



AFP National Guideline on scientific identification of AFP employees

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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 disclosure of information](#).

Compliance

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on Professional Standards \(CO2\)](#) outlines the expectations for appointees to adhere to the requirements of the framework. 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).

2. Acronyms

AFP	Australian Federal Police
DNA	Deoxyribonucleic acid
MPRS	Manager - Professional Standards
NAFIS	National Automated Fingerprint Identification System
NCIDD	National Criminal Investigation DNA Database
NMHR	National Manager Human Resources

3. Definitions

Analytical laboratory – the authorised laboratory assigned responsibility for testing which has appropriate security and scientific accreditation.

Buccal swab – is an intimate forensic procedure (refer to the Commonwealth Crimes Act 1914, Part 1D) in the form of a mouth swab that will be the primary collection method for DNA samples.

Forensic material – consists of any identifying material, including inked fingerprints and a DNA sample.

Live scan – is the electronic method where finger and palm prints are scanned and fed directly into NAFIS for immediate searching.

4. Authority to create guideline

This guideline was created by the Commissioner using power under s. 37(1) of the [Australian Federal Police Act 1979](#) (Cth).

5. Introduction

To reflect AFP core values and in support of the organisations professional standards, voluntary samples of identifying material will be sought from all AFP employees; and in some instances may be a condition of employment.

Collected identifying material may be used for the purpose of scientific identification, crime scene exclusion, intelligence, disaster victim identification following an event that claims life or where a forensic sample is connected to a criminal offence.

Without limiting the type of identifying material that may be collected, this guideline outlines the process whereby AFP employees will be requested to volunteer inked fingerprints and a sample of their DNA.

- AFP employees will be encouraged to volunteer identifying material for either a limited purpose or an unlimited purpose.
- AFP employees who wish to be considered for overseas deployment as part of IDG or as an overseas liaison officer may be required to provide identifying samples before deployment.
- AFP employees who wish to be considered for upgraded security classifications may be required to provide identifying samples as part of the application process.
- An application for employment with the AFP may not proceed where the applicant, after being requested to do so, declines to provide voluntary identifying samples.

Nothing in this guideline precludes investigation practice, which may through another legal process; seek to obtain forensic or identifying material from an AFP employee believed to be a suspect.

6. Safeguards

The Commissioner provides safeguards consistent with privacy, anti-discrimination law and occupational health and safety legislation in respect of Forensic material obtained as a result of this process. These safeguards will be in addition to those that are currently included in the *Commonwealth Crimes Act 1914, Part 1D* regarding the use of any information management system, forensic material, and information derived from the analysis of that forensic material.

- No adverse inference may be drawn if a member declines to volunteer identifying material; or where a member withdraws consent after voluntarily providing identifying material.
- Prior to processing, a unique identifier will replace all personal information on any collected identifying material.
- Limited purpose forensic material provided by AFP employees will be used only in accordance with the terms of the voluntary agreement.
- Unlimited purpose forensic material provided by AFP employees will be used only in accordance with the terms of the voluntary agreement.
- Where the unlimited forensic material is supplied by an applicant for employment, and that application is rejected all forensic material will be destroyed ***unless the forensic material indicates the involvement in a criminal matter.***
- Original documents will be maintained by the AFP. Signed copies where relevant will be provided to the AFP employee.
- **The sample will not be used for any other purposes, such as genetic testing, health screening or criminal proceedings against the employee.**

Nothing in this guideline limits the Commissioner from declaring the supply of forensic material a requirement of specific functions.

7. Sampling process

7.1 Voluntary provision

An AFP employee shall be able to volunteer limited purpose forensic material solely for:

- differentiating an AFP employees forensic material from other forensic material found at a crime scene
- as a primary source of identification for potential disaster victim identification situations.

An AFP employee shall be able to volunteer unlimited purpose forensic material solely for:

- differentiating an AFP employees forensic material from other forensic material found at a crime scene
- as a primary source of identification for potential disaster victim identification
- for comparison in criminal matters.

An applicant for employment shall be able to volunteer unlimited purpose forensic material solely for:

- differentiating an AFP employees forensic material from other forensic material found at crime scenes
- as a primary source of identification for potential disaster victim identification
- for comparison in criminal matters.

7.2 DNA sample collection

The voluntary collection of forensic material will be conducted in accordance with the provisions of Division 6B, Part 1D of the [Crimes Act 1914](#). Material will be collected by members of a sample collection team consisting of the DNA Screening Project Team or an appropriately trained AFP member and where required an independent witness.

Where practical, fingerprints will be collected through live scan technology and DNA samples by buccal swab.

DNA Screening Project team will liaise with Offices/Workplaces to arrange appropriate collection options. AFP Employees may contact the DNA Screening Project Team directly to arrange collection on an individual basis.

7.3 Use

The DNA Screening Project Team will issue each forensic sample with a unique identifier and maintain a register of the unique identifiers. The DNA Screening Project Team will forward unidentifiable samples to the Forensic Laboratory for retention and processing.

As necessary, analysis of the forensic material will be conducted and the forensic material or any resulting analysis may be placed on appropriate information systems in accordance with the terms of the voluntary agreement. Any such use of a forensic sample or derived information will be in accordance with the provisions of Part 1D of the *Crimes Act 1914*. Specifically, unlimited purpose forensic material may be entered NAFIS or NCIDD.

7.4 Notification

Where a potential match has been detected, the Forensic Laboratory will transmit all relevant

details to the National Manager Human Resources and Manager Professional Standards (MPRS). MPRS will examine the context in which the potential match occurred. Where it is determined the potential match:

- occurred as contamination of a crime scene or evidentiary material, advise Forensic Services and the Office Manager of the identified member/s
- arose from the identification of a deceased member of staff, advise Forensic Services and the Office Manager of the identified member or
- raises integrity issues, instigate an investigation in accordance with AFP policy.

7.5 Commissioner's requirement

The AFP Commissioner may require AFP employees to provide forensic material on the following basis:

- the requirement relates to a **specific crime scene** that an AFP employee has attended in the course of their employment or
- a primary source of identification for disaster victim identification response.

The forensic material provided will be used only for the stated purpose of differentiating an AFP employees forensic material from other forensic material found, in accordance with the express requirement of the Commissioner.

8. Transportation of samples and forms to analytical laboratories

Sample kits will be stored in a locked container and forwarded directly to the analytical laboratory.

- Person Sample Kits Register pads will be used to record sample kits delivered to the analytical laboratory.
- Each sample will be given a unique identifier which will be maintained by the DNA Screening Project Team.

9. Sample storage

Samples will be stored in a secure area.

AFP employee's DNA samples and consequential profiles will be stored separately to all other DNA samples held by Forensic Services.

10. Administration

All forms will be stored in a secure area.

- Employee Forms will be stored separately to all other DNA documentation.
- Forms include:
 - Person Sample Information Form
 - Informed Consent Form (refer example at Appendix A)
 - Commissioner's Requirement Form (when applicable)
 - Destruction Notice/Letters

- Person Sample Kits Register Form.

11. Security

Access to forensic material and any derived information from the analysis of forensic material supplied by AFP employees will be limited.

Access to forensic material and any derived information from the analysis of forensic material supplied by AFP employees and forms will be stored in a secure environment.

12. Destruction

Forensic material and any information derived from analysis of a forensic sample will be held until the volunteer from whom the forensic material was collected:

- ceases employment with the AFP
- for such a period as the Commissioner and the volunteer agree
- upon withdrawal of consent by the volunteer
- if the volunteer was an applicant for employment and that application is rejected.

Forensic material and derived information will be destroyed in accordance with the provisions of the *Crimes Act 1914*.

13. Void samples

A DNA sample will be voided if it fails to yield a full profile, or the DNA kit has been tampered with.

In the event of a sample being voided:

- for voluntary samples the DNA Screening Project Team will contact the individual direct, to advise of sample voided.
- for Commissioner's requests, the analytical laboratory will notify the National Manager Human Resources of the voided result.
- the voided sample and kit will be destroyed.

14. Further advice

Any queries relevant to the content of this National Guideline should be referred to the nominated contact point, DNA Screening Project Team Manager.

15. References

[Australian Federal Police Act 1979](#)

[Crimes Act 1914](#)

16. Attachments

Attachment 1 -Section 23XWR

[Commonwealth Crimes Act 1914 - Request for a person who is a volunteer to consent](#)

Attachment 2 – Section 23XWQ - 23XWV

[Commonwealth Crimes Act 1914 – Consent of a volunteer to the carrying out of a forensic procedure – Division 6B - Sections 23XWQ - 23XWV](#)