

**IN THE SUPREME COURT
OF THE NORTHERN TERRITORY
OF AUSTRALIA
AT DARWIN**

(SCC/21942050)

BETWEEN:

THE QUEEN

-v-

ZACHARY ROLFE

NON-PUBLICATION ORDER

ORDER MADE BY: MILDREN AJ
DATE OF ORDER: 11 December 2020
PLACE WHERE ORDER MADE: DARWIN
HIS HONOUR ORDERS THAT:

I prohibit from publication in relation to the application heard in Court on Friday 11 December 2020 (the Application) any of the following:

- 1) The transcript of the proceedings of the application.
- 2) The affidavits of Kyrrie Michelle Blenkinsop affirmed 11 December 2019, 24 November 2020, 30 November 2020 and Luke Samuel Officer sworn 3 December 2020 filed in support of the application.
- 3) The written submissions of counsel filed in relation to the application.
- 4) Any mention of the following matters:
 - a) Any reference to statements or actions attributed to the Honourable Michael Gunner or Ken Fleming QC or the Independent Commission Against Corruption.
 - b) The particular facts or submissions on those facts relied upon to support or oppose the application, including any comments made by the Court in relation to those matters and without limiting the generality thereof, any

mention of “Black lives matter,” “death in custody,” any reference to the accused’s previous military service, war crimes, comments on the fact that the accused was granted bail, or any reference to racism or police brutality.

- 5) Notwithstanding 4) above and for the purposes of greater clarity, the following matters are not excluded from publication:
- a) The fact that the application has been heard in the Court before Mildren AJ on 11 December 2020 for an order for a change of venue for the trial of Police Officer Zachary Rolfe for the alleged murder of Charles Arnold Walker otherwise known as Kumanjayi Walker (the deceased) and that the court has reserved its decision.
 - b) The fact that the application was based upon the level of pre-trial publicity and comments in social media as having the potential to risk the fair trial of the accused.
 - c) The submission of counsel for the applicant that the publicity and comment contained significant inaccuracies and are mischievous and inflammatory.
 - d) The submission of counsel for the Crown that the shooting of the deceased was captured on live body-worn footage which would counter any prejudice to the accused at his trial.
 - e) That any concerns which the accused had to his personal safety could be adequately protected.
 - f) That there was no improper behaviour at the committal hearing by any member of the public.
 - g) Any other matter not specifically mentioned in paragraphs 1, 2, 3 or 4.

DATE AUTHENTICATED: 11 December 2020



A handwritten signature in blue ink, appearing to be "Mildren AJ", written over a horizontal dotted line.

MILDREN AJ

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