

# AFP National Guideline on critical incidents (deaths and serious injuries associated with police contact)

## 1. Disclosure and compliance

This document is classified **UNCLASSIFIED** and is intended for internal AFP use.

Disclosing any content must comply with Commonwealth law and the [AFP National Guideline on information management](#).

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on Professional Standards \(CO2\)](#) outlines the conduct expected of AFP appointees. Inappropriate departures from the provisions of this instrument may constitute a breach of AFP professional standards and be dealt with under Part V of the *Australian Federal Police Act 1979* (Cth) (AFP Act).

## 2. Guideline authority

This guideline was issued by the National Manager Workforce Development and Culture using power under s. 37(1) of the [AFP Act](#) as delegated by the Commissioner under s. 69C of the AFP Act.

## 3. Introduction

This guideline outlines the obligations for AFP appointees relating to critical incidents. Which are to:

- ensure that appropriate response, reporting and oversight management infrastructures are established and maintained within the AFP
- define the roles and responsibilities of positions within these management infrastructures
- assign responsibility for response and reporting procedures in AFP business areas and provides a means of promoting cooperation, coordination, and communication between the AFP and other jurisdictions
- detail the organisational expectations of AFP appointees involved in a critical incident.

## 4. Response infrastructure

Critical incidents generate scrutiny from numerous internal and external stakeholders. Similar interest may also arise in circumstances where Police involvement was relevant, but not a contributing factor to a critical incident.

Response infrastructure is required in preparing for, responding to, recovering from and mitigating future critical incidents operationally and administratively.

AFP appointees dealing with a critical incident must, where possible:

- support criminal and coronial investigations
- ensure the response and any subsequent investigations (e.g. Professional Standards (PRS), oversight agency, or in conjunction with criminal and coronial) are carried out with integrity and professionalism and without fear, favour or bias
- ensure personnel affected are provided with sufficient welfare support
- ensure effective and supportive personnel management.

## 5. First response

Operational AFP appointees responding to a critical incident should:

- comply with AFP incident response training and AFP governance and procedures, including [ICCS Plus Framework](#)

- ensure records (e.g. radio transmissions, notebook, diary or field book entries) are accurately maintained support and facilitate subsequent investigations and reporting to judicial and oversight bodies.

After assessing the situation, AFP appointees must immediately report and manage the critical incident. AFP appointees must report in accordance with section 6 below. In addition, first responders should conduct an appreciation or risk assessment and re-evaluate risks as the situation evolves.

## 6. Reporting

On becoming aware of a critical incident, the senior ranking AFP appointee in attendance, or Police Forward Commander if declared, must adhere to the relevant local requirements and, as soon as practicable, notify by radio or telephone the appropriate AFP operations centre.

In Australia, reporting must be via the AFP Operations Coordination Centre (AOCC) for Outcome 1 (National) AFP appointees or ACT Policing Operations for Outcome 2 (ACT Policing) AFP appointees.

In external territories, International Operations missions, international posts or on overseas flights, the senior AFP appointee must, at their first opportunity, contact the AOCC Watchfloor.

The senior ranking AFP appointee in the receiving AFP operations centre must ensure that the Executive, PRS, Workplace Health and Safety, Comcare and Organisational Health notification protocols are enacted as soon as possible. Timely notification is essential for developing open and unified communication between nominated representatives of the investigating jurisdiction and AFP.

Outcome 1 appointees should also be aware of arrangements in relation to reporting critical incidents outlined in AFP agreements with:

- [Northern Territory Police](#)
- [Queensland Police](#)
- [Western Australia Police](#).

## 7. AFP appointees involved in critical incidents

Without limiting any individual's legal rights, AFP appointees involved in a critical incident must assist with the resolution and investigation. This includes:

- preserving the incident site, unless it needs to be accessed to protect life or help injured persons
- ensuring the integrity of incident accounts from witnesses, including attending AFP appointees
- ensuring involved AFP appointees are not left alone, thereby helping to:
  - ensure their welfare (e.g. contact support persons)
  - negate any perceptions of collusion in providing their version of events
- remaining at the scene, except if:
  - medical treatment is required
  - it is dangerous
  - released from the scene by the critical incident investigations Team Leader or a Senior Police Officer (Sergeant or above)
- making safe and preserving for investigators any:
  - weapons
  - equipment
  - other AFP-issued property
- retaining all evidential material (whether incriminating or exculpatory).

Where the AFP has investigation jurisdiction, the relevant investigation Team Leader should offer (or if outside AFP jurisdiction, the senior ranking AFP appointee present should raise with jurisdictional investigators) AFP appointees involved in a critical incident the opportunity to:

- contact family, a partner or a friend
- have relevant Organisational Health members attend
- have a support person attend
- contact a legal representative.

The investigation Team Leader should ensure that:

- any civilian witnesses, friends or family members of the person involved in the critical incident are conveyed to the same police station
- if practicable, AFP appointees involved in the incident be conveyed to a different location to those above to avoid any incidents with the friends and family of the person involved in the critical incident
- on arrival at the police station, each AFP appointee involved in the critical incident be placed in a separate room and not be left unattended.

## 8. Investigation

In circumstances where the AFP has jurisdiction, appropriately experienced specialist investigators (e.g. homicide, collision investigators) should be responsible for the investigation of a critical incident, with PRS providing an oversight role.

AFP appointees responsible for an investigation of a critical incident must identify any potential, perceived or actual conflicts of interest and complete a [Critical incident consideration of conflict of interest form](#) (AFP Hub) prior to commencing the investigation if possible or as soon as practicable.

The contents of this form must be discussed with the AFP appointee's supervisor, in consultation with PRS, to ensure conflicts are managed in accordance with the [AFP National Guideline on conflicts of interest](#).

When the investigation is undertaken by another jurisdiction, PRS should liaise with the relevant jurisdiction to assist with and assure the standard and independence of the investigation and fair treatment of AFP appointees.

AFP appointees performing duties in International Operations missions should adhere to their mission crisis action plans and/or any other directive issued in the mission.

## 9. Professional Standards (PRS)

The purpose of PRS notification is to:

- ensure timely mandatory drug and alcohol testing in accordance with Part IV of the [AFP Act](#) and the [AFP National Guideline on prohibited drugs, pharmaceutical products and alcohol](#)
- establish the role of PRS in the incident in either investigation or oversight capacity.

The Manager Professional Standards (MPRS), or an AFP appointee authorised by MPRS, should establish contact with the relevant investigative jurisdiction and determine, in consultation with the jurisdictional representative, the role of PRS.

### PRS oversight

The purpose of PRS oversight is to:

- ensure the requirements of [AFP Commissioner's Order on Professional Standards \(CO2\)](#) and other relevant AFP governance are adhered to
- examine the circumstances to assist organisational learning and incident prevention
- provide an investigation report for MPRS and other involved police jurisdictions, government agencies or judicial bodies.

The manner in which oversight occurs and the investigational report is prepared must be determined on a case-by-case basis, in consultation with MPRS and relevant agencies.

In order to maintain impartiality, independence and transparency, any conflicts of interest or issues identified with the investigation must be reported to MPRS and the appropriate nominated representative from the investigating jurisdiction.

## 10. Mental health support

A critical incident can lead to unusual or unexpected emotional reactions. It can place excessive strain upon an individual's usual abilities to function. Mental health support aims to reduce the negative consequences of exposure to a critical incident and aid recovery in order to move towards resilience and post-traumatic growth and wellbeing.

Mental health support should be provided to individual AFP appointees or teams who have been involved (either directly or indirectly) in critical incidents. An initial Organisational Health response may include:

- consulting and/or liaison with management
- psychological first aid
- family support (including informing families).

Individual interventions may differ depending on both the level of involvement in an event and its impact. Interventions may include:

- psychoeducation (at least 24 hours post-incident)
- appropriate psychological interventions to stabilise acute reactions
- referral for those identified to be at risk of developing significant negative reactions.

AFP Organisational Health must ensure identified AFP appointees receive appropriate follow-up. The elements of follow-up are determined on a case-by-case basis and depend on the individual's response and the current evidence-based protocols for critical incident mental health support.

## 11. Work health and safety

AFP appointees involved in a critical incident must comply with the:

- *Work Health and Safety Act 2011* (Cth) (the WHS Act), including s. 38 (notification) and s. 39 (site preservation)
- AFP procedures for work health and safety incident reporting and investigation. ([Refer to section 12 of the AFP National Guideline on work, health, safety and rehabilitation management arrangements](#))

This includes:

- mandatory notifications to Comcare within the legislated timeframe
- completion of an AFP workplace incident report form
- preservation of the incident site to enable an independent Comcare investigation to take place (s. 39 [WHS Act](#)). This requirement does not prevent any action:
  - to assist an injured person
  - to remove a deceased person
  - to make the site safe to minimise the risk of a further notifiable incident
  - that is associated with a police investigation.

Early liaison with Comcare, specifically in relation to the incident scene, provides the basis for cooperation in criminal and administrative investigation requirements. See the [AFP - Work Health and Safety Guide to Incident Notification](#) (AFP Hub) for further details and guidance on the process for notification.

## 12. Media

AFP National Media must consult both the MPRS and line management on communication strategies for a critical incident.

Before releasing a media statement for a critical incident, AFP appointees should consider the:

- effectiveness and transparency of ongoing investigations
- interests of all parties involved, including cross functional or external agencies
- welfare of the AFP appointee(s) involved.

### 13. Further advice

Queries about the content of this guideline should be referred to the Coordinator PRS Prevention and Integrity Compliance, through [PRS-Policy-and-Governance@afp.gov.au](mailto:PRS-Policy-and-Governance@afp.gov.au).

### 14. References

#### Legislation

- *Australian Federal Police Act 1979* (Cth)
- *Work Health and Safety Act 2011* (Cth).

#### AFP governance instruments

- AFP Commissioner’s Order on Professional Standards (CO2)
- AFP Commissioner’s Order on operational safety (CO3)
- AFP National Guideline on conflicts of interest
- AFP National Guideline on operational planning
- AFP National Guideline on prohibited drugs, pharmaceutical products and alcohol
- AFP National Guideline on risk management
- Memorandum of Understanding between the Australian Federal Police and Northern Territory Police on reporting major AFP operations and critical incidents
- Memorandum of Understanding between the Australian Federal Police and Queensland Police Service on reporting major AFP operations and critical incidents
- Memorandum of Understanding between the Australian Federal Police and Western Australia Police on reporting major AFP operations and critical incidents
- AFP National Guideline on urgent duty driving and pursuits (ACT Policing)
- AFP National Guideline on work, health, safety, and rehabilitation management arrangements

#### Other sources

- AFP - Work Health and Safety Guide to Incident Notification (AFP Hub)
- AFP Risk Management Toolkit (AFP Hub)
- C3, Incident & Emergency Management Planning (AFP Hub)
- Critical Incident Consideration of Conflict of Interest Form (AFP Hub).

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### 15. Shortened forms

<b>ACT</b>	Australian Capital Territory
<b>AFP</b>	Australian Federal Police
<b>AOCC</b>	AFP Operations Coordination Centre
<b>ICCS</b>	Incident Command and Control System
<b>MPRS</b>	Manager Professional Standards
<b>PRS</b>	AFP Professional Standards
<b>WHS</b>	Work Health and Safety

## 16. Definitions

**AFP appointee** means a Deputy Commissioner, AFP employee, special member or special protective service officer and includes a person:

- engaged overseas under s. 69A of the [AFP Act](#) to perform duties as an AFP appointee
- seconded to the AFP under s. 69D of the AFP Act
- engaged under s. 35 of the Act as a consultant or contractor to perform services for the AFP and determined under s. 35(2) of the AFP Act to be an AFP appointee.

(See s. 4 of the [AFP Act](#).)

**Appreciation** – is defined in the [AFP National Guideline on operational planning](#).

**Critical incident** – means an incident that involves one or more AFP appointees where:

- death or serious injury of a person occurs associated with police contact
- major damage to property occurs that results in a significant impact on the community, the AFP and/or the Australian Government
- the Police Forward Commander believes that the incident requires the declaration of a critical incident in accordance with the principles of [CO2](#).

For operational driving related critical incidents within the ACT, refer to the [AFP National Guideline on urgent duty driving and pursuits \(ACT Policing\)](#).

**Death or serious injury associated with police contact** – is defined in [CO2](#).

**Incident Command and Control System (ICCS) Plus** – is a principles and function-based incident management framework used by Australian police jurisdictions under the auspices of the Australia New Zealand Policing Advisory Agency ([ANZPAA](#)). The components of ICCS Plus are intelligence, planning, operations, logistics, public information, investigations, communications, safety and recovery.

**Line management** – means the supervisor of the officer in charge of the incident.

**Police Forward Commander** – is defined in the [AFP Commissioner's Order on operational safety \(CO3\)](#).

**Risk assessment** – is defined in the [AFP National Guideline on risk management](#).

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