

# Australian police killed mentally ill young woman seconds after arriving at scene

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A New South Wales (NSW) Coroner's Court inquest into the police killing of Courtney Topic, outside a fast food restaurant in the western Sydney suburb of Hoxton Park on February 10, 2015, has revealed that the mentally ill young woman was shot dead within 41 seconds of police officers arriving at the scene.

Topic's tragic death was not an accident or an isolated incident. The 22-year-old working-class woman, who had never harmed anyone or committed a crime in her life, is one of a growing number of mentally ill people who have been killed by police in recent decades.

The Coroner's Court was told that 42 percent of those shot by police in Australia between 1989 and 2011 were suffering from a mental illness. The Australian Broadcasting Corporation's "7.30" news program also recently reported that of the 35 people fatally shot by police in NSW alone between 1997 and 2017, at least 19, or more than half, were suffering from a mental illness.

Police conducted no negotiations with Courtney Topic. Under conditions where police training in dealing with individuals suffering mental health issues is perfunctory at best and governments, state and federal alike, have slashed spending on mental health and vital social services, the disoriented 22-year-old young woman did not stand a chance.

On the morning of February 10, Topic was seen walking along Cowpasture Road in Hoxton Park. She was carrying a kitchen knife and talking to herself. A passing delivery driver, concerned for young woman's safety, called the police, telling them, "She looks upset. She might hurt herself."

Approximately ten minutes later, Topic was seen outside a Hungry Jacks fast food restaurant by Annabelle C'Eladoure, who called the police to report "a very odd girl" walking around with "a pretty big knife." C'Eladoure later told the inquest that Topic's behaviour was not aggressive or threatening but she was concerned

the young woman might harm herself or someone else.

Arriving three minutes later, Senior Constable Ethan Tesoriero and Constable Angela Tyson, rather than attempting to deal with what was clearly a mental health incident, decided that the situation required an immediate response; there was no time to clear the area, call for backup, or establish a perimeter. Their priority was "the weapon has to go."

The two officers ran towards Topic, ordering her to drop the knife. Tyson and Tesoriero would later tell the inquest that the young woman "didn't even acknowledge we were there... she wasn't doing what 'normal' people do in public," and that she was "in some type of trance, unaware of her surroundings." When Topic failed to comply with police demands, Tesoriero drew his gun and continued to advance.

Senior Constable Jones arrived on the scene 17 seconds after Tesoriero and Tyson, and, without any consultation with the two officers already present, drew and discharged his pepper spray on the "pale and [standing] still" young woman. A witness recalled hearing Topic say "leave me alone, leave me alone," and said that 22-year-old "sounded like a little girl."

The pepper spray did not incapacitate Topic as intended, but predictably increased her state of physical and psychological disorientation, and she made a few stumbling steps in an attempt to flee. Tyson attempted to fire her Taser but it failed to discharge due to inadequate maintenance. Topic then turned and began to move towards Tesoriero, who retreated a few steps and then, a mere 41 seconds after arriving on the scene, fired a single fatal shot.

The Coroner's findings said that police radio communications clearly noted that Topic "was displaying behaviour consistent with disturbed mental health" but that this "played no part in [police officers'] decisions about how to interact with her [Topic] once they arrived."

While the inquest findings said Topic's death was "preventable" and that the police response to the incident was "not appropriate," the Deputy State Coroner Elizabeth Ryan ruled that the officers did not breach police procedures.

Courtney Topic was first diagnosed with Attention Deficit Disorder at the age of seven but with tutoring, psychological support, and medication, Topic enjoyed a happy childhood. Her teenage years brought new social challenges and when she was 18, Topic told her mother that she had been "hearing voices" for some time, and needed psychological help. This resulted in a diagnosis of Asperger's Syndrome.

Several years later Topic, however, was becoming increasingly withdrawn from family life, and decided to seek professional help again. Disagreeing with the previous diagnosis, the psychiatrist prescribed fluoxetine (Prozac) to treat what was described as a "major depressive disorder of moderate severity."

Topic had no history of aggressive or antisocial behaviour. Although at times she found social interaction stressful, the teenager was able to complete her Higher School Certificate and find casual work as a supermarket cashier, where her supervisor spoke highly of her work.

Deputy State Coroner Ryan told the inquest that all three police officers involved at Hoxton Park had completed a one-day mental health training course but that none of them "appeared to appreciate that the communications skills required to deal with a mentally disordered person were also applicable when the task was to disarm him or her."

Ryan called for better police procedures and training to deal with mental health incidents. These appeals will fall on deaf ears. Even if any of the limited recommendations made by the inquest were adopted, mental health incident training programs for the police are political window dressing.

All frontline police are only required to attend a one-day training course with an option to undertake a four-day Mental Health Intervention Team (MHIT) training program. While those who have done the four-day course are "prioritised first responders to mental health related incidents," there is no emergency system to dispatch these accredited officers to mental health incidents.

During the inquest, counsel assisting the Coroner and legal counsel for the Topic family asked for the police administration to consider the establishment of a system to task MHIT accredited officers as "first responders" in likely mental health incidents.

This proposal was rejected on two grounds by the legal counsel for the NSW Police Commissioner. Firstly, "police resources do not permit MHIT accredited officers to be available only for mental health related incidents." Secondly, it was "unknown whether the dispatch of MHIT accredited officers" to the Hoxton Park or similar incidents "would have brought about a better outcome."

After the inquest, Topic's mother Leesa told reporters: "We just hope she is remembered for the beautiful soul she is, and if something positive can come out of this so no other family has to live this heartache, then we'll be grateful for that."

The tragic reality is that decades of inquests and government inquiries did nothing to prevent the death of Courtney Topic and others with mental health issues or the scores of others who have been killed in police custody.

In the past year, NSW Police have killed two people suffering mental illnesses. In July 2017, Danukul Mokmool, a 30-year-old man with a history of mental illness and drug addiction, was killed by police near Sydney's Central Station. Although Mokmool was clearly distressed, and armed only with a pair of scissors, police responded with lethal force, shooting him four times in the head and chest.

The following month, Ian Fackender was killed by police inside his Bathurst home. Overdue for a court-ordered medical treatment for his schizophrenia, the 47-year-old father of six had not responded to phone calls from his family and mental health services, and the police were called to intervene. They found Fackender lying in bed with a sword by his side. After two failed attempts to subdue the startled man with a Taser, Fackender was shot five times.

No charges, let alone any disciplinary action has been taken against any of police officers in these incidents or the death of Courtney Topic.

Meanwhile, the NSW Liberal state government, backed by the Labor Party opposition, have announced a record \$3.9 billion budget for the state police in 2018-19, a clear indication that its answer to growing rates of mental illness, homelessness and other social distress will be more police violence and tragic deaths.



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