

Zachary Rolfe: NT police officer involved in fatal shooting had 'extensive' firearms experience, court hears

Former soldier charged with murder of Kumanjayi Walker had little experience in remote communities trial hears



Police officer and former soldier Zachary Rolfe has been charged with the murder of Kumanjayi Walker in the remote Northern Territory community of Yuendumu.

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A police officer charged with murdering an Aboriginal man had significant expertise in handling weapons but had rarely worked in remote communities, a court has heard.

Zachary Rolfe, 30, allegedly shot dead Kumanjayi Walker in November 2019 while trying to arrest him in Yuendumu, about 300km north-west of Alice Springs.

After a series of delays, Rolfe's trial started in Darwin on Monday.

At the time of the fatal shooting, Walker was subject to an outstanding warrant. When Rolfe and his partner tried to arrest him, the 19-year-old Warlpiri man lashed out at them.

Rolfe was stabbed in the left shoulder, and then allegedly shot Walker three times. The prosecution told the court on Monday that another officer was on top of Walker on a mattress when Rolfe fired the second and third shots.

He is charged with murder in relation to those final two shots. If a jury finds him not guilty of murder, he faces a charge of manslaughter, and if he is found not guilty of that charge, a further charge of engaging in a violent act causing death. The police officer has pleaded not guilty to all charges.

Prosecutor Philip Strickland SC told the Northern Territory supreme court in opening his case that he expected Rolfe would defend his actions during the incident in three ways: that he had acted in self-defence, that he was acting as a police officer and believed his actions were reasonable in the circumstances, or that he was acting in good faith in the exercise of his power under the police administration act.

Strickland said Walker and another officer, Constable Adam Eberl, had attended a property known as House 511 to arrest Walker about 7.20pm on 9 November, 2019.

Strickland said that Rolfe fired the shots within a minute of Rolfe and Eberl entering the house.

Strickland said Rolfe's first shot – which he repeatedly reiterated was not part of the charges against Rolfe – occurred 2.6 seconds before the second shot. He said there was 0.53 seconds between Rolfe's second and third shots. Strickland said that in police and defence terminology this was known as a double-tap, and was specifically used when shooting with semi-automatic weapons to inflict maximum damage.

Strickland said the prosecution case, however, would not simply be about the events on the night of the shooting, but about the context in which it occurred.

Rolfe had been a former soldier who had completed tours overseas including in Afghanistan, Strickland said, and was working with the Alice Springs Immediate Response Team, a police outfit that has access to higher powered weapons and paramilitary uniforms.

“As at the time of the shooting he had extensive experience in handling firearms and weapons, but he had little experience in performing policing duties in remote communities ... such as Yuendumu,” Strickland said.

Walker had been wanted by police because he had removed an electronic monitoring device and left a residential alcohol rehabilitation program on 29 October 2019.

Strickland told the court that on 6 November 2019, Snr Const First Class Christopher Hand and Snr Const Lanyon Smith attended another house at Yuendumu to arrest Walker. Strickland said he often stayed at the house with his partner.

But when the officers tried to arrest Walker in a bedroom, he charged at them with a small axe, Strickland said, that he then dropped after he fled outside.

“Now both Hand and Smith had considerable experience in policing in remote Indigenous communities,” Strickland said.

“When Kumanjaji Walker was armed with that axe, neither Hand, nor Smith, thought it was necessary to draw their guns.”

Strickland said that Hand later wrote in an email to Assistant Commissioner Travis Wurst about Walker: “I don’t think he wanted to chop us up, he just wanted to escape.

“No one was injured, and that’s the best result in my view.”



Ned Jampijinpa Hargraves (left) and Lindsay Japangardi Williams from the Yuendumu community address the media outside the Northern Territory supreme court, wearing white paint on their foreheads signifying sorry business.

Strickland said Hand’s supervisor and partner, Sgt Julie Frost, who was officer in charge of the Yuendumu police station, also had experience in remote communities, and had previously worked in Yuendumu as a nurse.

Frost and other officers, including an Aboriginal officer, spent the next few days speaking with the parents of Walker’s partner to negotiate his surrender, Strickland said.

Strickland said the parents told police Walker had escaped from the rehabilitation facility because he had wanted to attend a great uncle’s funeral, which had been rescheduled to take place on 8 November. It was arranged he would hand himself in after that.

But the funeral was again rescheduled, Strickland said, to the following day – the same night Walker was shot dead.

Strickland said Rolfe had become aware of the “axe incident” on 7 November when he started a shift in Alice Springs. Strickland said Rolfe and his partner on that shift

discussed how Smith and Hand had responded was wrong, and what they would have done differently.

Rolfe and other officers also spent part of that shift searching for Walker in the Warlpiri camp in Alice Springs, Strickland said.

Two days later, Rolfe and four other officers travelled to Yuendumu to arrest Walker.

The trial before Chief Justice Michael Grant is set to continue for the next four weeks.

Rolfe was supported in court by his parents, Debbie and Richard. The former soldier Heston Russell and officers from the NT police association also attended the hearing.

Outside court, Warlpiri elders Lindsay Japangardi Williams and Ned Jampijinpa Hargraves said the community was still in pain about the shooting. Both men wore white paint on the foreheads, a sign that they are involved in sorry business.

NT police association president Paul McCue said he was glad the trial had started and he looked forward to justice prevailing.