

Cold justice: The tragedy at Yuendumu

The tragic killing of Aboriginal teen Kumanjayi Walker by policeman Zachary Rolfe, and Rolfe's subsequent murder trial then acquittal, cut to the core of some of the nation's most challenging issues.



The red house (at right) at Yuendumu where Kumanjayi Walker (inset left) was shot dead by Constable Zachary Rolfe (inset right).

By **Zach Hope**
APRIL 23, 2022

In the dry heat of late afternoon, the last of the mourners trickle along a red-dirt road from the cemetery. A much-loved man, Mr Brown – footballer, musician, leader of Warlpiri men – has died young, and Aboriginal families from across the Northern Territory have traversed the mulga plains dotted with jagged remnants of ancient mountains to converge on this remote community of 800 permanent residents, Yuendumu, for the funeral.

It's Saturday, November 9, 2019 and as dusk descends, five armed police officers emerge from the station, strangers to the locals who are now milling about outside the overcrowded and run-down Besser Block homes. The all-white police posse – one a dog-handler – are from the nearest town, Alice Springs, some 300 kilometres away. They were dispatched at the request of Yuendumu police to arrest a local, Kumanjayi Walker, a diminutive 19-year-old with doleful brown eyes and a sad, troubled history.

Ten days earlier, he had cut off his electronic monitoring bracelet while on court-ordered rehab in Alice Springs – he had multiple convictions, including for assault – and made his way back to Yuendumu, where his family and girlfriend lived, to pay respects to his close relative, Mr Brown. When two local officers had tried to arrest Walker a week later in the community, he'd charged at them with an axe and fled into the scrub.

The officer in charge of the Yuendumu police station on this day in November, Sergeant Julie Frost, has compounding problems. The two officers at whom Walker wielded the axe cannot participate in any arrest; if something goes wrong, they'll risk accusations of seeking revenge. Further, a string of recent burglaries means that scared nursing staff have been evacuated earlier that day to Alice Springs. There's unrest in neighbouring communities, too, and the funeral of the popular Mr Brown means Yuendumu is busy with visitors this weekend, not all on good terms. Nerves are on edge, resources stretched.

One of the cops from Alice Springs, Senior Constable Anthony Hawkings, is carrying an AR15 rifle, which some Warlpiri locals mistake for a machine gun. One vexed bystander, Elizabeth Snape, tells Hawkings' companion, Constable Adam Eberl, that he's "like, got it aimed to shoot someone". Distrust of police runs deep. "We don't have a holster for that one, so we just carry it," Eberl replies, adding with emphasis: "Someone probably shouldn't run at police with an axe!"

Constable Zachary Rolfe, a supremely fit then 28-year-old, is more convivial. "Hey Miss, what's your name?" he asks one local. "My name's Zach, we're new in town. We're here to grab up [Walker], aye."

While the barrel-chested Constable James Kirstenfeldt tries to get leads on Walker's whereabouts from a couple in the yard of what he terms "the blue house", Rolfe and Eberl approach their neighbours at No.511, aka "the red house", home to Walker's grandmother, Margaret Brown. His adoptive mother, Leanne Oldfield, and other relatives sit outside in the cooling evening. Moments earlier, Walker had been with them, laughing at a family photo before moving inside.



Rolfe's colleague, Constable James Kirstenfeldt.

Rolfe and Eberl enter the house, where they find Walker, wearing a black Chicago Bulls T-shirt and with a red bag slung over his shoulder, in a gloomy front room furnished only with two mattresses. The young man is keen to leave. "Stop mate, we're just asking you a question, no need to keep walking," says Eberl. Walker gives his name as "Vernon Dixon". Rolfe manoeuvres him against a wall and brings up a mug shot on his phone, identifying the young man by a distinctive skin fold on his left ear.

"Okay, cool man, cool, nah, easy mate, easy, just put your hands behind your back," Rolfe instructs. Walker struggles, then lunges at Rolfe with a pair of silver scissors he's pulled from his pocket, leaving a shallow puncture wound on the officer's left shoulder. Rolfe steps back and fires. Eberl wrestles Walker onto a mattress, and Rolfe, placing his left hand on Eberl's back as a safety mechanism in case he's jolted by Walker's struggles, fires at point-blank range 2.6 seconds after the first shot. The bullet slices through Walker's lung, spleen, liver and kidney. Rolfe fires a third time, 0.53 seconds later.

Rlurnu! Rlurnu! Rlurnu! – "hear shot", the neighbours yell. Elder Ned Jampijinpa Hargraves jumps up from his kangaroo-tail and chicken dinner as his family say, "Hey, where that gunshot?"

"Did you? F...", Eberl, breathless, asks his partner.

"It's all good," Rolfe replies through the chaos. "He's got scissors in his hand! He was stabbing me, he was stabbing you!"

Walker, now flipped onto his stomach, cries for his foster mum, “Leanne, Leanne, Leanne!” and then, “you mob been shoot me”. Eberl demands Walker drops the scissors. “I’m going to kill you mob,” Walker manages through moans of pain.

The officers handcuff Walker, lift him from the bloodied mattress and carry him outside, passing under the branches of a white gum tree, or *ngaripi*, that towers over the red house. The rifle-carrying Hawkings, who had been at the side of the house, is insistent. “We need to get him out of here for our safety.”

There’s no point going to the health clinic because the nurses have left, so the officers administer first aid in the cage of the police car en route to the station. In the watch house, the most sterile space in the building, Rolfe draws on his military training – five years in the army – to make a three-sided bandage to stop air entering Walker’s punctured chest cavity. The Royal Flying Doctor service is called, but it doesn’t leave Alice Springs due to safety concerns.

Hundreds of members of the Yuendumu community, locked outside the police compound, weep, wail and throw stones, one of which hits a nurse in an arriving ambulance, which was eventually dispatched from a town about 40 minutes away. But generally, the elders keep the young people calm.

Walker dies at the police station at 8.36pm that night from catastrophic internal injuries. Family members will not learn of his death until the next morning.

Four days after the shooting, Constable Zachary Rolfe, by now back in Alice Springs, is charged with murder. Walker’s death will trigger rallies from the outback to capital cities, which reignite as the US Black Lives Matter movement, amplified by the May 2020 death of George Floyd, gathers traction around the globe. The killing of a remote-community, Aboriginal teenager with suspected foetal alcohol spectrum disorder, by a young white cop from a wealthy Canberra family, comes to underline the vexed issues of race, class and geography still plaguing a country that continues to reckon with its colonial past.

Two long years later, in February 2022, after the nation has endured bushfires, a pandemic costing more than 6500 Australian lives, and floods, the matter finally goes to court in an intense five-week trial. Rolfe’s first shot – a reaction to the scissors attack – is not the subject of any charges. It’s shots two and three that prosecutors regard as murder. The defence, however, will characterise Walker as “the author of his own misfortune” and “extremely violent”.

The NT Supreme Court trial hears only fleeting references to Walker’s probable intellectual impairment, and to the years of abuse he inflicted on his long-term teenage partner, Rikisha Robertson. There are elements of Rolfe’s backstory that the jury of seven men and five women won’t hear either, excluded as evidence by Justice John Burns, including four earlier, allegedly violent arrests of Aboriginal males, and

text messages that prosecutors will allege show another, discomfiting corner of the policeman's personality.

In the pale, colonnaded pile that is Darwin's Supreme Court, confronting body-cam footage from officers Rolfe and Eberl is being played to a hushed courtroom. On the left side of the public gallery, elders Lindsay Japangardi Williams and Ned Jampijinpa Hargraves represent the Warlpiri families.

Dressed in black, they have the white paint of sorry business smeared across their foreheads. On the right side sit Rolfe's parents, Richard and Debbie, with the president of the NT Police Association, Paul McCue, among a troop of 10 or so daily supporters.

During breaks, the opposing sides spill into the airconditioned foyer, where they stand uneasily within whispering distance of one another. Outside, sweat-soaked press photographers wait in the oppressive wet-season humidity for witnesses and the accused to come and go from court.



Warlpiri elder Ned Jampijinpa Hargraves, who offered Rolfe a tribal sentence, outside the court.

Addressing the media from the steps after day one, Hargraves breaks from the script to offer a tribal sentence for Rolfe which may have sorted the matter more than two years earlier: "We want to put a spear across the legs!"

Gasping in horror, Lisa Watts, who has raised more than \$400,000 on GoFundMe “to facilitate an independent inquiry” into the killing, puts Hargraves back on track. “Oh. Sorry. All right. But today we are angry. We are very, very angry. We want to see justice,” Hargraves says.

While the decision to charge Rolfe cooled tensions among Aboriginal people with long memories of racial injustice, the decision to grant him bail does the opposite. Community members are again frustrated when a judge moved the trial from Alice Springs to Darwin because of defence concerns the media coverage in Alice could taint a jury against the accused. The upshot is that the defence has a better chance of getting the jury it desires. In the electorate of Lingiari, which includes Alice Springs, more than 40 per cent of the population identifies as Indigenous. In Darwin, by comparison, it is closer to 8 per cent. As it turns out, there are no Indigenous people on the jury.

To win a murder conviction, prosecutors need to convince the jury beyond reasonable doubt that Rolfe intended to kill Walker or at least cause him serious harm. They also need to prove that Rolfe did not honestly believe that shots two and three, discharged while Eberl and Walker wrestled on the mattress, were proportionate to the threat.

It is central to the Crown’s case that at these moments, Walker’s right arm holding the scissors was pinned under his own body and that of the larger Eberl. Their strategy includes depicting Rolfe as a liar who was so “obsessed” with finding Walker after the earlier axe attack on local officers that he disregarded his police training and went into the red house “gung-ho”.

The defence argues that Walker had just tried to kill Rolfe and Eberl, and was not “incapacitated” by the first shot. Rolfe says in testimony that it was his “perception” that Walker was stabbing Eberl while the pair wrestled on the mattress. While Eberl believes Walker’s arm “was sort of underneath his [own] body”, a forensic chemist concludes the scissors “could not be excluded” from causing a small cut and tear discovered on the back of Eberl’s uniform. The jury also hears about a scratch near Eberl’s left armpit that he noticed “a day or two” after the shooting.

“[Kumanjayi Walker] might be a young man, and for that reason, if nothing else, this case is tragic,” defence barrister David Edwardson QC declares in one of his addresses. “But, nonetheless, he was dangerous, he was violent and, in many respects, he was the author of his own misfortune.”

Much will be made of an operational plan, devised by Sergeant Julie Frost, which specified that Walker was to be arrested at 5.30am on the Sunday, when he would likely be asleep and officers would have had the advantage of surprise. Local officer Felix Alefaio, who knew Walker personally, was to be part of that team. Until then, the officers from Alice Springs were to conduct “high-visibility” patrols and be on call

for jobs while the exhausted local police rested. But the plan was emailed to the officers while they were out of internet range on the Tanami Highway. To what extent, if at all, Frost communicated its details once everyone had gathered in Yuendumu is a matter of dispute. Confusingly, Frost also told the Alice Springs team to “lock him up” if they came across Walker. They found him 15 minutes after leaving the station at 7.06pm.

Crown prosecutor Philip Strickland SC says Rolfe, who had accessed the body-camera footage of the earlier axe incident 11 times in three days, was only interested in one course of action.

Strickland: “The clear plan in your mind was that if Kumanjayi Walker resisted you, you would shoot him, is that right?”

Rolfe: “Incorrect.”



Crown prosecutor Philip Strickland, who led the murder trial against Rolfe.

According to the testimony of Detective Senior Sergeant Andrew Barram, an experienced NT police trainer, the officers had already failed every one of the force’s 10 operational safety principles by the time they walked through the front door of the red house. In short, they should have known there was a real prospect of confrontation, and should have planned appropriately. Rolfe was equipped with a taser, but the court hears it was not necessarily an appropriate implement in such tight quarters. Barram suggests Rolfe could have used his hands to assist Eberl in his struggle on the mattress, rather than fire the fatal second and third shots.

For the defence, Australian Federal Police special-operations veteran and training expert Ben McDevitt counters that this is a “ludicrous statement” and that for Rolfe to rely on his bare hands in such a dynamic situation would be “just not in accordance with the training, or with the use-of-force model”. He insists, “I’ve seen

hundreds of ground struggles, taught them for years...and things can change incredibly quickly. One person can be in a dominant position, [then] half a second later, they're not." Every police witness confirms it is a mantra of use-of-force training and real-world operations: *edged weapon equals gun*.

In one memorable encounter in the Darwin court's polished-granite foyer, Rolfe's father, Richard, is accused by prosecutors of intimidating prosecution witness Barram in the court's public toilets. "[Barram] was spoken to by the accused's father, who commented on his evidence and started at him in what was described as an intimidating manner," Strickland will tell Justice Burns. (After the trial, Richard Rolfe will say he was merely holding the door open, and that his "30 years of Scrabble" were no match for Barram's 30 years of martial-arts training.)

Rolfe's colleague James Kirstenfeldt can't remember much at all. Under questioning from Strickland, Kirstenfeldt swigs from his plastic cup and leans back in the witness chair with the bearing of someone eyeing off another talking shit across a bar. Strickland asks if the string of "can't recall" answers is to "help" his mate Rolfe. Kirstenfeldt says this is not true.

In a pre-trial hearing, prosecutors try to use evidence of Rolfe's "tendency" to use excessive force in four previous arrests and to "lie" about what caused the targets' injuries, but the move is not allowed. The most dramatic and bloody allegation involves the 2018 arrest of Indigenous man Malcolm Ryder, details of which were aired in an Alice Springs court in May 2019 after Ryder was charged with assaulting and hindering police. Case transcripts explain how Rolfe and several other officers went to Ryder's Alice Springs home on January 11, 2018, to arrest his stepson, Bentley Poulsen, on suspicion of assault. In the course of the arrest of Poulsen, who was screaming, Ryder and his wife rushed into the bedroom in the belief the police were being unreasonably rough, a conclusion supported by Judge Greg Borchers.

In the chaotic minutes that followed, Ryder was arrested and knocked unconscious. Only one of the officers had remembered to turn on his body-camera, which showed blood pooling on the floor under Ryder's head but did not capture the cause.

Rolfe told the court that he assumed the wounds on Ryder's head happened when officers tackled him to the floor. Rolfe claimed that Ryder scratched his face ("I was fearful he was going to gouge my eyes") and had been "swinging wildly". In a statutory declaration, Ryder said: "I turned my head after that, and the copper grabbed my hair and pulled my head up into the air and then smashed it onto the floor."

Judge Borchers described some of the evidence of Rolfe and a police colleague as "pure fabrication". He also sided with Ryder about his head wound. "How the injuries occurred and in what sequence of events is more likely than not to be in the manner consistent with Malcolm Ryder's evidence. That is, Rolfe deliberately banged his head into the floor as he was being turned over to be handcuffed."

Ryder was acquitted on both counts, and Poulsen, the stepson, was never charged with an offence. For Rolfe's part, none of the four allegations of excessive use of force was tested in court in their own right. He told *The Australian* newspaper that he'd been the subject of investigations and cleared in each instance. His father Richard later accuses the Crown of "cherry-picking" from more than 3000 interactions his son had with the public. "It was a set-up from the start," he tells *Good Weekend*. "The Crown knew the tendency evidence was never going to get up but they needed a second wave of attacks ... to destroy Zach after he was exonerated."

The Ryder allegations go to the heart of the prosecution case: that Rolfe was prone to going too far, then conjuring justification. Text messages discovered by investigators on Rolfe's phone do nothing to dispel the allegations, but these, too, will only come to light after the trial when suppression orders on pre-trial issues are lifted.

The Ryder allegations go to the heart of the prosecution case: that Rolfe was prone to going too far, then conjuring justification.

"We have this small team in Alice, IRT, immediate response team," Rolfe texted an old army mate in 2019. "...just get called up from [general duties] for high-risk jobs, it's a sweet gig, just get to do cowboy stuff with no rules". In another, he wrote: "Alice Springs sucks ha ha. The good thing is it's like the Wild West and f... all the rules in the job really."

On January 20 this year, in a preliminary hearing, Justice John Burns ruled that none of the "tendency" evidence could be brought before the jury. The tendencies alleged by the Crown "may meet the basal requirement of relevance, but they do not have significant probative value", he said. There were also "very significant differences" between the earlier four incidents and the shooting of Walker, he added.

On March 11, after five weeks and more than 40 witnesses, the jury at the NT Supreme Court acquits Rolfe of all charges – murder, manslaughter and violence causing death – following about seven hours of deliberation. "Our case was weakened," Strickland tells *Good Weekend*, referring to the inability to use the texts and the tendency evidence. "We were fighting a heavyweight case with one hand tied behind our back."

Richard Rolfe is sitting in the expansive office of his Audi dealership in Canberra, slowly punching his keyboard with an index finger. He won't be a minute, he says, as he replies to a work email between verbal missives to me about the powerful fools and suckholes, as he sees them, who sought to send his kid to prison for murder.



Rolfe's parents Richard and Debbie arrive at the NT Supreme Court in Darwin in February 2022.

Watching him labour away, I marvel that it was him who typed daily – into his phone – the 1000-plus-word-court reports to the 20,000 followers of the *I Support Constable Zach Rolfe* Facebook page. It was his way of keeping sane, he explains. It was also his intention to provide an “accurate account of what was happening in court every day”. “Some of the reporting was really good,” he acknowledges, launching into a rugby analogy. “[But] a lot was focusing on the third tackle in a particular set, or a line-out, or scrum. You didn’t know what the score was at the end of the day.” Given the media’s coverage, Richard says, it’s no wonder some were shocked when the jury returned not guilty verdicts on all charges.

Zachary Rolfe declined to be interviewed by *Good Weekend* once the trial concluded. His parents insist he is a private person; any details about his childhood or early adulthood are a matter for him to volunteer. But it is on the public record that he is the youngest of three brothers, schooled at the prestigious Canberra Grammar. He joined the Australian Army in 2010 for a five-year stint, which included a tour of Afghanistan. He “would’ve stayed longer...if we’d been able to do more deployments”, he told the boutique Northern Territory publication, *Resident*, in 2017.

Returning to Canberra, he spent 10 months doing odd jobs before deciding to become a police officer. Richard explains that his son chose the Northern Territory because the timing of its recruitment cycle offered him an immediate chance to begin training.

After graduating top of his class in late 2016, Zachary Rolfe joined the Immediate Response Team the following May, a part-time special ops-lite unit of about 15 Alice Springs general-duties police. He earned a reputation in the force as something of an action man: in three years on the beat, he’d responded to more than 3000 jobs and been sent on about 10 missions with the team.

In Richard Rolfe's office hangs a bright yellow painting by Tommy Watson, a renowned Pitjantjatjara artist, valued in the six figures. Prominent among the national capital's philanthropic coterie, Richard says he and his wife became particularly interested in Indigenous art after their son's move to the Territory. One of his most cherished art pieces, which hangs opposite the Watson, is a tribute to bravery; a quality elemental in Richard's concept of self, family and nation. It's by Barbara Weir, another renowned Indigenous artist, and is painted on two car doors that were salvaged from a car swept away in the flooded Hugh River.

Barely a week into the job with the NT police, Zachary Rolfe helped rescue two foreign tourists who had been travelling in this same car from Katherine to Alice Springs and had become caught in flood waters. Rolfe helped pluck the man from a tree, then ventured five kilometres downstream and found the woman washed up on an opposite bank. He stripped to his underwear and swam across the river, helping her back to safety through another fast-moving current.

"The policeman who swam across the river saved my life," the rescued woman from Hong Kong said, as part of a bravery citation. "I told him not to because it was too dangerous and I did not want him to drown ... I know I would not have been able to cross the water the policeman swam me across." She thought she was going to die there.



Constable Rolfe receiving a bravery cross in 2019 from NT Administrator Vicki O'Halloran.

:

Rolfe was pinned with a bravery medal in 2019 by then-governor general Peter Cosgrove and thanked personally by then Chinese ambassador Cheng Jingye. Cheng presented him with a book about the Great Wall. A note from the embassy read: "The merits of saving one person's life excel building a seven-storey pagoda."

Richard Rolfe commissioned two more paintings from Weir, both commemorating his son's actions and those more than a century earlier of chained Indigenous prisoner Ayaiga, who'd saved his captor, a mounted Territory trooper, from a flooded and crocodile-infested river. The man, also known as Neighbour, was the first Indigenous person in Australia to receive a tier-one medal for bravery. One of the Weir pieces is on display at the British High Commissioner's residence in Canberra, donated by the Rolfes at the 2018 Centenary of the Armistice function in Parliament's Great Hall. Australia's 10 living recipients of tier-one bravery awards were present at the function as Richard's guests, including controversial soldier Ben Roberts-Smith, a "mentor" to Zachary Rolfe since 2011.

One year to the day after the Armistice function, Rolfe's parents woke to an ominous late-night missed call. It was unusual for their youngest son to phone at such an hour, explains Debbie, a partner at Canberra law firm Maliganis Edwards Johnson. "So I called him back early. He said we'd see the news that he was involved in the shooting, that he did that, but that everything was okay."

Rolfe briefed them on the incident; he said he'd been stabbed in the shoulder, that it hit the bone but could have been worse. He said Alice Springs investigators had already reviewed the body-cam footage and cleared him for the use of force, and that the man who had stabbed him had died.



A protest taking place on November 13, 2019 in Melbourne over the death of Kumanjayi Walker – the same day Constable Zach Rolfe was charged with his murder.

Later that day, acting Detective Superintendent Kirk Pennuto, the lead investigator into the shooting, watched the body-cam video from Darwin. In contemporaneous notes obtained by *Good Weekend*, he wrote: “Possible issues re lawfulness/justification [regarding shots two and three] ... fired at close range whilst deceased is on the ground.”

“Possible issues re lawfulness/justification [regarding shots two and three] ... fired at close range whilst deceased is on the ground.”

Debbie flew to Alice Springs on the Tuesday after the shooting to see for herself that everything was, in fact, fine. The first sign it was not was a call from the NT Police’s then assistant commissioner Narelle Beer, saying it was no longer safe for her son to be in public because his details had leaked to social media. She’d pick Debbie up from the airport herself.

The Rolfes say what began as encouragement for Zachary to seek safer ground in Darwin had by Tuesday afternoon become an order. Debbie caught the same flight as her son, and they stayed the night in units at police headquarters on the outskirts of the city. The Rolfes believe the leak of their son’s name was a strategy by NT Police to force Rolfe to the Territory capital, where local detectives could arrest him free of Alice Springs-station interference.

Pennuto documented a meeting between senior police. “Suggested by [Assistant Commissioner Nick] Anticich, Rolfe could be relocated so no direct action against him (if req’d) happens in [Alice Springs],” he wrote, adding: “Relocation is welfare-based, however it is expected some will see it as an underhanded exercise.”

On Wednesday, members of the police executive became increasingly concerned Rolfe was planning to fly to Canberra – out of their jurisdiction – and were moving to arrest mode. At about 10.30am, Pennuto requested a “slow down of thinking” and said that while an arrest may be necessary, “we are not there yet”. The executive met again that day after the Territory’s Director of Public Prosecution recommended charges, without having interviewed Rolfe, who exercised his right to silence.

According to notes of the meeting, Assistant Commissioner Michael White said, “It does look like he’s travelling and an extradition would be a nightmare.”

Nick Anticich: “What is the decision then?”

White: “We have to arrest, what else is reasonable?”

Anticich: “Okay we are arresting.”

Detective Sergeant Isobel Cummins, who was briefed shortly after the executive meeting, wrote in her notes that she was “not comfortable with arrest and rushed process without full assessment of evidence”.

At about 5pm that day, a shirtless Rolfe was recovering from a run when senior detectives knocked at the door of the Darwin unit where he and his mother were holed up. “I still dream about it,” Debbie recalls. “They came in and [one] said, ‘This is the hardest thing I’ve ever had to do,’ and ‘I’m charging you with murder’ ... I had to call Richard and say, ‘Zach’s been charged with murder and has been arrested.’ It was just the most devastating and shocking thing, apart from the death of a child, that a parent could ever cope with.”

The detectives allowed Rolfe to shower, before driving him to the watch-house in town and locking him in a cell. Debbie was allowed to see him in the visiting area; she was on one side of the glass, Zachary on the other, “just like in the movies”.

“He’s always just had that security blanket of his parents, and then the sergeants at the station all loved him because he was the one, you know, arresting the most people ... So I just don’t think he cared.”

In the course of the investigation, detectives interviewed Rolfe’s ex-fiancée, a former Alice Springs police officer who quit the force shortly after their acrimonious split, alleging bullying and gossip at the station.

The 92-page interview, not allowed into evidence but released by the court after the Walker murder trial, was anything but complimentary to the man she was to marry and the Alice Springs hierarchy. Rolfe was a “lone wolf” who thought the NT Police was “a joke”, she claimed, and he only “pretended to be really nice”.

“I think he’s always just had that security blanket of his parents,” she told investigators in a barrage of allegations as to Rolfe’s character, which remain unsubstantiated. “And then the sergeants at the station all loved him because he was the one, you know, arresting the most people ... So I just don’t think he cared.”

As per the rules of evidence, allegations of bad character cannot be admitted unless the other side tries to present good character. It was notable, then, that the defence never once mentioned the heroic river rescue in 2016, nor the global plaudits it received. In any case, Crown prosecutor Strickland tells *Good Weekend* it would have been “irresponsible and wrong” for him to try to admit all of the ex-fiancée’s incendiary claims. (Rolfe has vigorously denied all the ex-fiancée’s allegations, pointing out that she never raised any matters with supervisors or other Alice Springs police.) Until the tendency evidence was rejected, Strickland did, however, want to put her in the witness stand to explain supposed conversations about the 2018 arrest of Ryder and how, allegedly, Rolfe really came to be scratched on the face. The ex-fiancée’s interview and subsequent statutory declaration alleged,

“[Rolfe] said words to the effect, ‘a female detective upstairs scratched me,’ ‘she did it on the same day’ and ‘she did it to help me to have justification for why I gave Malcolm Ryder the gash above his eye’.”

The Rolfes left their family home of 22 years in early 2020. There had been death threats, and regular visits by reporters. For a time, it eased, until a world away in Minnesota, George Floyd died under a white policeman’s knee, and Australians who recognised such violence reflected in their communities rallied again, landing their anger at power structures – justice, police, politics – and at the Rolfes’ doorstep in Canberra’s Red Hill.

Kumanjaya Walker’s life and death came to represent a panoply of Australia’s failings. Born into a world of severe poverty and ubiquitous abuse, both substance and physical, his relevant criminal history dated back to the week after his 13th birthday. Family believe that he suffered from foetal alcohol spectrum disorder and had sniffed petrol as a boy. They say he had a reputation as a petty thief, only some of it deserved.



Lottie Robertson (left) with Rikisha Robertson (Walker’s teenage partner) at Women’s sorry camp for Kumanjaya Walker, Yuendumu.

After the trial, *The Australian* reported about the years of violence Walker dealt to his teenage partner, Rikisha Robertson. “It was really hard that he was assaulting me but he always said, ‘I forgive you,’” she was quoted as saying. “I forgive him and he forgave me too. I’m the one who was getting into his way.”

The family has taken umbrage with the portrayal of Walker and their community. “He has been criticised and picked apart by people who didn’t know him,” Walker’s cousin Samara Fernandez-Brown said on the court steps. “They saw only his flaws, and wished to put him at trial for his own death. That’s disgusting. And that’s the system we live in. We ... remember him as a young man who loved animals, who loved his family, who loved his partner, his friends, his homelands. He was a joyful young man who was generous.”

Supporters of Rolfe, including his union, believe he was the sacrificial lamb “thrown under a bus” due to political and progressive pressures. They say the investigation was half-baked when charges were laid four days after the shooting. The Rolfe team had an early victory last month when the Territory’s Independent Commission Against Corruption agreed to investigate the circumstances in which Rolfe was charged.

Strickland says suggestions of impropriety in the charging of Rolfe are “propaganda at its worst”, pointing out that the officers had the body-cam video and that Rolfe declined to put his side of the story to the Darwin detectives, “as was his right”.

Like most remote Aboriginal communities, the destitution at Yuendumu is confronting. Rubbish, furniture and rusted-out cars are strewn across yards. Families crowd six, 12, more into three-bedroom commission homes caked with grime and graffiti both inside and out. If there is something resembling an economy here, it’s mostly fuelled by the white government workers who come in for a day or two at a time, or live semi-permanently in a street of nicer homes with security fences colloquially known as “whitefella row”. On Friday afternoons, the locals talk of an exodus of government Hiluxes on the road to Alice Springs.

Among desired reforms, the Warlpiri people want greater control over which police officers get recruited to serve in their communities. Speaking after the trial, community elder Warren Japanangka Williams criticises the make-up of the all-non-Indigenous jury. “We felt we were left out,” he says. “Are we not part of Australia?”

They have also called for police to lock their guns in the station when performing general duties in remote communities. Simon Fisher Junior, an emerging Warlpiri leader, tells *Good Weekend* that he recently saw an officer walking around Yuendumu with a clip on his holster undone. “I had to remind him to button it up,” he says.

Some argue that the force spends too much time policing Aboriginal purchases of grog – in Alice Springs they still guard bottle shops – at the expense of being put to better use in depleted remote stations like Yuendumu and building community

relationships. Meanwhile, disenfranchised and disconnected Indigenous boys and girls break into Alice Springs businesses and damage property on an almost nightly basis. The police operation to catch them is called Strike Force Viper.



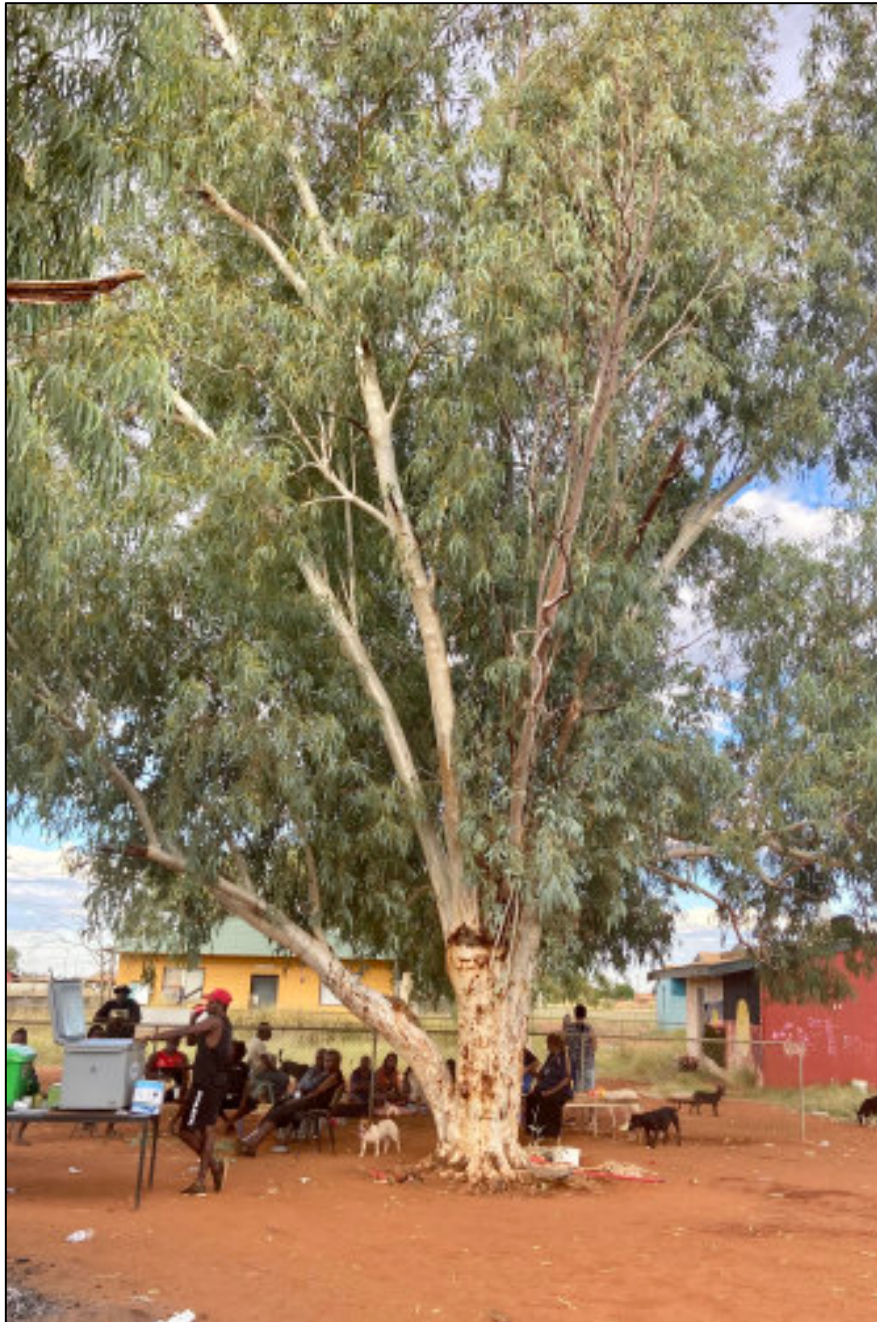
Walker's grandmother Margaret Brown at the shrine in her home, where Walker was shot.

A coronial inquest into Walker's death, set down for September, may explore some of these issues. It will almost certainly scrutinise the allocation and funding of remote police and health services.

While internal police matters still remain, Rolfe hopes to return to work soon, according to his father.

Days after the verdict, families gather outside the red house in Yuendumu. It is part farewell for a group of support workers, part coming together. Under the towering gum tree, *ngaripi*, they cook hamburgers and sausages. Kangaroo tail roasts in the open coals.

The room in which Walker was shot is now a shrine, and a table with flowers and framed photographs stands in place of the bloodied mattress and bullet shells. Walker's grandmother Margaret Brown still lives here and, despite the pain attached to the house, does not want to move. She can still feel her grandson's spirit within the building.



The towering gum tree – ngaripi – in Yuendumu, was witness to the events of November 9, 2019 – “the shots, the screams, everything” – and is now part of the community’s healing.

The *ngaripi*, witness to the events of November 9, 2019 – “the shots, the screams, everything” – is now part of their healing, Warlpiri leader Jimmy Langdon says. “This tree represents light, sand, wind and the spirit of our ancestors. That’s what it represents. We are all born with it, and that tree is happy because the branches are growing, because the families are gathered, because we’re watering it. We’re watering it with love. We’re showing kindness to it, see? That’s the way the tree is.”