

Australian police officer out on bail despite conviction for manslaughter of frail nursing home resident

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A New South Wales (NSW) police officer was last week sacked from the state's police force after being convicted by a unanimous jury verdict of manslaughter for fatally deploying a taser at a tiny, frail 95-year-old woman in an aged care home. Yet he remains free on bail.

After being tasered by Senior Constable Kristian White on May 17 last year, Clare Nowland, who weighed less than 48 kilograms, fell backward and struck her head on the floor. She died from her injuries a week later. She was survived by eight children, 24 grandchildren and 30 great-grandchildren.

White and Acting Sergeant Jessica Pank had been called to Yallambee Lodge nursing home in the regional town of Cooma before 5am, in response to a triple-0 call from registered nurse Rosaline Baker. Baker told the trial she was surprised when the police arrived because she had called for an ambulance, not the police.

The great-grandmother had been shuffling very slowly with a four-wheeled walker while carrying a small kitchen knife when White shot her. The jury was told she had difficulty following directions, which a doctor attributed to undiagnosed dementia.

This tragedy led to an outcry across Australia and internationally because it was clearly not an aberration. It pointed to the rising levels of police violence, especially against working-class people, and the shocking conditions in chronically-underfunded and understaffed nursing homes.

The offence of manslaughter carries a maximum sentence of 25 years in prison in NSW. Nevertheless, Supreme Court Justice Ian Harrison allowed White to remain free until a sentencing hearing, which is due in February.

Harrison told the court a jail sentence was “not inevitable.” He expressed a revealing concern about the

safety of ex-police officers in prisons, facing “the risk of victimisation of, and gratuitous violence directed” to them.

This outcome raises some disturbing underlying questions, not least about the growing use of potentially fatal tasers by police in Australia. While White's decision to taser the elderly nursing home resident was clearly criminal, it was part of a wider pattern.

The evidence presented in the eight-day trial, including video footage, revealed that Nowland was barely able to move with her walker, let alone attack anyone. Yet White deployed the weapon within a minute of declaring that he would taser her unless she sat down and handed over the knife.

The footage showed Nowland inching forward with both hands on her walking frame despite requests to stop. White pointed his taser at her for a minute before he said: “Nah, just bugger it” and pulled the trigger.

When White appeared in the witness box during the trial, he said: “At the police academy we are taught ‘any person with a knife is a danger.’”

This attack was similar to many rapid-fire police killings, including that of Courtney Topic in a western Sydney working-class suburb in 2015, when the young woman with mental health issues was shot dead just 41 seconds after officers arrived on the scene.

Nowland's death also demonstrated that nothing of substance has changed about police procedures relating to tasers, despite promises of introducing certain restrictions on their use after the death of 21-year-old Brazilian student Roberto Laudisio Curti in the heart of Sydney in 2012.

Curti stopped breathing after being sprayed with capsicum gas and tasered at least three times by NSW police. He had been accused of stealing a packet of

biscuits from a nearby convenience store about half an hour earlier.

In fact, taser use has intensified since then.

Official data indicates that the number of times NSW police have drawn their tasers from their holsters has increased by 57 percent over the past two years, and by 16 percent on average annually over the past five years. During 2023–24, police shot a taser 290 times and drew it 1,542 times.

When tasers were introduced in Australia in the early 2000s, they were pitched as a non-lethal replacement for firearms. But their use has proven lethal, as it has repeatedly in the US and UK.

While sacking White after his conviction, saying he was unsuitable to continue as a police officer, NSW Police Commissioner Karen Webb said the police force had reviewed its taser policy in the wake of the incident and no updates were made.

Under that policy, officers are advised that taser use should be avoided only in “exceptional circumstances,” including against a handcuffed person, a woman suspected of being pregnant, “elderly or disabled persons” and children or a “person with small body mass.”

During White’s trial, Senior Sergeant William Watt, who trains officers on firearms, told the court White had met the standard operating procedures but not the “exceptional circumstances,” on which the court heard White had received very little training.

Whatever sentence is imposed on White, police violence will continue to escalate amid rising economic, social and political discontent, as the Albanese Labor government presides over the greatest cuts to the living conditions of workers and young people in decades.

Evidence emerged at White’s trial about the impact of decades of cuts to funding for mental health, aged care and other vital social services, which has led to the increased use of police as “first responders” to incidents that require medical and specialist training.

According to the NSW Bureau of Crime Statistics and Research, in 2022, police were deployed 20,738 times to “convey/detain” people to mental health facilities, almost 40 percent more than in 2018.

Professor Susan Kurrle, a geriatrician who appeared as a witness, said Nowland had previously displayed behaviour consistent with moderate to severe dementia, but her medication had been reduced.

Kurrle agreed under cross-examination that it would have been appropriate for Nowland to have been in a

dementia-specific unit. The Yallambee Lodge nursing home, a 40-bed facility run by the Snowy Monaro Council, did not have one, however.

After Nowland’s death, the Albanese government’s aged care minister, Anika Wells, said the Aged Care Quality and Safety Commission was conducting an investigation. Yet Yallambee Lodge had been audited against the government’s aged care quality standards in February 2023 and assessed as fully compliant.

Aged care services across the country have seen terrible conditions for both residents and staff for decades. The 2021 final report by the most recent federal government Royal Commission into Aged Care—the 24th such inquiry in the past three decades—revealed dangerous levels of understaffing, low rates of registered nurses and inadequate training of personal carers.

The ongoing COVID pandemic has exacerbated these conditions. More than 7,100 aged care residents have been killed by the virus, two-thirds of them since the Labor government’s election in May 2022. Some 231,648 residents and at least 123,674 aged care workers had been infected across 23,934 recorded outbreaks.

This is part of a broader assault on essential social services by the Labor government, which cut total federal spending on health by \$11 billion over its first two years, largely due to its termination of essential COVID safety measures.

Nowland’s death cannot be explained as the result of one police “bad apple.” It remains a particularly shameful expression of the basic role of the police as an instrument of capitalist rule—one of the “special bodies of armed men,” as Frederick Engels explained—enforcing grossly unequal and deteriorating social conditions.

So far, the rising numbers of victims of police violence in recent years have mostly been among those suffering disability or ill health. But such state-sanctioned killings set precedents for broader use.

Increasingly, the violence will be directed against unrest among workers and youth as hostility and opposition deepens to the intolerable cost of living and affordable housing crisis, the bipartisan support for the genocide in Gaza and the plunge into a wider US-led global war.



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