



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 the 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

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

3. Definitions

Appointee – means an AFP appointee as defined in s. 4 of the [Australian Federal Police Act 1979](#) (Cth).

Critical incident – means an incident that involves one or more 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 the [AFP Commissioner's Order on Professional Standards \(CO2\)](#).

Death or serious injury associated with police contact – is defined in [Commissioner's Order 2](#).

Incident Command and Control System (ICCS) Plus – is a principles and function-based incident management framework used by Australian Police jurisdictions. 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](#). When there are time imperatives, this process may take a less formal approach allowing for discussion and consideration of operational safety and communication factors. The less formal approach is also known as a Risk Appreciation process.

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

4. Guideline authority

This guideline was issued by the National Manager Human Resources using power under s. 37(1) of the [Australian Federal Police Act 1979](#) (Cth) as delegated by the Commissioner under s. 69C of the Act.

5. Introduction

This guideline outlines policies and procedures to establish and maintain a standard approach/response to critical incidents. It:

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

6. Response infrastructure

Critical incidents will 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.

The AFP's intent with a critical incident response is to:

- support criminal and coronial investigations
- ensure the response and any subsequent investigations (e.g. Professional Standards, 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.

7. First response

Operational employees should employ the [ICCS Plus framework](#) and ensure records (e.g. radio transmissions, notebook, diary or field book entries) support and facilitate subsequent reporting to judicial and oversight bodies.

After assessing the situation, immediate reporting and management of the critical incident is imperative. Appointees must report in accordance with s. 8 below. In addition, first responders should conduct a risk appreciation and re-evaluate risks as the situation evolves.

8. Reporting

On becoming aware of a critical incident, the senior ranking 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 will be via the AFP Operations Coordination Centre (AOCC) for Outcome 1 appointees, or ACT Police Operations for Outcome 2 appointees.

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

The senior ranking appointee in the receiving AFP operations centre must ensure that executive, Professional Standards, Workplace Health and Safety, Comcare and Wellbeing Services 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 respectively.

Outcome 1 appointees are reminded of the arrangements in relation to reporting critical incidents outlined in AFP agreements with:

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

9. Appointees involved in critical incidents

Without limiting any individual's legal rights, appointees must assist with the resolution and investigation of critical incidents. This includes:

- preserving the incident site, unless it needs to be accessed for the purpose of protecting life or rendering aid to injured persons
- ensuring the integrity of incident accounts from witnesses, including attending appointees
- ensuring involved appointees are not left alone, thereby helping to:
 - ensure their welfare (e.g. contact support persons)
 - negate any perceptions of collusion in providing version of events.
- remaining at the scene, except in any of the following circumstances:
 - for the purpose of medical treatment
 - if it is dangerous
 - if released from the scene by the critical incident investigations team leader or commissioned police officer.
- making safe and preserving for investigators any:
 - weapons
 - accoutrements
 - 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 appointee present should raise with jurisdictional investigators, that appointees involved in a critical incident should be offered the opportunity to:

- contact family, a partner or a friend
- have Wellbeing Services attend
- have a support person attend
- contact a legal representative.

Appointees should ensure that:

- any civilian witnesses, friends or family members of the person involved in the critical incident **not** be conveyed to the same police station as the appointees involved in the incident
- on arrival at the police station, each appointee involved in the critical incident be placed in separate rooms and not be left unattended.

10. Investigation

In most 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 Professional Standards (PRS) providing an oversight role.

Appointees responsible for an investigation of a critical incident must identify any potential or actual conflicts of interest and complete a [Conflict of Interest Declaration Form](#) (AFP Hub) prior to commencing the investigation.

The contents of this form must be discussed with the 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 appointees.

11. Professional Standards (PRS)

The purpose of PRS notification is to:

- ensure timely mandatory drug and alcohol testing in accordance with Part IV of the [Australian Federal Police Act 1979](#) (Cth) 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 alternative appointed 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 principles of the [AFP Commissioner's Order on Professional Standards \(CO2\)](#) are adhered to
- examine circumstances with a view to organisational learning and incident prevention
- provide a report for MPRS assuring that the principles of [Commissioner's Order 2](#) have been adhered to, and in circumstances involving a death, for the coroner as part of the coronial brief.

The manner in which oversight occurs must be determined on a case-by-case basis, in consultation with MPRS.

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 of the investigating jurisdiction.

12. Wellbeing support

Critical incident mental health support is based on research indicating the majority of individuals involved may experience some immediate discomfort, however only a small number experience any long-term negative impacts from their involvement in a critical incident.

Mental health support should be provided to individual appointees or teams who have been involved (either directly or indirectly) in critical incidents. Initial Wellbeing Services response may include:

- consultancy and liaison with management
- psychological first aid

family support (including the provision of information to families).

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

- psychological counselling
- assessment and, if appropriate, referral for specialist treatment for those individuals requiring additional assistance (NB: access to expert medical or psychological advice does not necessarily require a Comcare claim to be submitted, and must be assessed on a case-by-case basis)
- meetings with personnel and/or their families.

AFP Health Services must ensure affected appointees receive appropriate follow-up contact. The elements of follow-up are determined on a case-by-case basis dependent upon the individual's response and the nature of the incident.

If education and screening, or any more active intervention have been provided, then the follow-up, coordinated by Health Services, must occur with each individual involved and be completed between three to six months after the initial screen.

13. Work health and safety

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.

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.

14. Media

AFP National Media must consult with both the Manager Professional Standards and line management on communication strategies for a critical incident.

In the anticipation of a media statement for a critical incident, the following factors should be considered:

- the effectiveness and transparency of on-going investigations
- the interests of all parties involved, including cross functional or external agencies
- the welfare of the appointee/s involved.

15. Further advice

Queries about the content of this guideline should be referred to the Coordinator PRS Integrity Assurance, through the [PRS OMC](#).

16. 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 managing records](#)
- [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 Tasmania Police on reporting major AFP operations and critical incidents](#)
- [Memorandum of Understanding between the Australian Federal Police and Victoria Police 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.](#)

Other sources

- [AFP - Work Health and Safety Guide to Incident Notification](#) (AFP Hub)
- [AFP Risk Management Toolkit](#) (AFP Hub)
- [Incident Command and Control System \(ICCS\) Plus](#) (AFP Hub)
- [Critical Incident Consideration of Conflict of Interest Form](#) (AFP Hub)