pages, it's an email printout um from Shane McCORMACK to Julie FROST cc'ing a number of people including Jody NOBBS, sent on Saturday the 9th of November 2019 at sixteen twenty-four hours.

NOBBS: Correct, yep

NEWELL: Next documents Annexure D comprising of one, two, three, four pages, ah it's an email printout sent from Julie FROST to Jody NOBBS dated the Saturday the 9th of November 2019 at sixteen forty-nine hours.

NOBBS: Correct.

NEWELL: Ah next selection of documents Annexure E, it's an email printout sent from Julie FROST to a number of people, um cc'd Jody NOBBS, dated Saturday the 9th of November 2019 at sixteen fifty-nine and that comprises of four pages.

NEWELL: Next selection of documents is marked Annexure F, comprises of fourteen pages, and um, this was the log you stated before.

NOBBS: Yes, certainly it's the log on the night from ah twenty, twenty hours ah fourteen pages in total ah through to zero one ten hours um completed by um McCORMACK ah as per my direction.

NEWELL: That's attached as Annexure F. Annexure G is a um, compilation of recordings on a USB drive, purple coloured USB drive, um, marked NT Police Fire and Emergency Services, comprises one,

two, three, seven recordings, um, relating, and these recording are if you could just remind me.

NOBBS: Yeah they're ah the recordings that commenced around ah, twenty-thirty thereabouts ah the recordings are captured within IM, ah sorry within the Police POC ah next door to the Watch Commanders office, ah they contain the ah conversations within that POC in their entirety other than the periods necessary to stop, save and then commence a new recording so there is some gaps relative to the continuation of those recordings if that makes sense.

NEWELL: Yup, okay, they are attached to this statement as Annexure G.

WELLFAIR: Um this is the, the notes that you have, I think we need to attach those as well, are you comfortable with um those being attached to the statement?

NOBBS: Certainly.

NEWELL: How many pages?

NOBBS: Ah appears to be forty-four pages – forty-four pages in total.

NEWELL: Forty-five?

NOBBS: Forty-four pages in total.

NEWELL: Annexure H, the final annex, final Annexure is ah forty-four pages of notes that ah Mr NOBBS referred to throughout his statement, um and in part read from at some stages um with the commencement of his recorded statement. It's attached as ah Annexure H.

WELLFAIR: And is that the same document um, or have you sent that document by email um as it as it stands right now?

NOBBS: Yes.

WELLFAIR: Okay, just to confirm so that that we, we know that there's a separate copy um, in electronic means.

NOBBS: I sent to um Superintendent ah POLLOCK and Superintendent um, sorry, with ah annexures attached as well, they remain the same.

NEWELL: The annexures you attached were the same ones you provided here?

NOBBS: Correct.

WELLFAIR: Whilst Wayne's finishing them off, I've got a couple more questions, it's not a huge amount, ah just to finish off um, we didn't really cover off on ah Lee BAUWENS, is that the correct way of saying it um?

NEWELL: BAUWENS.

WELLFAIR: BAUWENS, um who is he and how does he fit into this?

NOBBS: Lee BAUWENS is ah Sergeant ah again from general duties Sergeant, ah often acts as a Senior Sergeant Watch Commander, he ah and I don't know his full history but know quite well that he ah spent a considerable period of time in TRG, um, he as I'm led to believe is the one that's over the years driven and assist in the development of the IRT at a local level, he's generally the conduit into IRT from op's um, he at this point of time or certainly at the time of deployment and I don't know the full circumstances but was on medical restriction

WELLFAIR: Okay

NOBBS: um and accordingly wasn't contacted by me on that occasion for that reason.

WELLFAIR: Okay, did he have any input at all into the deployment of the IRT in this instance?

NOBBS: Not that I'm privy to, I, I can't say he hasn't but not that I'm privy to.

WELLFAIR: Okay, um the last one-

NEWELL: Ah sorry just one more on that, is he an active member of the IRT?

NOBBS: Correct and, and often deploys with IRT.

WELLFAIR: Um with regards to communication, um and how you communicated or anybody, did you aware of communicated um regarding this um during the deployment and afterwards, um, which phone would you of been using?

NOBBS: Primarily my mobile phone which is ah 04 [REDACTED]

WELLFAIR: Yup

NOBBS: [REDACTED]

WELLFAIR: Yup

NOBBS: [REDACTED]

WELLFAIR: [REDACTED] Yup.

NOBBS: Ah primarily, ah it was particularly over that Saturday it was off duty at home, making most my calls and receiving them.

WELLFAIR: And if not that?

NOBBS: There, there would be inevitably some relevant conversations particular from that Wednesday through to um the Friday that may have occurred from my office ah [REDACTED]

WELLFAIR: Okay.

NOBBS: Um but I, I can't think of anything else, certainly not, I don't have a home phone or alternative mobile.

WELLFAIR: Okay, and oh was there any communication during the course of this or any other time um surrounding this on any um applications for example WhatsApp or any other applications like that, that you're aware of?

NOBBS: Not, not that I'm a party to.

WELLFAIR: No.

NOBBS: I'm not overly tech savvy.

WELLFAIR: Okay. And other than your work email address did you use any other email addresses to communicate with anybody with regards to this?

NOBBS: No.

WELLFAIR: Okay, Alright Wayne, I've completed all my questions, do you have anything else that you'd like to ask?

NEWELL: No, that concludes me.

WELLFAIR: Okay, before we ah conclude Superintendent, do you have, is there anything that we have not spoken about or any other information that you think that I should have with regards to this incident?

NOBBS: - I think it's probably important to raise that as a general proposition, the IRT are deployed um in terms of the coordination and I can't say what was the case here but it's, it's based on who we could get on at any given day and that's probably not a good position to be in, so it's generally and, and I can't say, speak for the coordinator but um I, I don't think it's based on particular skill sets or aptitude or capacity, it's, it's around who's on days off, or who is the first one to answer the phone, so that's I guess something that probably need to turn your mind to in terms of the actual deployment um around that, um, but as I said ah when I got the instruction from um McCORMACK, satisfied that there was a, a reasonable representation of ah apparent experience within those four members.

WELLFAIR: Would you rely on McCORMACK's um advice in that capacity?

NOBBS: I, I can't comment on that, um, up until this stage ah I dealt primarily with BAUWENS as, as a coordinator um, McCORMACK was brought into the um discussion through the Watch Commander, stating that he's on duty at this point in time, he's a senior member within IRT and um, and there was some considerations around that so making ah a judgement or an assessment on McCORMACK preparatory to this, I couldn't say, I've obviously worked with him in

the ah POC subsequent to this, and, and since have identified, seems to be a relatively competent individual but had, had no real interactions with him prior to, to this event.

WELLFAIR: Okay, is there anything you want to ask me before we finish off?

NOBBS: No.

WELLFAIR: Um just for the integrity of the investigation we ask that you don't discuss um our conversations today and the questions that we've asked you with anybody else.

NOBBS: Certainly.

WELLFAIR: Okay, um so just if you could um read this part out just to conclude, um which is your, your final statement with regards to -

NOBBS: I further state that this declaration is true and I am aware that it's an offence to make a statutory declaration that is false in any material particular, I make this declaration in Alice Springs on the 29th day of November 2019.

WELLFAIR: Thank you very much, and I Detective Acting Sergeant Alan WELLFAIR of the Northern Territory Police state I have witnessed the recording of this declaration in its entirety, my business address is SRU Darwin my contact phone number is 89[REDACTED], it is now 20:40 hours on Friday the 29th of October 2019 this concludes the recording.

OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

as Annexure A being a total of 2 pages.

Declared at Alice Springs on:

4 December 2019.

Witness: Jody NOBBS

Before me:

D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police

Nobbs, Jody (Police)

From: Bonanni, Gemma
Sent: Wednesday, 30 October 2019 08:50
To: Nobbs, Jody (Police); Potts, Michael; Frost, Julie; FSF Yuendumu; 'rebecca.toll@yuendumu.com.au'; ClinicMgr, Yuendumu; ClinicMgr, Yuelamu; Clinicmgr, Nyirripi; Havard, Laura; Blacker, Louise; 'louis.blacker@ntcasws.org.au'; 'louis.blacker@ntcasws.org.au'; Smith, Lanyon; Elkin, Erin; Tetteh, George; O'Donoghue, Lynette; 'peter.baldry@ntcasws.org.au'; Kumar, Jitender; Njenga, Peris; 'peris.njenga@ntcasws.org.au'; 'Charmaine Hayes-Jonkers'; 'Michael.timewell@ntcasws.org.au'; 'taylee healy'; 'maxine.ballard@ntcasws.org.au'; 'tully.mcintyre@ntcasws.org.au'; 'Phil Bartley'; 'phil.bartley@ntcasws.org.au'; 'yuendumuwomens.org.au'; 'Jacob Khumalo'; 'Kaveinga Lisati'
Subject: Yuendumu FSF - ██████████ WALKER - ARREST TARGET
Importance: High

Good Morning Everyone,

Please NOTE – ██████████ WALKER has absconded from CAAAPU and is current an arrest target for breach of suspended sentence.

If you are currently engaged with Ms Rekeisha ROBERSTON – please ensure she is aware.

Kindest Regards,

Gemma Louise BONANNI | Intelligence Support Officer
 Operation HAVEN | Cross Border Team | Northern Territory Police Force
 Phone: (08) ██████████ | Mobile: ██████████ | Email: ██████████ | www.police.nt.gov.au

Strategy 2023: Prevention. Integrity. Unity.



From: Bonanni, Gemma
Sent: Tuesday, 29 October 2019 9:58 AM
To: Nobbs, Jody (Police) <██████████>; Potts, Michael <██████████>; Frost, Julie <██████████>; FSF Yuendumu <██████████>; 'rebecca.toll@yuendumu.com.au'; ClinicMgr, Yuendumu <██████████>; ClinicMgr, Yuelamu <██████████>; Clinicmgr, Nyirripi <██████████>; Havard, Laura <██████████>; Blacker, Louise <██████████>; 'louis.blacker@ntcasws.org.au'; 'louis.blacker@ntcasws.org.au'; 'louis.blacker@ntcasws.org.au'; Smith, Lanyon <██████████>; Elkin, Erin <██████████>; Tetteh, George <██████████>; O'Donoghue, Lynette <██████████>; 'peter.baldry@ntcasws.org.au'; Kumar, Jitender <██████████>; Njenga, Peris <██████████>; 'peris.njenga@ntcasws.org.au'; 'Charmaine Hayes-Jonkers' <██████████>; 'Michael.timewell@ntcasws.org.au'; 'taylee healy' <██████████>; 'maxine.ballard@ntcasws.org.au'; 'tully.mcintyre@ntcasws.org.au'; 'Phil Bartley' <██████████>; 'yuendumuwomens.org.au' <██████████>; 'Jacob Khumalo' <██████████>; 'Kaveinga Lisati' <██████████>
Subject: Yuendumu FSF Meeting #89 - TOMORROW - 30.10.2019

Annex A pg 2

Good Afternoon Everyone,

Please find attached the agenda for the FSF meeting held TOMORROW - Wednesday 30 OCTOBER 2019 at 11 AM - I have also attached the minutes from the previous meeting held on 16/10/2019.

ALL AGENCIES ARE REMINDED OF THE IMPORTANCE OF ATTENDING THE YUENDUMU FSF MEETING.

Each agency should review their records for the victim, offender and children and provide up to date and historical information relevant for discussion. If you are unable to attend or send a Proxy please advise the Chair and ensure that information is provided to the Chair prior to the meeting.

You are reminded that any material in or attached to this email is subject to the confidentiality declaration signed by participants at the Family Safety Meeting. As a recipient of this email you are obliged to adhere to the intent of the declaration regardless of whether you are present at the FSM in question.

In particular;

- The information discussed by agency representatives at the Family Safety Meeting is strictly confidential and should not be disclosed to agencies or their employees who are not party to the Family Safety Framework.
- All agencies should ensure that the agenda & minutes are retained in a confidential and appropriately restricted manner. Please refer to Attached 5 of the family Safety Framework Practice Manual for full details.

For agencies phoning in, please print and sign the attached confidentiality declaration and scan and send back to FSF Yuendumu

For those calling in please ring 180005 and use the participant PIN:

Let me know if you have any issues and I would be more than happy to assist.

NO NEW REFERRALS HAVE BEEN RECEIVED.

*****Please note I will be on leave after this week and to please only email the as this is a shared mailbox*****

Thanks.

Kindest Regards,

Gemma Louise BONANNI | Intelligence Support Officer
Operation HAVEN | Cross Border Team | Northern Territory Police Force
Phone: (08) | Mobil: | Email: | www.police.nt.gov.au

Strategy 2023: Prevention. Integrity. Unity.



OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

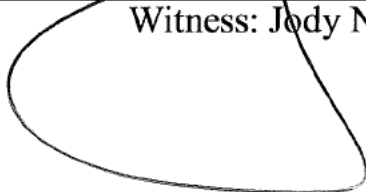
as Annexure **B** being a total of **1** pages.

Declared at Alice Springs on:

4 December 2019.



Witness: Jody NOBBS



Before me:



Det/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police



Nobbs, Jody (Police)

From: Frost, Julie
Sent: Saturday, 9 November 2019 05:46
To: JESSC - Supervisors; Watch Commanders - Alice Springs
Cc: Nobbs, Jody (Police)
Subject: Yuendumu on call availability

Good morning JESSC

Please be advised that myself and Chris Hand have been up now since 12:30am and will be knocking off in the next 20 mins after attending 3 jobs overnight. Whilst we are rostered to start at 10am today, we will now be starting our rostered shift at around 2pm. Due to fatigue levels from being up all night and following on from a heavy workload throughout the week, we ask that you do not contact us on the on-call phone other than for an emergency situation. There are no other members in Yuendumu at the moment that can assist with the workload and call outs.

Having said this, I have 2 members (Mark Parbs and Felix Alefaio) who will be travelling from Nyirripi this morning to help out and should be here around 10 – 10:30am. I have told them to look in the admin bin for any jobs and action them. I have also advised them to contact you to provide an alternative phone number so you don't have to call Yuendumu on-call mobile phone in the event of an emergency, (or alternatively, you can contact the station number) Parbs and Alefaio will know to continue to look in the admin bin though.

Thankyou

Julie Frost | Sergeant
Yuendumu Police Station - Southern Desert Division
Phone (08) [REDACTED]
Email - [REDACTED] | www.nt.gov.au/pfes

OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

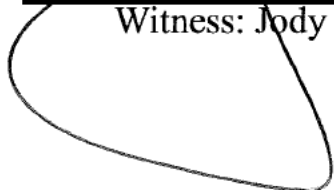
as Annexure C being a total of 2 pages.

Declared at Alice Springs on:

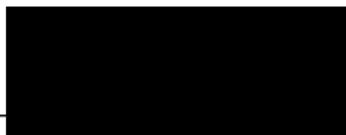
4 December 2019.



Witness: Jody NOBBS



Before me:



D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police



Nobbs, Jody (Police)

From: McCormack, Shane
Sent: Saturday, 9 November 2019 16:24
To: Frost, Julie
Cc: Gall, Alistair; Lock, Jason; Bauwens, Lee; Furniss, Shaun; Kerr, Darrell; Vicary, Pauline; Hawkings, Anthony; Nobbs, Jody (Police)
Subject: IRT CALL OUT-YUENDUMU-WALKER

Date: 09/11/2019

IRT call out - Arrest of Violent Offender - WALKER/ [REDACTED] ([REDACTED])

- WALKER is an active target for Breach Suspended Sentence (9118468)
- Active target to be arrested for assault Police (9126603)
- Multiple alerts for violent behaviour

Auth: Supt NOBBS

SITUATION:

06/11/2019 Yuendumu Members HAND and SMITH attended House 577 Yuendumu community to arrest WALKER. WALKER came at members while holding an axe and fled the location.

Of note funeral is taking place in community this weekend

TASK:

Provide a local presence of armed Police to uphold law and order in the community, provide support to local members.

Arrest WALKER and transport back to Alice Springs

IRT MEMBERS :

Rolfe
Kirstenfeldt
Eberl
Hawkins
Dog Handler - Donaldson and GP dog

HOURS

09/11/2019: 1430 TO BE CONFIRMED

EQUIPMENT:

Bean Bag Shotguns x 2, 2-AR15's
Swags and safety equipment.

VEHICLES:

652- (cage vehicle)
CEPO 865

Annex C P92

Phone (08) [REDACTED] email [REDACTED] | www.nt.gov.au/pfes

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OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

as Annexure **D** being a total of **4** pages.

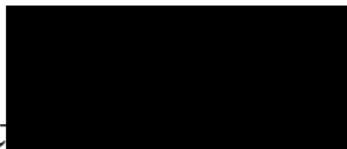
Declared at Alice Springs on:

4 December 2019.



Witness: Jody NOBBS

Before me:



D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police



Annex D 191

Nobbs, Jody (Police)

From: Frost, Julie
Sent: Saturday, 9 November 2019 16:49
To: Nobbs, Jody (Police)
Subject: Arrest of ██████████ WALKER - PROMIS 9126603

Good afternoon all

Please be advised of the following:

IRT call out- Arrest of violent offender – ██████████; WALKER

Authorisation – Supt Nobbs

TASK – Arrest WALKER and transport back to Alice Springs. Provide a local presence of armed police to uphold law and order in the community and provide support to local members.

SITUATION:

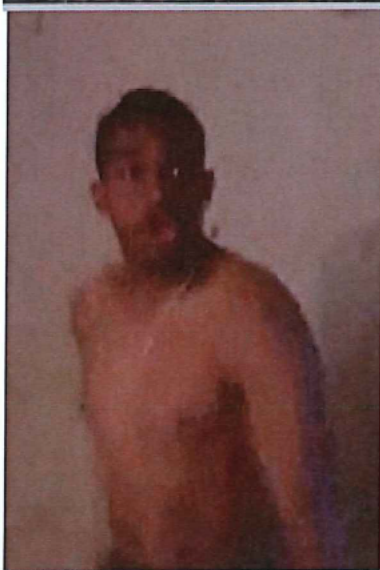
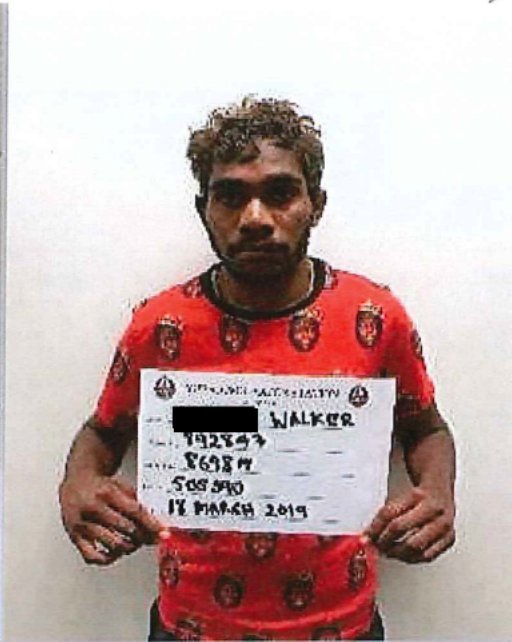
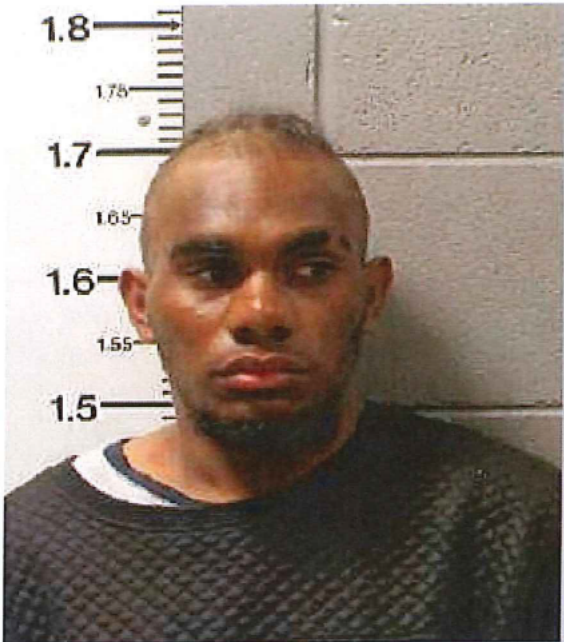
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- Assault Police
- Criminal damage to Police vehicle
- Breach Suspended Sentence

██████████ WALKER
DOB: 13/10/2000
PID: 869819



Please be advised of numerous alerts for May try to escape custody / May be suicidal / Violence alerts

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SDOU – Adam DONALDSON

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IMPLEMENTATION OF PLAN

LOCATIONS OF INTEREST

- House 577 Yuendumu (primary residence)
- House 512 / 515 / 516 / 454 (Jean Brown)

EQUIPMENT:

Annex D

- Bean Bag Shotguns x 2, 2-AR15's
- Swags and safety equipment.

VEHICLES:

- ASP 652
- CEPO 865

ADMIN:

RANK	INITIAL	SURNAME	REG. NOMINA	ACTUAL	WEEK 1							WEEK 2							WEEK 3							WEEK 4									
					THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED			
					24 Oct-19	25 Oct-19	26 Oct-19	27 Oct-19	28 Oct-19	29 Oct-19	30 Oct-19	31 Oct-19	01 Nov-19	02 Nov-19	03 Nov-19	04 Nov-19	05 Nov-19	06 Nov-19	07 Nov-19	08 Nov-19	09 Nov-19	10 Nov-19	11 Nov-19	12 Nov-19	13 Nov-19	14 Nov-19	15 Nov-19	16 Nov-19	17 Nov-19	18 Nov-19					
EVENTS / OPERATIONS ETC																																			
VACANT					COVERED BY PAPUNYA & SRSU																														
YUENDUMU					SAT SUN							SAT SUN							SAT SUN							SAT SUN									
SGT	J	FROST	2575	9912	9912	ED	D	LLD	D	OFF	D	D	LLD	D	OFF	OFF	OFF	LD	EEO	D	EEO	LLD	D	OFF	EEE	D	D	OFF	OFF	OFF	OFF				
SICONST	L	SMITH	2634	20272	19109	OFF	EEE	EEE	D	LLD	D	OFF	OFF	LLD	EEE	LLD	EEE	D	LLD	D	OFF	OFF	OFF	OFF	EEE	LLD	D	LLD	EEE	LD	D				
RISST	C	HARD	1899	20249	9912	REFERANTARIA ROSTER											DA	OFF	OFF	OFF	OFF	DT	EEE	D	LLD	LLD	EEE	LD	OFF	OFF	EEE	LLD	EEE	LD	EEE
CONST	L	WEATHERS	2688	9914	9914	EEE	EEE	EEE	D	OFF	OFF	OFF	EEE	LLD	EEE	LLD	LD	LLD	D	OFF	OFF	OFF	OFF	EEE	LLD	D	EEE	LLD	EEE	LD	OFF	OFF			
SWAPO	D	VILLIAMS	7267	14652	14652	LD	D	OFF	OFF	EEE	D	D	D	OFF	OFF	OFF	EEE	LLD	D	D	LLD	OFF	EEE	LD	LLD	LLD	D	OFF	OFF	OFF	EEE				

PROMIS 9118468 – Breach of suspended sentence

PROMIS 9126603 – Aggravated assault – police members

Overtime hours from 9/11/2019 – 14:30hrs onwards (to be confirmed).

Cost Code – 16EACA07

Station journal for OT recording - 8837911

Thankyou
Julie

Julie Frost | Sergeant
Yuendumu Police Station - Southern Desert Division
Phone (08) [REDACTED]
Email – [REDACTED] | www.nt.gov.au/pfes

OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

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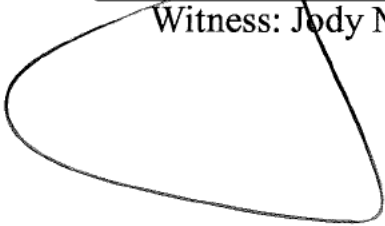
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Declared at Alice Springs on:

4 December 2019.



Witness: Jody NOBBS



Before me:



D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police

8936 4806

Nobbs, Jody (Police)

From: Frost, Julie
Sent: Saturday, 9 November 2019 16:59
To: Watch Commanders - Alice Springs; Donaldson, Adam; Hawkings, Anthony; Eberl, Adam; Rolfe, Zachary; Kirstenfeldt, James; Alefaio, Felix; Hand, Christopher; Alice Springs Supervisors
Cc: Nobbs, Jody (Police); Vicary, Pauline; Potts, Michael; Ward, Deanne; Phillips, Leith; Territory Duty Superintendents
Subject: Arrest of ██████████ WALKER - PROMIS 9126603

Good afternoon all

Please be advised of the following:

IRT call out- Arrest of violent offender - ██████████ WALKER

Authorisation – Supt Nobbs

TASK – Arrest WALKER and transport back to Alice Springs. Provide a local presence of armed police to uphold law and order in the community and provide support to local members.

SITUATION:

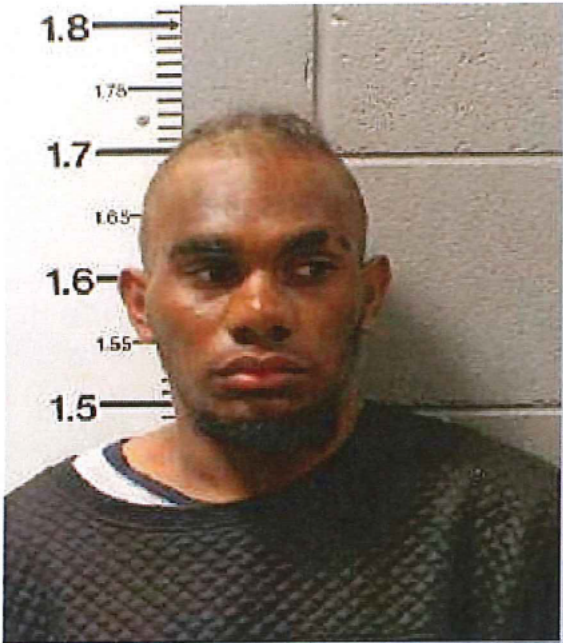
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SPACPO	D	WILLIAMS	7257	14652	14652	LD	D	OFF	OFF	EEE	D	D	D	OFF	OFF	OFF	EEE	LLD	D	D	LLD	OFF	EEE	LD	LLD	LLD	D	OFF	OFF	OFF	EEE					

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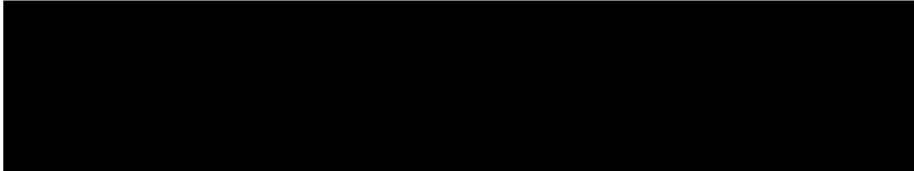
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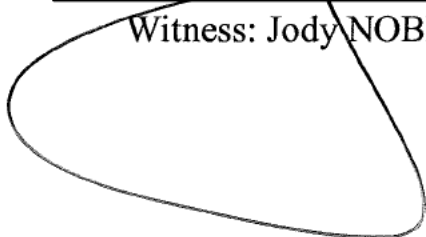
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Declared at Alice Springs on:

4 December 2019.



Witness: Jody NOBBS



Before me:



D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police



Time		
2020	Supt Nobbs talking over	
2025	Chief Pilot Damien Mills RFDS beefed on situation. Queries around community safety and unrest. He going to speak to his super.	
2035	Four police members deployed to ASP RFDS ZHANG/Terry HUGHES/Zac LYNCH/Brad SYKES/Mark	
2039	Frost speaking to NOBBS via phone Offender deceased. Frost to drive deceased out of community to Alice springs. Frost getting prepared to vacate the station. ETA for Taskies? Nobbs "secure station and deploy out" Member safety Frost "going to go out the back and go in convey" Derek not wanting to leave. Nobbs gives direction for Derek ACPO to leave. Nobbs "what's closest all night air strip" Nobbs "Stand down RFDS airwing" Frost "all ready to jump in the car and go" 2043hrs	
2045	Contact RSM Helen GILL Going to call back	
2046	TRG DEPLOYMENT HARDY AVIATION 2130 DEPARTURE Nobbs speaking with TRG No capacity for Chemical ammo re commercial	

	<p>air travel</p> <p>KING TC COMMANDER</p> <p>MASON EA COMMANDER</p> <p>NUMBERS TBC</p>	
2048	Papunya to stand down	
2049	<p>Contact Deputy Comm</p> <p>Info: confirmed one deceased.</p> <p>About to load deceased and leave community in convey. All members and family.</p> <p>Clinic staff had already left community.</p> <p>Loading body now and secured as best we can all accountable items and firearms. TRG about to deploy on commercial aircraft.</p> <p>BEER: on speaker phone</p> <p>Decision if we take Police out of the community. Guide to be taken. If we take people out of community may lose control. Duty of care. Getting IRT out of community important. Leith PHILLIPs present now.</p> <p>D.Ward and team deployment imminent. If all moved from community (police) puts other NTG at risk.</p> <p>Nobbs "3 x police, 4xIRT and one dog in ACPO Williams" Resources at the location.</p> <p>Advice from Williams concerns that why Nobbs made decision.</p> <p>A/Comm "Lets talk to Travis"</p> <p>No deploy.</p> <p>NOBBS: Got 4 members here ready to deploy. They will have to be picked up.</p> <p>Pilot on the ground at ASP airport. Fill the plane and get someone else with in community. Call all off the traffic people in.</p> <p>2059 Critical decision :beer</p>	

	Police will not leave the community. Nobbs states they may have left.	
2102	Frost has been advised to return back to station :POTTS	
2103	Nobbs : Medical retrieval advised to stand down.	
2106	Nobbs speaking to Frost. Work on options to get members from airfield to station. Had medical staff arrived? At a local level try and get in contact with clinic. Nobbs: concern if we lose station we lose community. Leave if unsafe. What is Papunya eta?	
2108	Papunya to go mobile back way to the airstrip. Make assessment re capacity to land.	
2109	Nobbs telling ZHANG not to leave waiting for more members. What weapons and tac options?	
	Constable THOMPSON advised to go back way and to notify POTTS when they arrive	
2112	WURST speaking on phone: Flood the community with as much support as we can. Nobbs: body left in the back of the vehicle. Leave if they got to leave. WURST: they need to have a plan for that	
2119	Spoke with Supt Vicary about command and control. Members to be deployed have been briefed.	
2124	Nobbs-frost informed her he is going to check in every 15 mins. Everyone out front that while they carry on the cannot get plane for person to get treatment. What's the plan ? Want us to do? Nobbs. Working out plan. Two crime scenes. Critical incidents that require response.	

	<p>Priority is members on the ground. Then progress investigation.</p> <p>1. Station members/assets security</p> <p>Progressing/starting investigation. Broader community safety-members and other NTG staff</p>	
2127	<p>Frost reports: Rolfe did get a minor stab wound to his shoulder. Receive treatment.</p> <p>Thinking is that person shot and receiving treatment. NOK to be balanced and safety concerns</p>	
2129	<p>ZHANG at airfield: All members are good to go. They have spoken to Jimmy K who is on the ground.</p> <p>All around the phone as requested by NOBBS.</p> <p>Briefing. Station is Police shooting from 1945hrs. Members still secure in station. Person shot deceased around 2030hrs this evening. Managed to calm situation perception has that we cannot land any assets in the community if they are disorderly. Capacity to land to be confirmed and how to get members from airstrip to the community. Do not land until we can confirm runway safe.</p> <p>Safety of station</p> <p>Invest of incident</p> <p>Boarder community safety inc NTG.</p> <p>ZHANG and Pilot Cookie understand.</p> <p>Where is next 24 hour airstrip? MT Allen 30ks from Yuendumu.</p> <p>Once you get there 15 mins sitrep. ZHANG to take charge as snr person until relieved.</p>	
2134	<p>Speaking to FROST 200 people out front We are not going to be safe. Plan to take deceased in ambo and make that we taking him to ??</p>	
2135	<p>WURST on phone. 7 members in transport now-1 one member was stabbed minor. FROST express concern about safety. Front</p>	

	<p>doors glass. FROST plan to put deceased in ambos. FROST adamant that they should leave the community. Is FROST doing any engagement? Would she stand next to Derek? Nobbs to ask Chris HAND.</p> <p>WURST: Have to try and engage with community.</p> <p>NOBBS: if young person leaves then changes. 7 to arrive on police plane Bring 2 members part of incident to come back</p> <p>WRUST to get more members on the ground.</p> <p>NOBBS: Call is that they steadfast?</p> <p>Challenge is every leave and cannot leave one in the community WURST they have to hold fast and get as many staff there as often.</p>	
2141	<p>Nobbs speaking to FROST. Next time you have to ring POTTS going forward.</p> <p>What is your plan?</p> <p>Plan is to bundle him in ambso. Plan is broken down and going to convoy into Alice.</p> <p>NOBBS: Position is to maintain illusion to get plane to get in to assist. We cannot lose the station and the community and we not under siege at this stage. Position where Derek is engaging the community. Request is that either your or HAND assist.</p> <p>FROST: Everyone will be wanting to touch him at the plane (community)</p> <p>Nobbs: call has been made. Work out 7 members who are in transit.</p> <p>FROST: If we try and get body to the plane what do we do.</p> <p>Not need to get body to the plane.</p> <p>NOBBS: "So no attempt to breach the station"</p> <p>FROST: rocks thrown on the station. Care about the member inc partners.</p> <p>Do we take him from MT Allen re capacity to</p>	

	<p>land? Frost states better option.</p> <p>Leith: Preference when plane lands and Rolfe to return on the plane. Wants clothing seized and him not to wash his hands.</p> <p>Not to have body and Rolfe in same vehicle.</p> <p>2159hrs</p> <p>Leith: Put deceased in body bag now. (deceased is in watch house)</p> <p>FROST: We will not be able to leave in a hurry. Can put him in the back of car light and sirens to ASP for medical evidence. Can put a person in the back of an ambulance.</p> <p>NOBBS: Medical staff leave 1 police vehicle in transet. Our members come back to community. Body to be left in situ.</p> <p>Get Rolfe on the plane</p>	
2202	<p>Speaking to KING TRG. Is there capacity to land.</p> <p>Nobbs diclosedded that members to land at MT allen. Airstrip over run possible</p> <p>KING will speak to pilot in a minute.</p> <p>ZHANG</p>	
2210	<p>Get communication with Elders and not have to speak to the larger group.</p>	
2211	<p>JMC with North</p> <p>WURST</p> <p>BEER</p> <p>GILL</p> <p>BURNS</p> <p>ROB CROSS MEDIA</p> <p>LEITH</p> <p>MCCORMACK</p> <p>POTTS</p>	

	<p>NOBBS</p> <p>1st of a number of meetings</p> <p>Full POC at this time.</p> <p>ID objectives.</p> <p>Maintain community safety, investigate what occurred and members safety.</p> <p>Request update from NOBBS.</p> <p>Deceased still within police station. Recourses still iin station ACPO Williams doing engagement. 5-10 mins extra persons on ground. They fly to Papunya sit rep of airport.</p> <p>Derek tasked to bring elders together. Main elder is grandfather of deceased. Concern is expressed ongoing safety. Community 20-200 persons backwards and forwards out front of station. No overt act of violence. No attempts to enter station. Concern from members is that calm is on the fact that we need to get air asset into community. Concern if airport lands that issues at airport. Have made a call that shooter Rolfe is to leave community (supported by wurst)</p> <p>Injury superficial but being been treated.</p> <p>WURST-POC to be run from Darwin but moved to ASP tonight or tomorrow.</p> <p>NOBBS conveying what resources on the ground.</p> <p>Leith PHILLIPS stating what crime staff</p> <p>WURST stating that POC will be in Alice Springs tomorrow.</p> <p>Wants someone with Derek to assist with mediation. What fatigue looks like going forward for your POC same for Yuendumu- if info is released then community is at risk Not to be placed on WEBEOC due to security. Yuendumu not to speak to media. Rob cross to do press work tomorrow morning.</p> <p>Brining in point of contact. Whatever you need we will support u.</p>	
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	<p>What plan getting deceased out at this time : NOBBS we are not. We need to minimise compromise of the body.</p> <p>Leith Phillips asked for body to be put in body bag.</p> <p>WURST to send broadcast re managing alcohol into community and safety of members.</p> <p>POTTS states that Papuny 80ks out and plane is 30mils out from the airfield</p> <p>WURST access of alcohol into community.</p> <p>NOBBS nil issues due to time of night.</p> <p>WURST what do you think is the right number of Police</p> <p>NOBBS: TRG 8 plus tactical commander as well as ASP members. Papunya 40 ks out wants to check security of airstrip before land</p> <p>WURST what is contingency of the community knows he is deceased</p> <p>NOBBS threat is breach of station</p> <p>BEERS: If we don't say he is deceased is it more damaging to the police and the community.</p> <p>NOBBS; has to be a balance around that. Culturally then there may be attempted retribution towards Police. What is our response if that occurs.</p> <p>BEER : We contain the info of deceased until TRG arrive and can establish safety.</p> <p>WURST- Terry to make the call and KING to be Tactical Commander. You need at least 5 vehicles going out TRG not to be front and centre.</p> <p>Get more staff out don't care where they come from. Investigators to go out.</p> <p>Intel risk so Alice has full coverage. Enough for now</p> <p>Watch commander notification has it</p>	
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	<p>occurred. Do we want OIC of local stations</p> <p>NOBBS: We will call other stations to inform re safety.</p> <p>BEER: Is someone going to conduct breath test on shooter? Is that our policy? Leith is going to commence initial enquires re GO. FYI Chaplin and Brody is supporting him.</p> <p>WURST We will catch up and you will update.</p> <p>NOBBS: No questions have to maintain our response if we have a breach to the station. Trained IRT there.</p> <p>KING has plan to defend the station come up with a high risk plan.</p> <p>BEER to be here at 9am. Have a list of all the vehicles. Who is there and their fatigue level. You're doing a great job.</p> <p>WURST: Decision is with staff in mind</p> <p>PHILLIPS: BWV has been sized and he has obtained legal advice. And a suspect NISK. Firearm has been secured.</p> <p>BEER instruction for all members to wear body worn.</p> <p>Coroner has been briefed.</p> <p>Community is well staffed in relation to Govt services.</p> <p>WURST-any concern for those services? Any information about making weapons.</p> <p>NOBBS not have any threats. Our position tonight is that we won't respond to any response in the community unless its life threatening.</p> <p>JESCC to ring the POC if any jobs come into Comms</p> <p>Main risks are Safety to members/community and preservation of evidence. Inc safety to other NTG members.</p> <p>Member welfare is important and ROLFE to go to ASH.</p>	
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	<p>Next meeting at midnight. Briefing not at 0600hrs to COP inc list of resources.</p> <p>2300 Nurse has been hit on the head with a rock.</p> <p>Police vehicles have had their windows smashed.</p> <p>2300 end of POC call</p>	
2301	<p>ZHANG in station. Cars damaged but Nurse only one that is injured. NOBBS We own nurses now. Cars can still be driving with broken windows. I want 15 minutes sit reps. You're in charge field commander. Number 1 priority inner cordon. Establish plan and bring it back through here. Everybody to wearing body worn.</p>	
2302	Traffic Mob Westerhuis/Caskey	
2305	ZHANG reports plane is in the air.	
2309	<p>NOBBS: Establishing logistic cell W/C</p> <p>NOBBS: Request Credit Card re welfare supplies.</p>	
2320	<p>NOBBS speaking to Julie FROST.</p> <p>We have a logistics and planning cell for fatigue management.</p>	
2321	<p>WESTERHOUSE speaking on phone. Has concerns about 2 members being it a gateway to the community.</p> <p>NOBBS you are an INTEL role. Only go as far as Tilmouth well. Requesting what mobile comms.</p> <p>Stay at turn off. Having other members at place with no comms does not help. Maintain ongoing dialogue with asp POC every 15 mins.</p> <p>Clinic has been burnt.</p>	

2324	Speaking to FROST. Clinic is on fire. NOBBS not safe for staff to wander the streets.	
2327	AIRWING: will be on ground at ASP 2345	
2328	Critical decision: No staff to attend clinic re fire.	
2330	Nobbs speaking to Manager of youth services WYDAC SUSANA Impetrative that members stay at home. No intel that staff at risk. Clinic is not on fire. Advice will be provided to family first and then other stake holders. Cannot tell you nothing more. Family want to know is [REDACTED] here, is he alive. Minimal information. NOBBS all the decisions are within a broader community perspective.	
2336	Helen GILL Remote Health Services one of her staff has been injured. Apologies for not calling from Nobbs. Wanting a direct number to speak to her staff. Staff will shelter in our station for safety.	
2338	ZHANGE to remain contact with McCormack to keep NOBBS phone free. Inner cordon is secure. On speaker with Shaun GILL and ZHANG Just talking to ZHANG now. Sheets on reception window to create buffer. Inside is quite strong. 4 member's mobile patrols inside carpark. Maintain office as inner cordon. Need to keep eyes on fence-buffer. Maintain radio contact. NOBBS no further beyond the cars- no risk where members out in the wind. Make sure its clear instructions. Early warning presence- make sure its clearly commutated to them. Zhang- No visitiblty to the front. Not a lot of food and water.	

	<p>NOBBS working through a plan where you guys are replaced inc food. Deployment around 0300 tomorrow. Establish rest bite arrangements. I will make contact with you and you then establish contact with TRG in the air- pick up in peaceful time and plan for pickup during unrest.</p> <p>Need plan by 0015hrs expect wheels on ground between 0030-0100</p>	
2349	<p>Deceased grandfather Eddie he wants to know one way or another.</p> <p>NOBBS our position is that we cannot convey information tonight. Until 0100 when we talk with POC- sufficient plans in place.</p> <p>Maintain position-been a shooting and continue to work through welfare.</p>	
2357	<p>Airwing back safe on the ground awaiting to be picked up.</p>	
0001	<p>Air capability is from 0900hrs</p>	
0002	<p>Dialling through to POC</p> <p>CURRIE/PHILLIPS/NOBBS/POTTS/MCCORMACK</p> <p>Updated from NOBBS.</p> <p>TRG in transit</p> <p>Nil clinic on fire</p> <p>Traffic at Tanami turnoff-</p> <p>Inner cordon 4 members at door to rear of station.</p> <p>Appears to be calm. WYDAC has been advised to return to houses. TRG pickup from airport ZHANG has deployment plans to pick up from airport. Supplies with 2nd supply with be sent out to community tomorrow.</p> <p>BEER: Talking to ROB that we put out message that Police hold media conference tomorrow at 9.00.</p> <p>NOBBS: Plan for notification to family after</p>	

	<p>tactical support TRG.</p> <p>WURST agrees-</p> <p>PHILLIPS-Plane has arrived with ROLFE- one crime members/soco and Police Assn. He has received legal advice. Make appointment to obtain a stmt from him. Four members have headed off to community. Voluntary NISK offence being manslaughter.</p> <p>GALL-Logistics – rostering:</p> <p>NOBBS wants members from 0300hrs to attend community before sun up.</p> <p>WURST- Propose a plan to inform Derek and then preference would be 1 or snr family members. When is best time?</p> <p>Nobbs perhaps that tonight is maybe best time.</p> <p>WURST once TRG on the ground they create a plan around compound. Once family know we let media know, NAAJA and corrections.</p> <p>Rob MEDIA. Looking at doing a briefing around 9.00am</p> <p>Can't provide the info that they want (BEER)</p> <p>WURST- Time line that family are told after TRG are ready??</p> <p>Contact to be made with POC</p> <p>Leith to create Promis job and lock it down.</p> <p>Make plan to remove body and Crimes call.</p> <p>ZHANG to plan to extract body.</p> <p>Next JMC after TRG on the ground. Zhang and TRG be involved.</p> <p>Around 0200 maybe?</p>	
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0030	FROST requesting access to station armoury so members can store equipment	
0030	<p>ZHANG plan transporting trg to station</p> <p>Papunya observing airport</p> <p>3x vehicles ready to go. Windows taped up. After info from Papunya attend airport. Having TRG sitting in front and others at back.</p> <p>Community OK no persons at front. May change when they hear airplane come in.</p> <p>Risk station to airport.</p> <p>Enough people to maintain security.</p> <p>NOBBS: In principal supported. Will it deplete inner station support? Further develop plan- image of airstrip and what units- outward facing vehicle- every member that is part is aware of action. Broad plan- as long structure and has been communicated to members- contact to TRG convey what plan is- give me a sit rep before mobile and when you return. Airplane to take off without incident.</p> <p>All members to stay till aircraft leaves.</p>	
0037	<p>Gall to get at least 6 members to go to community.</p> <p>Logistics capability.</p>	
0045	<p>NOBBS-Any response to WALPRI Based community in Alice springs to be at least two vehicles</p> <p>Watch Commander Kerr was briefed.</p>	
0110	<p>TRG on the ground in 10mins</p> <p>Number provided to ZHANG of TRG member KING.</p>	

OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE


Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

as Annexure **H** being a total of **44** pages.

Declared at Alice Springs on:

4 December 2019


Witness: Jody NOBBS

Before me:


D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police



STATEMENT

STATUTORY DECLARATION

I,	JODY JAMES NOBBS
OF,	NT POLICE - SOUTHERN DESERT DIVISION
DATE AND PLACE OF BIRTH:	1 [REDACTED] AUSTRALIA
TELEPHONE:	HOME: WORK: 89 [REDACTED]
OCCUPATION:	POLICE OFFICER
PLACE OF BUSINESS	SOUTHERN COMMAND - ALICE SPRINGS POLICE STATION
SUBJECT:	YUENDUMU CRITICAL INCIDENT - 9 NOVEMBER 2019 - P#9129856

I, JODY JAMES NOBBS , OF NT POLICE - SOUTHERN DESERT DIVISION, DO SOLEMNLY AND SINCERELY DECLARE THAT:

1. I am a Superintendent of Police currently attached to the Southern Command, Southern Desert Division (SDD). The SDD portfolio has responsibility for the operational management of the Southern Command remote police stations, including the management of Yuendumu Police Station.
2. The SDD Superintendent portfolio also has responsibility for the Chair position of the Yuendumu Family Safety Framework (YFSF). I have been the Chair person for this meeting since January 2017. The last YFSF meeting was on Wednesday 30 October 2019, I was unable to attend this meeting due to other operational priorities in Yulara at the relevant time.
3. The YFSF oversees the interagency response and broader case management of repeat or high risk Family Violence (FV) clients that have linkages to Yuendumu. During the time I have been on the YFSF I have had involvement with Yuendumu residents Rekiesha ROBERTSON (R.ROBERTSON) and Kumanjaye ([REDACTED]) WALKER (WALKER).

There are a number of matter that are relevant from the YFSF in response to this critical incident (CI).

Specifically:

- *Both parties have transition into and out of the YFSF for a considerable period of time.*
- *The Multiagency response for both parties has been extremely challenging as R.ROBERTSON is relatively disengaged,*
- *Safety plans R.ROBERTSON have been established by support agencies including WoSSCA and WYDAC who maintain some rapport with her, however the actions under these plans, such as providing relocation options for her, included planned and paid for arrangements for her and a support person to relocate to Adelaide remain un-actioned due to R.ROBERTSON disapproval of the arrangements,*
- *R.ROBERTON primarily remains disengaged with the actions from the YFSF, notwithstanding this WoSSCA remains her primary case management provided and the last agency to provide her with a safety plan including emergency response arrangements should she require assistance,*
- *R.ROBERTSON'S asserted position is that she wishes to maintain a relationship with WALKER despite the ongoing risk.*

4. On Wednesday 30 October 2019, I received advice relevant to this matter.

Specifically

- *That WALKER had absconded from CAARPU and that as a consequent this matter has been placed on the YFSF for further considered and action.*
- *Although I was not present during these conversations I am advised that the outcome of this conversation was that all agencies were requested through their engagement with R.ROBERTSON to advise her that WALKER had absconded, his whereabouts were unknown and to re-enforce safety arrangements for her,
(Annex A refers)*

5. At 9:30 pm on Wednesday 6 November 2019, I was received a telephone call from Sergeant Julie FROST (FROST) being the Officer in Charge of Yuendumu

Police Station in relation to a CI occurring within the Yuendumu Community that evening.

Specifically:

- *Earlier that evening members Senior Constables Christopher HAND and Lanyon SMITH became aware that arrest target WALKER 19 yo was in attendance at a location within Yuendumu, specifically that he was in the rear bedroom of that residence;*
- *On entering the premises they were hindered by WALKERS partner; R.ROBERTSON who blocked the entrance from members entering the room;*
- *WALKER then emerged from the room armed with an axe held over his head threatening police before running away from the scene;*
- *While being pursued, WALKER through a number of rocks at the police vehicle causing minor damage;*
- *His whereabouts remain unknown;*
- *Incident as described was observed by WALKERS grandmother Lottie ROBERTSON (L.ROBERTSON);*
- *Through subsequent engagement with WALKERS grandfather, Eddie ROBERTSON, (E.ROBERTSON) expressed remorse and apologised for the conduct of his grandson, and that he indicated that he would contact police should he return to his residence.*

6. As a result of the report received from FROST I asked for advice as to the welfare of the members concerned who were in the Police Station and had been the subject of a debrief from FROST.

FROST advised me of certain things

Specifically:

- *Members were extremely shaken, however were in relatively good spirits. – Member's had no pressing or current welfare needs,*
- *No injuries were sustained as a consequence of the event.*

7. Further to the report received I requested that FROST make a notification to the Watch Commander as to the incident to facilitate a WEBEOC notification being generated for notification of the event to the relevant reporting channels/recipients. I note that this was done shortly after my request and

contained advice that aligned with the advice received from FROST at the material time.

8. At this time I have not reviewed the Use of Force Report (UOF), including assessing the Body Worn Video (BWV) depicting the CI and response. I am aware that Senior Sergeant Michael POTTS (POTTS) OIC SDD reviewed this on Thursday 7 November 2019 from a supervisor's context.

POTTS has not provided me with any critical information or welfare advice or priorities relative to his review of the UOF.

9. On Thursday 7 November 2019, I was rostered on duty commencing at 8am attached to SDD portfolio.

During the course of this shift I had a number of engagements in relation to this matter,

Specifically:

- *Discussion with Senior Sergeant Michael POTTS, in relation to the circumstances and ongoing welfare considerations for the members concerned. During this conversation due to other pressing operational priorities I directed POTTS to make contact with the members and assess their welfare needs. (I was later advised that this occurred).*

Specifically:

- *Discussion with FROST around the plan being generated at a local level to locate and arrest WALKER and assess the welfare for R.ROBERTSON.*

FROST advised me of certain things.

Specifically:

- *That she didn't not know the whereabouts R.ROBERTSON as she was outstanding with WALKER, however from the members perspective she appeared safe, while she hindered police attempting to arrest WALKER the night before,*
- *That she had good dialog with E.ROBERTSON whereby they established a plan that would see E.ROBERTSON either bring*

WALKER to the station or SMS local police as to his location if he returned to his residence,

- *This plan was endorsed on the basis of being a no/less force option and opportunity for WALKER to surrender,*
- *The plan also recognised that WALKER was to attend a funeral scheduled in the community on Friday. The plan further established Yuendumu would not actively pursue WALKER prior to the funeral, if he presented to the police station and surrendered then he would be dealt with,*
- *Equally for cultural reasons the plan mandated that Police were not going to attend the funeral to arrest WALKER,*
- *This arrangement/undertaking was communicated as far as I am aware to E.ROBERTSON.*

10. On Friday 8 November 2019, I was rostered on duty commencing at 8 am attached to SDD portfolio.

During the course of this shift I had a number of engagements in relation to this matter,

Specifically:

- *Discussion with POTTS, where he sought advice on whether I had made a formal notification to Employee Support Services (ESS) in relation to the CI response involving the Yuendumu members HAND and SMITH on Wednesday evening.*
- *I advised that I had not.*
- *POTTS subsequently completed the notification.*

Specifically:

- *Discussion with FROST primarily around unrelated matters, applicable to an assault involving a youth at the Yuendumu School.*

During this conversation FROST provided me with advice relevant to this matter.

Specifically:

- *That the funeral scheduled for that day had been postponed to the following day, being Saturday,*

- *That WALKER still had not presented to/surrendered to the Police Station nor had any contact been received from E.ROBERTSON as to his whereabouts pursuant to our arrest and engagement plan,*
- *That local police intended to honour our undertaking in relation to not attending the funeral out of respect and recognition of culture, albeit being delayed for a further day,*
- *It was FROST'S hope that E.ROBERTSON would honour his undertaking and bring WALKER to the station after the funeral concluded.*

11. On Saturday I was rostered off duty, at some time during the morning I routinely checked my emails to see that I had received an email through the night apparently being sent and received at or around 5:46 am. (refer Annex B)

This email detailed certain things:

Summarised as follows

- *That the Yuendumu members had been on duty since 12:30 am, that they were fatigued and un-deployable until 2pm,*
- *that they had established a contingency plan for the adjacent police station Nyirripi, with Police Officers Mark PARBS (PARBS) and Felix ALEFAIO (ALEFAIO) to cover Yuendumu arriving at 10 am that morning.*

12. On the basis of the information provided by FROST, I did not contact Yuendumu Police to allow members to rest as a basic fatigue and respite management plan.

13. At approximately 11:35 am I received a call from FROST, during which time I was advised of certain things;

Specifically

- *That Yuendumu Police were back on duty commencing at 11 am after resting;*
- *That Yuendumu Clinic Staff had contacted Yuendumu Police and advised that they had recently been subject of unreported property crime, namely trespass and unlawful entry on their residential addresses and as such they were in the process of leaving the community,*
- *This would leave the community without any medical services;*

- *FROST requested that I provide her with an IRT deployment to supplement the local Police resources,*
- *That support was required that day as FROST was concerned that the absence of medical staff would result in over flow of police calls for assistance;*
- *When questioned in relation to the property offences, FROST suspected that WALKER was either directly involved or indirectly given his known influence on other known younger community property offenders.*
- *FROST conceded no evidence was available to support this proposition;*
- *When questioned in relation to who made the determination to close the clinic, FROST advised that she believed it was made at a local level in conjunction with the Remote Health Management structures. I requested contact details from FROST on who reached the determination.*

The following reflected my considerations at the relevant time in relation FROST application to deploy IRT;

Status of WALKER

- *WALKER outstanding;*
- *Attempts through engagement with E.ROBERTSON have not resulted in the surrender of WALKER, however at the relevant time the funeral in the community was ongoing, so the intent of E.ROBERTSON around same unknown*

Safety of Police

- *WALKER already demonstrated violence towards police to avoid apprehension, CI Wednesday evening,*
- *Arrangement with E.ROBERTSON regarding the surrender of WALKER remains current, further engagement opportunities remain given E.ROBERTSONS pro police sentiment;*
- *Advice from FROST during our conversation;*
 - *WALKER is known to run as such the DOG unit will be critical in any arrest arrangements.*
 - *Advice that any arrest plan developed at local level will be heavily reliant on letting WALKER run and being round up by DOG unit;*

- *FROST believes and articulates that local Police are expecting increase call for assistance from community given medical services withdrawal, this will impact and stretch local police capability;*
- *FROST asserts that additional staff are needed to maintain anticipated regular business and anticipated increase work load due to medical draw down.*
- *Need for members to be given respite over the following 24 hours*
- *Prior to advancing any plan to locate and arrest WALKER, which may be not necessary if he surrenders.*
- *As such any IRT deployment first priority over first 24 hours will be general duties response capability into Yuendumu;*

Community Safety/Community Sentiment

- *E.ROBERTSON and L.ROBERTSON pro police and supportive of police intent to locate WALKER, Surrender plan around same developed and agreed by all parties;*
- *No medical capability in community will impact policing services and expectations on police,*
- *Police response to priorities, local respite, community safety, general business and arrest of WALKER requires enhanced response a capability which cannot be provided by local police in isolation or with the assistance of additional General Duties, enhanced response better situated with IRT personnel with skills and advanced training to General Duties;*

Relevant Police Policy Doctrine and Statute

- *Notwithstanding CI Wednesday evening planned response scope of which discussed with FROST (detailed below in para 17) fits within the General Support Operations – IRT Concept of Operations, through the provision of support to other units, in particular the arrest of violent offenders.*
- *IRT deployment as a General Support to Yuendumu Police Station fits within the Yuendumu Command structure as a specialist support capability;*
- *It is my expectations that IRT deploy on all occasions within the remote policing area with full kit, including AR15 (if qualified), Shotgun with non-lethal munitions and tactical uniform, notwithstanding the request is a general support request to ensure that sufficient tactical options are available on a as needs basis should the deployment change from*

General Support to High Risk under the approval of the Assistant Commissioner.

14. At approximately 11:40 am I contacted the Watch Commander on duty, Senior Sergeant Shaun FURNISS (FURNISS), whereby I briefed him in relation to emerging priority for Yuendumu.

Specifically

- *FURNESS was advised of health self-removal from Yuendumu;*
- *The alleged increase of property crime impacting the medical staff;*
- *The fact that WALKER remains outstanding and although not confirmed that he is possibly linked to the property crime spike;*
- *Established that FURNESS was aware of relevant circumstances associated with the CI involving WALKER and Yuendumu member on Wednesday evening;*
- *Requested that he start to coordinate and plan for operational deployment of IRT team, comprising 4 members and a DOG Unit, comprising general purpose dog and handler for anticipated General Support deployment to Yuendumu subject to the approval of Assistant Commissioner WURST in the absence of Commander CURRIE;*
- *FURNESS asked specifically if the members could deploy in tactical uniform (camouflage uniform) he was advised that – CURRIE'S known and previously stated position is general support is in regular police uniform and that is my determination in relation to this deployment;*
- *Tactical Uniform could be taken in the event that the general response tactical requirements mandate its use as part of response plan;*
- *FURNESS advised that he work with Senior Constable Shane MCCORMACK (MCCORMACK) who is senior member within IRT around plan for deployment. MCCORMACK was already on duty at the relevant time. Particular tasking provided that it was my expectation that the deployment had structure and that Alice Springs worked with Yuendumu around appropriate deployment and response arrangements.*

15. At approximately 11:45 am I contacted Assistant Commissioner Travis WURST to authorise proposed IRT and DOG – General Support deployment. It is acknowledged that approval for General Support deployment sits under Commander Southern Command delegation, however Cmdr Bradley CURRIE

(CURRIE) was out of the Alice Springs district at the time and uncontactable.

WURST appraised of general situation and provided approval for General Support deployment as proposed,

Advice provide to WURST in support for IRT deployment:

- *Advice on health self-removal from Yuendumu, including details although not confirmed as to Remote Health's intent to provide medical services from Yuelamu;*
- *The alleged increase of property crime impacting the medical staff;*
- *The fact that WALKER remains outstanding and although not confirmed that he is possibly linked to the property crime spike;*
- *Established that WURST was aware of relevant circumstances associated with the CI involving WALKER and Yuendumu member on Wednesday evening;*
- *WALKERS YFSF links and risk regarding, R.ROBERTSON;*
- *Advice that WC is coordinating deployment of IRT comprising 4 members and a DOG Unit, comprising general purpose dog and handler for anticipated General Support deployment to Yuendumu, advice that names of IRT not known at this time as coordination of same ongoing;*
- *Advice that direction provided to WC to ensure that there was coordination around deployment or IRT and subsequent plans with FROST*
- *WURST advised that timings for IRT would be through to Monday with Saturday evening to provide general duties support to Yuendumu as respite as priority for members who had worked considerable hours over preceding 24 hours*
- *Recommendation to WURST that members take non-lethal munitions, (bean bag rounds) and AR15, this was approved;*
- *WURST requested to be provided with an update/ any advice on significant matters;*

16. At noon I contacted FURNESS and advised him of the approval from WURST of the IRT deployment as proposed, at the same time I requested that he ensure that the IRT contingent were briefed in preparation for their deployment, reflecting the current situation and planned response at this time I also spoke to

MCCORMACK, who was coordinating the callout and deployment.

I provided particular advice to MCCORMACK preparatory to the deployment;

- *Advice on health self-removal from Yuendumu, including details although not confirmed as to Remote Health's intent to provide medical services from Yuelamu;*
- *The alleged increase of property crime impacting the medical staff;*
- *The fact that WALKER remains outstanding and although not confirmed that he is possibly linked to the property crime spike;*
- *Established that MCCORMACK was aware of relevant circumstances associated with the CI involving WALKER and Yuendumu member on Wednesday evening;*
- *WALKERS YFSF links and risk regarding, R.ROBERTSON;*
- *WURST approval of IRT comprising 4 members and a DOG Unit, comprising general purpose dog and handler for General Support deployment to Yuendumu,*
- *Anticipated timings for IRT would be through to Monday*
- *Approval from WURST that members take nonlethal munitions, bean bag rounds and AR15, this was approved;*
- *Task to MCCORMACK to ensure that IRT were briefed accordingly based on details provided and that I received written advice as to deployment advice stipulating same, this task was complete and email received at 4:24 pm (Annex c Refers)*

17. At approximately 12:15 pm I contact FROST and provided her with advice and where necessary direction;

- *Approval from WURST of deployment of IRT comprising 4 members and a DOG Unit, comprising general purpose dog and handler for General Support deployment to Yuendumu,*
- *advice that names of IRT not known at this time as coordination of same ongoing by WC and MCCORMACK;*
- *Tasking to establish command and control over IRT and establish plans as to response, specifically cited that it was my expectation that IRT are not just randomly driving through Yuendumu on an unstructured adhoc basis and that there had to be coordination and structure to their activities and actions;*
- *Determination reached with FROST that IRT deployment would be support over Saturday night to give local police respite and then*

further consideration and refinement of plans in relation to the arrest of WALKER would occur through-out Sunday, with anticipated early morning coordinated action Monday;

- *Approval that if opportunity presented for early morning arrest Sunday this would be approved however requires structure and plan for same;*
- *FROST tasked to provide a written administrative plan for my consideration and endorsement;*

18. At approximately 12:45 pm I contacted Superintendent Pauline VICARY (VICARY) – Alice Springs Division (ASD) in relation the IRT deployment as the IRT capability fits with ASD portfolio.

- *Vicary briefed on circumstances known and previously provided to all other relevant personnel above to enable her to consider and identify contingency plans for the reduction in operational capacity in ASD arising from the no notice deployment of IRT from ASD.*

19. At approximately 2:24 pm I received a SMS message from FROST.

- *Message indicating that Remote Health Service Managers that made the determination as to the removal of medical services from Yuendumu where Helen Gill and or David Reeves, contact numbers were also provided.*

20. At approximately 2:30 pm I contacted Helen GILL (GILL), Primary Health Care Branch, Department of Remote Health during which time I had a conversation with her;

- *GILL confirmed health's intent to leave the community forthwith, with a decision relating to alleged property crime impacting health clinic staff in Yuendumu;*
- *Advice provided to GILL as to police enhancement of local resources, four IRT members and DOG unit to provide support to local police and would this arrangement change the determination of Remote Health, advice received was irrespective of local arrangements determination remains unchanged, with Yuendumu medical services to be further considered on Monday when Yuendumu Clinic Staff meet with Remote*

Service Health Managers to discuss Yuendumu medical arrangements going forward;

- *GILL was advised that the absence of medical services in Yuendumu was unacceptable risk, advice was sought as to contingency plan;*
- *advice was provided that contingency plan was Yuelamu Clinic, situated 30kms from Yuendumu would cover the clinic on a call out basis;*
- *Advice provided to GILL that police would support Yuelamu Clinic staff with escort to critical responses only and not to routine calls for assistance, recognising that Police would likely be responding to critical issues in any events. These arrangements were accepted by GILL with an undertaking that arrangements would be provided to clinic staff accordingly;*
- *GILL advised to contact myself on Monday to progress arrangements and where police can assist to re-establish medical services in Yuendumu, GILL agreed to same;*

21. At approximately 2:40 pm I was contact by FURNESS and provided advice in relation to an unrelated significant incident in Kulgera District which fits within the SDD Operational portfolio.

Circumstances:

- *Notification of a tourist bus rollover on the Ernest Giles Road.*
- *Tour bus collided with a vehicle on the Ernest Giles Road about 40 Km West of the Stuart Highway.*
- *Location 130km South of Alice Spring then a further 40km along the Ernest Giles Road.*
- *Reports of numerous casualties, one person trapped.*
- *Report accounts for about 18 persons injured. Broken bones dislocations*

In response to the report received, I instructed FURNESS to contact VICARY to coordinate the response to the new incident given the span of control constraints over responding to the new incident and the Yuendumu Response.

Notwithstanding this command and control arrangement as the nominal Superintendent of the SDD I made and received a number of calls over the next hour in response to this new incident including receiving a call from VICARY at 2:34 pm where she formally assumed command and control of the new incident in

the absence of a Duty Superintendent physically on duty at the time.

22. At 4:50 pm I received a call from FROST in relation to a draft administrative order completed by her designed to apply some structure to the IRT deployment and to articulate the intent of the IRT deployment namely to uphold the law, establish a safe community through supplying support to local police and the ultimate arrest of WALKER on outstanding matters.
23. These being the intent priorities developed during our earlier conversation.

This administrative order was emailed to me at 4:49 pm, which I assessed contents of (Annex D)

I then contacted FROST by phone and had a conversation

Specifically

- *Administrative order approved;*
- *tasked to FROST to email the administrative order to relevant personnel, including the IRT and DOG members involved, Yuendumu Police members, and the broader Alice Springs Watch Commander Group and Territory Duty Officer for oversight.*
- *I note dissemination of this document at 4:59 pm, (Annex E).*
- *Reiteration of my expectation that IRT response remains structured.*
- *Request to be updated on any matters of significant and re-enforced to contact me if there is any issues arising;*

There are a number of matters that are contained within the administrative order which are of particular relevance and arise for the conversations had with FROST throughout the day;

- *IRT deployment to Yuendumu on Saturday 9 November applicable to 9 November was in relation the respite arrangements for local police and not about locating and arresting WALKER as such IRT were deliberately rostered to commence duty at 11pm and provided high visibility patrols of the community;*
- *An arrest of WALKER early on Saturday would have continued to compromise general policing response in Yuendumu and the respite imperatives, as IRT then would be responsible for the custody and inevitable transfer of WALKER to Alice Springs leaving local members*

to revert back to responding the anticipate influx of calls for assistance throughout the night due to no medical response capability locally;

- *Any opportunity to arrest WALKER was to be considered and if appropriate only actioned at 5 am the following morning, the 5 am plan was derived to mitigate risk to community, WALKER and police members concerned;*
- *The extended deployment through Sunday and Monday was coordinated in line with the anticipated increase expectation on police given the medical response gap, further to allow for response plans to be further developed during Sunday which will incorporate Yuendumu police members after having sufficient stand down,*

24. At approximately 7:30 pm I received a call from GILL Remote Health.

- *This call was brief during which she advised that her Yuelamu medical staff had been advised that police had shot someone at the back of the police station and required assistance,*
- *she sought my advice as to the veracity of the call.*
- *I advised her that I was not aware however as a matter of urgency I would assess and contact her straight back.*

25. At 7:31 pm I called FROST to assess the veracity of the call received from GILL

This call was brief, FROST advised

- *that IRT have shot Arnold,*
- *he is alive, not in a good way,*
- *is presently on the floor in the police station alive, with defibrillation paddles attached,*
- *All Police members are safe in the station no injuries to members.*
- *I advised FROST that I had to hang up to arrange medical response.*

26. At approximately 7:31 pm I contacted GILL provided her with advice from FROST and requested immediate deployment of medical services from Yuelamu to Yuendumu.

27. At 7:33 pm I contacted WURST and provided him with advice known at this time, while concurrently making my way home from a location in Alice Springs to put my uniform on to deploy to Alice Springs Police Station and making and or receiving calls from FROST, WURST, the Watch Commander on duty being

Alistair GALL (GALL) and Assistant Commissioner Narelle BEER (BEER). These calls were primarily situational reports and notifications around same;

These ongoing situational reports outlined

- *a situation that was becoming volatile in Yuendumu with significant number of angry community members at the front of the police station demanding entry and advice on the status of WALKER;*
- *Fear being expressed by all Police members in the station as to the their safety given the anger apparent from outside the police station;*
- *Senior ACPO Derek WILLIAMS (WILLIAMS) being the Yuendumu ACPO and a respected elder in the community, undertaking engagement activities at the front of the station in an attempt to calm the community group present.*

28. At 8:15 pm I arrived at the Alice Springs Police Station, and received a short brief from GALL on the situation as above (no change) while in transit to the Police Station.

29. At 8:20 pm I established a Police Operational Centre (POC) on the ground floor of the Alice Springs Police Station next door to the Watch Commanders office given that command had sat with the Watch Commander who was still progressing relevant actions and noting outcomes on ICAD.

The seamless flow of information from the Watch Commander to the POC was of significant importance particularly in the initial stages of an escalated response.

30. At 8:20 pm I gave a formal proclamation to all present that I was in charge of the event as the Incident Controller (IC).

I remained the IC situated within the POC until relieved/handing over to CURRIE at approx. 4:15 am Sunday 10 November 2019. During my time as the IC I made a number of critical decision based on the information known or believed to be known at the time.

Through this statement all critical decisions will linked back to my assessment of the situation known or believed by me at the time with due regard given to broad matters,

- Status of WALKER,
- Safety of Police,

- Safety of Community/Community Sentiment,
- Police Policy doctrine, statute;

31. In relation to the question around establishing an appropriate command and control response structure to provide an effective response;

The following matters were considered at this time before reaching a Critical Decision

Status of WALKER

- *WALKER was alive within police station, advice that he remains in critical - life threatening condition, defibrillation paddles attached;*

Safety of Police

- *Staff on the ground in the station believed to comprise,*
 - o *FROST*
 - o *IRT member and DOG team, 5 members 1 dog.*
 - o *Yuendumu members HAND, ALEFIO*
 - o *Yuendumu Senior ACPO WILLIAMS outside station engaging with swelling crowd of angry community members demanding entry into station.*
- *Personal and intimate knowledge of the configuration of the station and security of same, station being a structure with limited security, integrity of building easily accessible through smashing front glass doors at main entrance of station, glass front doors to the attached court house and glass windows along the frontage and rear of station via the compound,*
- *No Police partners or non-police family are situated at Yuendumu Police Station;*
- *Knowledge through previous and recent community engagement as to negative anti-police sentiment from some community members directed towards local police, including a significantly high community representation of persons that have history of assault police or violence towards police, relative to other like communities;*
- *Insufficient Police numbers given response to medical needs of WALKER and capability to provide effective inner cordon of station to prevent breach;*
- *In field Command and Control Forward Commander (FC), within the Forward Command Post (FCP) Yuendumu Police Station presently with FROST,*

- *FROST ongoing assessment and ongoing capacity tenuous due to enhanced stress and fear, although appeared calm in the circumstances;*
- *Limited ongoing Communication between FCP and POC limited to Mobile Phone Contact between IC and FC FROST.*

Community Safety/Community Sentiment

- *Community members approximately 200 persons outside for the Police Station yelling, throwing rocks at the police station and demanding entry only being prevented from entering by WILLIAMS being isolated police officer engaging community outside,*
- *Shooting occurred in residential address within the community resulting in Police picking WALKER up and conveying from location of shooting to police station for medical attention to be administered and for members safety reasons, as such community knowledge as to fact that police shooting common;*
- *No medical capability in community and no ETA on Yuelamu other than assertion from GILL that deployment would be immediate,*

Relevant Police Policy Doctrine and Statute

- *Imperatives around investigation, secondary at this time to protection life and property;*
- *IC duty of care for protection of life of Police Officers and liability for same*

Critical Decision of IC # 1

POC in Alice Springs to be established, with a small Incident Management Team (IMT) comprising

- **Scribe being MCCORMACK to document critical decisions and other relevant information on a log,**
- **Operations officer being Senior Sergeant POTTS (POTTS) who was recalled to duty to assist to action operational priorities**
- **going and fluid link to WC GALL who was still receiving relevant enquires due to his previous control of the CI.**

32. In relation to ensuring that all decisions within the IMT were being sufficiently recorded in response to the CI in recognition of the subsequent investigation which will be undertaken.

The following matters were considered at this time before reaching a Critical Decision

Relevant Police Policy Doctrine and Statute

- *In ordinary circumstances all critical Decisions and relevant information would be captured on the respective CAD Log for time date stamping, however given the volume of information and fast paced flow of information an alternative determination was made to capture running commentary on a situation log generated within the POC by MCCORMACK contemporaneously entered as alternative to the cumbersome process of conveying information from the POC to the WC office where the ICAD capability was situated.*
- *This determination was made in the interest of capturing as much information as possible in support of future review/enquiry and to maximise efficiency and actual response to the evolving incident.*

Critical Decision of IC # 2

All Critical decision and relevant information to be captured on situation Log by Scribe MCCORMACK for later upload onto WEBEOC.

33. The situation Log as described in Critical Decision of IC # 2 (para 31) has been used as noted at the time to assist in completing this statutory declaration. (Annex F refers)
34. At approximately 8:25 pm I spoke to Chief Pilot RFDS Mr Damien MILLS (MILLS). MILLS appraised of evolving situation and priority to expedite medical air evacuation of WALKER from Yuendumu, advice provided to MILLS in relation to safety risk and options available to fly either into community or land at adjacent Community Yuelamu if unacceptable safety risk remains.

MILLS advised by IC that the POC will develop safety plans while RFDS are in transition and that Mobile communication in the air while flying over Yuendumu will be established to convey safety plan or action any contingency plans.

IC advice also provided to MILLS that four additional police members would be deployed from Alice Springs with RFDS into the Community to enhance safety arrangements with resources to be incorporated in to the safety plan that was under development.

MILLS advised that he would have to speak to his RFDS supervisor prior to deploying RFDS assets and that he would make contact with the IC urgently on receiving a determination.

35. At approx. 8:35 pm four members were deployed from Alice Springs Police Station to RFDS in anticipation of the medical response deployment into Yuendumu to enhance capability and increase community safety.
36. At approximately 8:35 pm Papunya Police members were deployed from Papunya Police Station. IC tasking to discretely enter outskirts of Yuendumu Community remain concealed while in phone range and check the status of the Airstrip immediately prior to landing when directed to assess the safety of landing.

Further IC tasking to pick up 4 members deployed from Alice Springs by Air and convey to Yuendumu Police Station to enhance capability while concurrently oversighting the safe loading the injured WALKER into RFDS.

37. In relation to the question around deploying civilian personnel (RFDS), air assets and additional Police officers into Yuendumu being a volatile location under para 35, 36 & 37.

The following matters were considered at this time before reaching a Critical Decision.

Status of WALKER

- *Unchanged as per Para 31 unchanged priority treatment required.*

Safety of Police

- *Unchanged as per Para 31,*

Community Safety/Community Sentiment

- *Unchanged as per Para 31*

Relevant Police Policy Doctrine and Statute

- *Unchanged as per Para 31*

Critical Decision of IC # 3

The risk to ongoing welfare of WALKER, the need to protect the community and protection of Police officers through enhanced police deployment

outweighs the risk applicable to sending further Police personnel and civilians into volatile location.

Deployment to be actioned subject to approval from RFDS supervisor.

38. At approx. 8:38 pm - contingency plan being developed should RFDS not deploy developed being developed,

Police AIRWING contacted by IC, Alice Springs AIRWING asset not in Alice Springs, and is presently flying in the broader Southern Region, Pilot on Night Exercise.

Pilot Mr Graham COOKE (COOKE) contacted advised that he is approx. 40 minutes from Alice Springs.

Contingency Plan

IC direction provided to Police AIRWING Pilot COOKE to return to Alice Springs fuel up and await instructions from IC for potential immediate deployment into Yuendumu should RFDS deployment not be approved by RFDS supervisor.

39. In relation to the question around adequately capturing the fast flow of information and critical decisions in the IMT in support of future investigation The following matters were considered at this time before reaching a Critical Decision.

Relevant Police Policy Doctrine and Statute

- *Consideration around potential loss of station, injury to members, critical incident response and subsequent investigation around police shooting all being significant issues/events,*
- *Concern of IC within IMT of not being able to be sufficiently captured through conventional recording methods, "running sheet, note taking"*

Critical Decision of IC # 4

POC IMT to be electronically recorded given the volume of information being conveyed and decisions being made,

MCCORMACK tasked to source and immediately active recording device on locating same;

- *Critical Decision conveyed to WURST with direction to provide advice of same to all personnel anticipated to occupy IMT that was being established in DARWIN;*

40. Recordings within the Alice Springs POC arising from critical Decision of IC # 4 have been utilised as notes at the time in support of this statement, (Annex G refers),

Annex G comprises USB drive containing audio file titled;

- Recording 1.m4a
- Recording 2.m4a
- Recording recording 3.m4a
- Recording 4.m4a
- 191110_001.MP3
- 191110_002.MP3
- 191110_003.MP3

41. At approximately 8:40 pm updated situation report received from FROST as noted in the critical decisions considerations as noted below;

In relation to the question around evacuating the police station.

The following matters were considered at this time before reaching a Critical Decision

Status of WALKER

- *WALKER now deceased;*

Safety of Police

- *Para 30 remains relevant;*
- *WILLIAMS not aware of WALKER passing;*
- *Anxiety and fear experienced by police in the station is escalating given WALKERS passing;*
- *Concern expressed that if the station is breached and WALKER is identified as being deceased then Police members safety is compromised with retaliation expected.*

- *FROST expressed ongoing concern that the police station would be set on fire with police members within, although no tangible evidence or information obtained or offered in support.*

Community Safety/Community Sentiment

- *Para 30 remains relevant*
- *Community negative sentiment and aggression towards police is escalating*
- *Medical service from Yuelamu still not in attendance*

Relevant Police Policy Doctrine and Statute

- *As per para 30*

Critical Decision of IC # 6

Yuendumu Police Station to be evacuated with WALKER, FROST provided the following tasking's predatory to same

- **prepare to move,**
- **establish and evacuation plan of the stations should evacuation be required,**
- **WALKER to be placed in the Police vehicle preservation of evidence,**
- **Secure all ammunition and weapons should station be breached,**
- **Establish coordination within station and consistent advice to all members in relation to evacuation,**

In relation to the question around direction to all Police personnel to evacuate the Police Station.

The following matters were considered at this time before reaching a Critical Decision

- *Advice to IC from FROST that WILLIAMS refusing to leave station,*

Critical Decision of IC # 7

WILLIAMS to be given direction to evacuate station with other local police;

- **FROST tasked to provide WILLIAMS with direction from IC to leave community with other police as no police will be left behind**

in Community without support – safety risk for Police.

42. At approximately 8:43 pm FROST advised IC that the evacuation plan complete all tasks from IC had been actioned and local Police evacuation imminent.

At approximately 8:45 pm IC contact made to Remote Service manager GILL to seek advice as to whereabouts of Yuelamu Medical personnel who were tasked to respond to Yuendumu approximately 1 hour earlier. GILL unable to provide advice. GILL tasked to follow-up as urgent priority as concern exists as to status and welfare of medical staff deployed into volatile location and potential no police present.

Critical Decision of IC # 8

RFDS Pilot MILLS stood down given the passing of WALKER

- **Risk of conveying RFDS contractor into Yuendumu given the passing of WALKER not acceptable.**
- **Deployment of 4 Police members in transit to RFDS diverted to Police AIRWING to await the arrival of Police AIRWING.**

43. At approximately 8:46 pm TRG Senior Sergeant Meacham KING (KING) contacted IC and provided advised to IC that

- *TRG deployment in advance stages of coordination,*
- *Likely departure 9:30 pm*
- *Commercial Charter as such chemical munitions unable to be taken reducing tactical options when arriving at the location.*
 - o *KING Tactical Commander*
 - o *MASON EA Commander*
 - o *TRG numbers and names to be advised however likely to be 7 TRG plus KING and MASON for planning purposes.*
- *KING tasked to consider establishing inner cordon plan that likely to involve vacant station, due to evacuation.*
- *Anticipated arrival 12:30 am.*

44. At approx. 8:48 pm Papunya deployment suspended on basis likely evacuation of Yuendumu Personnel from Yuendumu Police Station.

45. At approx. 8:49 pm IC within ASP IMT contacted teleconference from DWN based IMT chaired by WURST.

Brief provided to WURST (WURST later formally assuming role of Operations Commander (OC)) by IC that Yuendumu Evacuation plan executed.

Critical Decision of DWN IMT OC # 1

Yuendumu Police to not evacuate and leave Community.

Decision of IC # 7 overridden on basis that, Yuendumu station cannot be abandoned given the safety for broader community needs to be maintained.

If we lose the station then we lose the safety and protection of the community.

Tasks from DWN OC to IC arising from DWN IMT meeting;

- *4 further members deployed from ASP to AIRWING to bolster AIRWING deployment.*
- *Operations Officer POTTS tasked to coordinate same*

Critical Decision from IMT DWN conveyed to member HAWKINS – evacuation not authorised, advice provided to HAWKINS that addition personnel being deployed from Alice Springs to arrive within the hour and TRG deployment being further coordinated.

46. At approx. 9:06 pm contact with FROST, situation report update received from FROST to IC provided below

In relation to the critical decision of DWN IMT OC # 1 being conveyed to FROST – namely direction that the Yuendumu Police Station is not to be evacuated,

The following matters were considered at this time before reaching a further Critical Decision

Condition of WALKER

- *Situation unchanged;*

Safety of Police

- *Para 30 and 41 remains relevant;*
- *WILLIAMS not aware of WALKER passing;*
- *WILLIAMS remains respected Elder and family member of WALKER,*
- *WILLIAMS ongoing engagement and dialog with community and family critical to maintain safety of the station,*
- *Community members and family are of ongoing belief that Police are providing ongoing medical attention for WALKER and any entry of the station or violence towards police will compromise same,*
- *WILLIAMS becoming aware of passing Possible Risk - given cultural obligations could result in WILLIAMS standing down and commencing cultural business removing buffer and ongoing safety arrangements for Police within the station.*

Community Safety/Community Sentiment

- *Para 30 and 41 remains relevant*
- *Community negative sentiment and aggression towards police remains high*
- *Medical service from Yuelamu still not in attendance*

Relevant Police Policy Doctrine and Statute

- *As per para 30 remains relevant*

Critical Decisions arising from updated Situation Report.

Critical Decision of IC # 9

IC determination in relation to evacuation. Notwithstanding the determination of the OC under Critical Decision of DWN IMT OC # 1

- **Direction to only leave the community if station is breached and member's safety is compromised;**
- **Should deployment out of community be required at a moment's notice - body to be left in police vehicle.**

Critical Decision of IC # 10

IC determination in relation to WILLIAMS being notification of the Death of WALKER.

- **WILLIAMS and family not to be advised of passing of WALKER at this time, due to risk of safety of members within the station.**

Further tasks provided to FROST by IC arising from 9:06 pm situation report.

- *FROST to attempt to contact Clinic personnel who were deployed to Yuelamu to ascertain their safety and get them to police station to maintain their safety;*
- *WILLIAMS to continue to mediate with Community and family from outside of the police station;*

47. At approx. 9:09 pm IC conversation with ZHANG at Alice Springs airport PFES AIRWING awaiting deployment;

- *Advice to standby at AIRWING further deployment of resources from Alice Springs imminent;*
- *assessment as to accoutrements, advice received from ZHANG that Police issued GLOCKS only;*
- *advice that additional long arms will be taken with addition resources to the airport for deployment*
- *IC provided ZHANG with advice that communication plan as to safe landing in Yuendumu and conveyance from Yuendumu airstrip to Police Station being developed.*

48. At approx. 9:10 pm IC tasking to Papunya Police to redeployed to Yuendumu to airstrip under previous plan as per para 36.

49. At approx. 9:11 pm IC tasking to Operations traffic Units to deploy along Tanami for intel purposes not to proceed past Tilmouth Well and to contact IC on arrival at Tilmouth.

50. At approx. 9:15 pm IC approved 3 members to be deployed to AIRPORT briefed by IC as to situation and threat to provide situation awareness and members safety. Nil questions arising;

Members aware of circumstances and deployed to Airport.

51. At approx. 9:20 pm, VICARY briefed and told to prepare for Command Control transition at some stage.

52. At approx. 9:22 pm advice from Detective Senior Sergeant Leith PHILLIPS;

- *Advice that Investigation functional coordination cell under IMT has been established in the Regional Investigations area of the Alice Springs Police Station.*
- *IC Request for PHILLIPS to consider as critical decision whether the police officer directly involved in the Shooting is to return to Alice Springs on AIRWING given its anticipated ETA in to Yuendumu of 1 hour.*
- *IC advice to PHILLIPS is that there will be opportunity in one hour to facilitate same and then opportunity is gone.*

53. At approx. 9:24 pm, IC contact established with FROST,

FROST provided with the following by IC;

- *Tasking that 15 Minute sit reps to be established and maintained with FROST*
- *Advice provide to FROST of IC "Commanders Intent" 3 priorities,*
 - *safety of station and members is priority;*
 - *Further priority around broader safety imperatives*
 - *Investigation secondary to safety priorities;*
- *Direction that no notification as to death provided outside of station, on the basis of the need to balance sensitivities and the safety of the station and members;*
- *IC received advice from FROST that member ROLFE received a minor stab wound that is being treated by Yuelamu clinic staff who are now in attendance – non-life-threatening.*

54. At approx. 9:29 pm IC phone contact with ZHANG at AIRWING, IC provided

- *IC provided telephone briefing to all members at AIRWING awaiting deployment, no questions or concerns preparatory to deployment arising;*
- *ZHANG tasked to contact IC by phone prior to landing at Yuendumu for IC to assess safety of same on the ground;*
- *ZHANG in charge as the Forward Commander on arrival at Yuendumu;*
- *3 priorities – "Commander Intent" Conveyed to all members awaiting deployment;*

- *safety of station and members is priority;*
- *Further priority around broader safety imperatives*
- *Investigation secondary to safety priorities;*
- *IC received advice from Pilot COOKE to assist in developing contingency plans, advice that Mt Allen is 24 hour airstrip situated 30kms from Yuendumu Police station,*
- *ZHANG directed to maintain 15 Minute Sit Reps with the POC;*

55. At approx. 9:34 pm IC received advice from FROST;

- *200 persons out front of police station fighting, ongoing concern raised by FROST as to members ongoing safety.*

56. At approx. 9:35 pm WURST contacted Situation Report Provided by IC as follows

Condition of WALKER

- *Situation unchanged;*

Safety of Police

- *Para 30 and 41 remains relevant;*
- *7 members from Alice Springs AIRWING in Transit, Traffic Deploying by Road no further than Tilmouth;*
- *ROLFE was stabbed during CI, minor injury sustained presently being treated;*
- *FROST continues to express concern for ongoing safety and requests to evacuate police station ongoing, direction to FROST by IC to remain within station;*

Community Safety/Community Sentiment

- *Para 30 and 41 remains relevant;*
- *Clinic Staff from Yuelamu in the Police Station;*
- *200 persons outside of premise;*
- *WILLIAMS engagement ongoing,*

Relevant Police Policy Doctrine and Statute

- *As per para 30*

The following are Critical Decision from OC arising from DWN IMT and IC communication as above;

Critical Decision of DWN IMT OC # 2

Engagement needs to be ongoing with inclusion of FROST supporting WILLIAMS engaging Community.

Critical Decision of DWN IMT OC # 3

Reinforcement of Critical Decision of DWN IMT OC # 1 - Police in Yuendumu to remain in Community not to evacuate station,

57. At approx. 9:41 pm IC conversation with FROST.

Critical Decision of DWN IMT OC # 2 & # 3 conveyed with further tasks from IC as follows provided

- *Communications Plan with FROST – phone contact to be maintained with POTTS only to ensure ICP remains responsive to calls;*
- *FROST advise that station not under siege - No overt acts of aggression, other than rocks being thrown on the station;*
- *Direction to FROST from IC to assist WILLIAMS with Engagement;*
- *Leave body in station;*
- *IC advice to FROST that potential alternative plan being established with deployment AIRWING assets in to Yuendumu via Mt Allen.*

58. At approx. 9:59 pm IC present when tasks from PHILLIPS to FROST provided,

- *ROLFE to be deployed to the Plane and removed from community when additional Police deployment from Alice Springs arrives;*
- *Body to remain in situ at the Police Station and not to be placed on the plane;*

59. At approx. 10:10 pm IC conversation with FROST

- *IC advised FROST Plane to land Yuendumu;*
- *FROST provides advice that calm in Yuendumu on basis that community are of the view that treatment for WALKER can only be achieved is safety and order is established in the community to enable plane to land;*
- *IC direction to FROST Elders needs to be brought into the conversation, start engagement in support of WILLIAMS;*

- *FROST tasked to prioritise locating a cohort of elders to assist police as unified approach to Community Engagement;*
- *IC directed FROST and WILLIAMS to establish Engagement Plan through identifying appropriate community elders;*
- *FROST to make contact with Papunya through Radio comms to establish and ETA as part of the AIRWING transport plan;*

60. At approx. 10:11 pm teleconference conversation with DWN IMT;

IC provided DWN IMT JMC with situation report,

- *Deceased remains in station;*
- *Resources 3 Yuendumu IRT and DOG in station;*
- *WILLIAMS engagement ongoing ;*
- *7 In transit in the air on ground in 5-20 mins for landing;*
- *Plan communicated for transfer from Airstrip to station;*
- *Task to FROST and WILLIAMS to establish Engagement Strategy with cohort of Elders, acceptance this may be difficult as main Elder E.ROBERTSON is WALKERS grandfather;*
- *Concern continues to be expressed by FROST in relation to personal safety and probable breach of station;*
- *Between 20-200 have approached station numbers and aggression fluctuating;*
- *No overt acts of violence, other than rocks being thrown on the Police Station roof;*
- *Calm predicated on community belief that Aircraft coming into community for purpose treatment of WALKER;*
- *ROLFE to be conveyed to AIRSTRIP for conveyance, plan around same being developed;*
- *Injured person ROLFE treated and superficial;*
- *TRG deployment – arrival Yuendumu ETA 12:30 am;*
- *Crime deploy to Yuendumu in plain clothes with appropriate accoutrement;*
- *Media have already noted incident with significant negative social media ongoing;*
- *WILLIAMS still not aware that WALKER is deceased;*
- *Sit reps every 15 mins;*

The following are Critical Decision from OC arising from DWN IMT JMC and IC communication as above;

Critical Decision of DWN IMT OC # 4

Command Structure Established and conveyed to IC – Full Structure DWN POC with WURST assuming overall Operations Commander (OC) role.

- **DWN IMT and OC WURST to have overall command of event;**
- **ZHANG appointment as Forward Commander by IC approved;**

Critical Decision of DWN IMT OC # 5

OC establishing and communicated Commanders Intent;

- *Objectives communicated from OC, aligned with IC intent as previously communicated to forward commander;*

Critical Decision of DWN IMT OC # 6

Critical decision applicable to Media Strategy, NOK and community notification as to death of WALKER

- **Media plan – determination not to release information to media or community WALKER deceased until after NOK notification;**
- **Media spokesperson Rob CROSS Media Director;**
- **Decision is to continue to withhold advice to community and NOK until TRG on the ground and inner cordon established due to safety concern;**

Critical Decision of DWN IMT OC # 7

Direction that priority remains within police station and direction not to patrol community through the night, unless life threatening response required by TRG only.

Further advice arising from DWN IMT JMC,

- *Deputy coroner advised of circumstances and evidentiary concerns regarding WALKER movement around station and placement while treatment was being provided;*
- *Fatigue management plan already established;*

DWN IMT JMC conclude at 11 pm

61. At approx. 11 pm IC received advice from Operations Officer POTTS of outcomes of the planned action to attend Yuendumu airwing and convey ASP resources to Police Station,

Transport Plan – generated and actioned by POTTS while IC engaged in the DWN IMT JMC.

- *Nurse hit in head with rock during conveyance thrown from crowd, minimal non-life-threatening injury sustained;*
- *Police vehicles damaged smashed windows through crowd throwing rocks at convoy;*
- *All police members in station safely,*
- *AIRWING departure safely facilitated;*

62. At approx. 11:03 pm IC contact with ZHANG and tasks delivered to ZHANG
- ZHANG in charge forward command - Critical Decision of DWN IMT OC # 4
 - Establish inner cordon, security of station;
 - Establish plan for ongoing safety of nurse – not to leave the station;
 - Body worn in station to be operating;

63. At approx. 11:10 pm IC established a Logistic/Planning Cell under the Alice Springs IMT, GALL to assume Logistic/Planning coordinator role and tasked by IC to consider;

- *Food supplies for deployment into Yuendumu;*
- *Respite, fatigue management plan and resource tasking's into community;*

64. At approx. 11:20 pm conversation with FROST;
- *Command structure conveyed – ZHANG forward Commander;*
65. At approx. 11:21 pm IC conversation with WESTERHOUSE;
- *Concerns expressed from Traffic members*
 - o *travelling two up into broader Yuendumu area with limited communications;*
 - o *Advice to Traffic as to tasking being Intelligence conduit not to TRAP vehicles,*
 - o *Only as far as Tilmouth Well*
 - o *No communication other than Mobile Phone;*

Determination;

- *Traffic not to proceed to Tilmouth Well based on reasonable concerns raised - Road block to be established at the Tanami turn off only;*
 - *not proceed beyond turn off;*
 - *road block location will remain in mobile phone coverage enhancing Intel conduit;*
66. At approx. 11:24 pm IC received advice from FROST
- *Clinic on fire*
 - *WYDAC civilian personnel responding;*

Critical Decision of IC # 11

Local Police not to respond to report of structural fire, namely the Yuendumu Clinic, being an NTG asset.

Critical decision considerations;

- *Building is standalone building, not adjoining;*
- *No clinic staff in attendance, unoccupied dwelling;*
- *Police response to same will deplete capacity to maintain station inner cordon,*
- *Deployment will compromise Police members ongoing safety within station and responding police;*

67. At approx. 11:30 pm phone conversation with Susana WYDAC manager, WYDAC being service provider in the community,

- *Brief Situation Report provided to Susana from IC;*
- *IC provided advice to Susana that local police advise to IC is that WYDAC personnel are mobile throughout the community, which is a community safety risk to WYDAC;*
- *No update to Susana on condition of WALKER from IC despite her ongoing request for an update;*
- *Advice provided from IC to Susana that there is no intel to suggest that WYDAC are under any risk;*
- *IC direction/request to Susana that WYDAC staff are to return home and shelter in home;*
- *IC undertaking to Susana that advice will be provided to WYDAC in morning in relation to community safety ongoing;*
- *Advice received from Susana that clinic is not on fire contrary to reports, there was only a small fire out the front which has been extinguished;*
- *IC advice to Susana that advice as to the condition of WALKER is to be provided to family first when appropriate and then determination as to broader community notification will be made after;*

68. At approx. 11:36 pm phone contact between IC and GILL Remote Health Service;

- *IC provided update on the condition of nurses;*
- *IC provided advice that medical staff will remain in the Police station, as part of safety plan;*

69. At approx. 11:38 pm IC phone contact with ZHANG;

- *Comms plan established, IC directed ZHANG to maintain contact and provide sit reps every 15 mins to MCCORMACK;*
- *ZHANG advised that Inner cordon established with regard to the following;*
 - o *Front of station vulnerable glass doors;*
 - o *Sheet over front door for early warning;*
 - o *4 members patrolling rear carpark, radio comms maintained;*
- *ZHANG expressed concerns as to food water and supplies – IC provided advice that resupply plan being established through Logistics Cells;*

- *IC advised ZHANG that respite arrangements to be established at local level, rest in place within inner cordon;*

The following are critical decision from IC arising from the conversation between IC and ZHANG

Critical Decision of IC # 12

Rear external cordon - 4 members not to extend beyond the close proximity to rear doors to allow for expedient retreat into the station if under threat;

Further tasking's from IC arising from the conversation between IC and ZHANG;

- *Two plans to be established for the imminent arrival of TRG – Transport Plan*
 - *Pick up arrangement – community calm*
 - *Contingency plan if unrest, plan to be developed*
- *Plans to be communicated to IC for approval no later than 12:15 am;*

70. At approx. 11:49 pm IC phone contact with ZHANG seeking advice;

- *ZHANG expressed to IC that Grandfather E.ROBERTSON is seeking advice as to status of WALKER. “Seeking advice either way as to status of WALKER just wants to know”*

Critical Decision of IC # 13

Advice to ZHANG that unable to provide NOK notification to E.ROBERTSON at this stage until establish sufficient capacity and safety plans established; direction aligning with Critical Decision of DWN IMT OC # 6

- **Decision withhold advice to community and NOK until TRG on the ground and inner cordon established;**

71. At approx. 11:55 pm IC provides brief to Welfare and chaplain services to enable them to start considering welfare needs at an Alice Springs station level.

Welfare service Senior Constable Broadie PARSONS and Chaplain Rob WEAKS.

72. At approx. 11:59 pm Commander CURRIE arrived in ASP POC;
73. At approx. 12:02 am teleconference conversation with DWN IMT JMC;

Situation report provided to DWN IMT from IC

- *Personnel on the ground unchanged;*
- *TRG in transit;*
- *Unrest has settled;*
- *Nil clinic on fire as reported;*
- *Increase in capacity - Traffic at Tanami turnoff determination necessary to maintain communications for safety;*
- *Inner cordon established, 4 members at door to rear of station early warning vehicle oversight;*
- *Appears to be calm in community;*
- *WYDAC has been advised to return to houses – shelter inside;*
- *Plans TRG pickup, calm and contingency unrest plans;*
- *Welfare briefed and have obtained supplies for Yuendumu resupply;*

The following are Critical Decision from OC arising from DWN IMT and IC communication as above;

Critical Decision of DWN IMT OC # 8

Further to media strategy - press conference notification will be actioned by media unit on confirmation on NOK notification being made.

Press conference to be undertaken in Darwin during the morning of 10 November 2019.

DWN IMT JMC conclude at 12:25 am

74. At approx. 12:30 am IC phone contact with ZHANG,

ZHANG provided IC with following situation report;

- *Transport plan from TRG conveyance from airport to Yuendumu Police Station complete, details of which communicated to IC;*
- *Situation on the ground calm, although concern airplane might reignite community unrest;*

- *Communication plan with TRG in air and Yuendumu Station*
- *Plan will not deplete inner cordon*

Task from IC to ZHANG arising from conversation;

- *Further develop transport plan with all members involved to be briefed by ZHANG, in particular;*
 - *Print map of airstrip brief staff involved;*
 - *Outward facing asset for early warning while loader occurs;*
 - *Sit report required by IC on commencement of action coinciding with arrival of aircraft and Sit Report to IC on departure*
 - *Assets to remain in place until aircraft safely departs*

75. Briefing provided to CURRIE on current situation and events leading up to CI and response post CI, given CURRIE out of district and uncontactable over the relevant time.

76. At approx. 1 am IC critical decision documented relating to Alice Springs police operations, conveyed to Watch Commander on duty by IC.

Critical Decision of IC # 14

Alice Springs Police based response to all Warlpiri locations of interest – 2 police units to respond to Warlpiri locations of interest such as Warlpiri Camp, no single unit police deployment.

77. At approx. 1 am rotation of IMT Structure established for 4am rotation, IC role to transition to CURRIE.

78. At approx. 1 am IMT was relocated from the first floor next to the Watch Commanders Office and re-established on the second floor of the Alice Springs Police Station in command management area with all communications and critical decisions to be recorded contemporaneously on WEBEOC rather than Running Log,

Rationale for determination

- *to enable Alice Springs business continuity to be conducted unimpeded from CI response;*
- *Relocated to more suitable location within the Police Station in recognition of anticipated IMT increase in scale and composition*

during business hours while the response to the CI event evolves.

79. At approx. 1:30 am advice from ZHANG that TRG arrival in Yuendumu imminent, information conveyed to ZHANG by IC to enact deployment and communication plan in support of TRG pickup and transfer arrangements.
80. At approx. 1:51 am phone contact with ZHANG,
- *Advice that TRG have arrived safely at the station;*
 - *No incident arising;*
 - *No community unrest;*
81. At approx. 2 am teleconference conversation with DWN IMT JMC;

Situation report provided from Forward Commander ZHANG

- *Community – no unrest;*

The following are Critical Decision from OC arising from DWN IMT and IC communication as above;

Critical Decision of DWN IMT of outgoing WURST OC # 9

Command Structure across DWN, ASP and Yuendumu refined as part of fatigue management plan,

- **Operations Commander – Travis Wurst to transition to Acting Commander Warren JACKSON (JACKSON) at conclusion of JMC;**
- **IC – NOBBS to transition to CURRIE at 4am;**
- **Forward Commander – ZHANG maintained;**
- **Tactical Commander – KING maintained;**

Critical Decision of DWN IMT of outgoing WURST OC # 10

Further development of tactical plans tasked to KING

- **TRG to develop local station based plans;**
 - **Further develop cordon plan;**
 - **Deceased extraction plan.**

- **Formal notification of NOK plan to be developed for imminent notification;**

Critical Decision of DWN IMT of outgoing WURST OC # 11

NOK notification and management of WALKER

- **Deceased to be removed from Community once NOK notification complete, TRG to develop plans;**

The following are further tasking's from the outgoing OC WURST arising from the DWN IMT JMC.

- *Tasking's around interagency notification in the morning, DCM notification task pending;*
- *Deployment of assets from DWN required as priority as part of fatigue management plan; 4 Darwin members to be identified and at DWN airwing in the morning for airwing deployment with TRG in the morning;*
- *Yuendumu Sit Reps to continue into ASP POC given communication gap every 15 mins,*

DWN IMT JMC conclude at 2:25 am

82. At approx. 3:06 am IC conversation KING, advice from KING as follows;
- *Fatigue management plan, resources being stood down and rest within common area, VOQ, FROST coordinating same;*
 - *Halfway plan – being developed for deceased extraction;*
 - *Advice to KING that HAIG to deploy to Yuendumu with Supplies and Munitions with Centre Funeral Contractors as part of the decease escort.*
 - *KING advised IC that the NTES fire trailer and extinguishers being centralised to be utilised on as needs basis;*
83. At approximately 4 am I provided a handover brief to the incoming IC CURRIE covering all relevant matters applicable to the following;
- *IMT structure;*
 - *Critical decisions ongoing, including emerging or current threats risks;*
 - *General situation report;*

- *Staffing priorities;*

84. At approx. 4:30 am on completing my handover of the IC arrangements to CURRIE I completed duty.

85. At approx. 2pm on Sunday 10 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC CURRIE, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*
- *General situation report;*
- *Staffing priorities;*

At approx. 11:45 pm I provided a handover brief to the incoming IC VICARY covering all relevant matters as above before ceasing duty.

86. At approx. 8 am on Monday 10 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC VICARY, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*
- *General situation report;*
- *Staffing priorities;*

At approx. 8 pm I provided a handover brief to the incoming IC VICARY covering all relevant matters as above before ceasing duty.

87. At approx. 8 am on Tuesday 11 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC VICARY, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*
- *General situation report;*

- *Staffing priorities;*

At approx. 8 pm I provided a hand over brief to the incoming IC VICARY covering all relevant matters as above before ceasing duty.

88. At approx. 8 am on Wednesday 12 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC VICARY, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*
- *General situation report;*
- *Staffing priorities;*

89. At approx. 8 pm I provided a handover brief to the incoming IC VICARY covering all relevant matters as above before ceasing duty.

90. At approx. 8 am on Thursday 13 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC VICARY, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*
- *General situation report;*
- *Staffing priorities;*

At approx. 2 pm I provided a handover brief to the incoming IC Superintendent Neil HAYES (HAYES) covering all relevant matters as above before ceasing duty.

91. At approx. 8 am on Friday 14 November 2019, I commenced duty and resumed my role as IC in the Alice Springs based IMT.

IC duty commenced after handover briefing from outgoing IC VICARY, briefing applicable to

- *IMT structure;*
- *Critical decisions ongoing, including emerging or current threats risks;*

- *General situation report;*
- *Staffing priorities;*

At approx. 4 pm I provided a hand over brief to the incoming IC HAYES covering all relevant matters as above before ceasing duty.

92. This statement concerns the matters that preceded the CI in Yuendumu on Saturday 9 November 2019 and my role as the IC in response to same between 8:20 pm on Saturday 9 November through to 4:30 am the following morning.
93. Details offered in para 8 – 91 have been documented to provide advice from an administrative and IMT coordination context only. Details particular to critical decisions and other relevant matters will be contained in a further Statutory Declaration to be provided at the first available opportunity given the response operational response to this CI is ongoing.

I will be available to give evidence in ALICE SPRINGS when required at any time during the next 3 months. I do not expect to change my place of employment or residence during that time, nor do I expect to be absent from my usual place of residence except on weekends. I understand that the contents of this statement may be disclosed for defence purposes.

AND I further declare that I have:

(a) attained the age of 18 years;

AND

(b) read this statement before signing it;

AND I make this solemn declaration by virtue of the OATHS ACT, conscientiously believing the statements contained in this declaration to be true in every particular. I acknowledge that a person wilfully making a false statement in a Statutory Declaration is guilty of an offence and is liable to a penalty of 2,000 dollars or imprisonment for twelve months or both.

DECLARED AT ALICE SPRINGS THIS DAY OF NOVEMBER, 2019

JODY JAMES NOBBS

BEFORE ME

COMMISSIONER FOR OATHS (NT)
SOUTHERN DESERT DIVISION

OATHS, AFFIDAVITS AND DECLARATIONS ACT 2010

ANNEXATION CLAUSE

Section 19(3)

The following documents are referred to in the audio statutory declaration of Jody NOBBS on 29th November 2019

as Annexure G being a USB containing recording of the POC.

Declared at Alice Springs on:

4 December 2019.



Witness: Jody NOBBS

Before me:

D/Sgt Paul MORRISSEY

Operation Charwell

Northern Territory Police

