



AFP

AUSTRALIAN FEDERAL POLICE

Our ref: CRM2018/567

14 June 2018

Ms Nicole Joy

By email: <foi+request-4492-5cafc996@righttoknow.org.au>

Dear Ms Joy,

Freedom of Information request

I refer to your application dated 12 April 2018 under the *Freedom of Information Act 1982* (the Act) seeking the following:

"Could you please send through the latest documents that include the following:

- 1. Process of filling a notification for child sexual abuse*
- 2. Process of selecting child sexual abuse notifications to review*
- 3. Statistics of child sexual abuse cases*
- 4. Statistics of child grooming cases.*

If possible, please treat this as an administrative/informal request. Otherwise, please proceed with my request as a formal information request under the Act."

On 23 April 2018 you confirmed that you were seeking matters of reporting child sexual abuse to ACT Police.

Attached at Annexure A to this letter is my decision and statement of reasons for that decision.

Information Publication Scheme (IPS)

As notified to you on 13 April 2018 it has been decided to publish the documents in full in respect of your request. Publication of the documents and any relevant documents will be made on the AFP website at <http://www.afp.gov.au/about-the-afp/information-publication-scheme/routinely-requested-information.aspx> in accordance with timeframes stipulated in section 11C of the Act.

Yours sincerely,

Helen Drew
Coordinator
FOI and Information Law
Chief Counsel Portfolio

**STATEMENT OF REASONS RELATING TO AN FOI REQUEST BY
NICOLE JOY**

I, Helen Drew, Coordinator, FOI and Information Law, am an officer authorised under section 23 of the Act to make decisions in relation to the Australian Federal Police.

What follows is my decision and reasons for the decision in relation to your application.

BACKGROUND

On 12 April 2018, this office received your application in which you requested:

"Could you please send through the latest documents that include the following:

1. Process of filling a notification for child sexual abuse 2. Process of selecting child sexual abuse notifications to review 3. Statistics of child sexual abuse cases 4. Statistics of child grooming cases.

If possible, please treat this as an administrative/informal request. Otherwise, please proceed with my request as a formal information request under the Act."

I understand that your request has exceeded the statutory timeframe and is now overdue. I apologise for the delay in providing you with this decision and documents.

SEARCHES

In relation to this request, a search was undertaken of records held by the Sexual Assault and Child Abuse Team and the Performance Statistics Team.

WAIVER OF CHARGES

Given that the request has exceeded all statutory timeframes as outlined at section 15 of the Act, the AFP is not able to impose any fees or charges as outlined at regulation 5(2) and (3) of the *Freedom of Information (Charges) Regulations 1982*.

DECISION

I have identified three (3) documents relevant to your request, being:

1. Statistics of child sexual assault offences and child grooming offences reported to ACT Policing between 1 January 2017 and 31 December 2017;
2. Better Practice Guide: Child abuse and sexual offence investigations; and
3. Better Practice Guide: Criminal investigations response and notification.

I have decided that these documents are released to you, with deletions for irrelevant material.

REASONS FOR DECISION

Folios to which subsection 22(1)(a)(ii) applies:

Subsection 22(1)(a)(ii) of the Act provides that:

“(1) Where:
(a) an agency or Minister decides:

- (ii) *that to grant a request for access to a document would disclose information that would reasonably be regarded as irrelevant to that request;*"

Documents 2 and 3 contain information which is considered irrelevant to the request. I have determined the information contained in those folios is irrelevant because it does not come within the scope of your application and thus falls outside the ambit of your request. This information refers to other issues which are not mentioned in your FOI application or which you have agreed to exclude from the scope of your request. Specifically, in accordance with our acknowledgement letter dated 13 April 2018, you agreed to exclude direct and mobile telephone numbers of AFP members.

I have therefore deleted to those parts of Documents 2 and 3 because those parts would be reasonably be regarded as irrelevant to the request under subsection 22(1)(a)(ii) of the Act.

EVIDENCE/MATERIAL ON WHICH MY FINDINGS WERE BASED

In reaching my decision, I have relied on the following documentary evidence:

- ❖ the scope of your application;
- ❖ the contents of the documents listed in the attached schedule;
- ❖ advice from AFP officers with responsibility for matters relating to the documents to which you sought access;
- ❖ *Freedom of Information Act 1982*; and
- ❖ Guidelines issued by the Office of the Australian Information Commissioner.

**** YOU SHOULD READ THIS GENERAL ADVICE IN CONJUNCTION WITH THE LEGISLATIVE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT 1982.**

REVIEW AND COMPLAINT RIGHTS

If you are dissatisfied with a Freedom of Information decision made by the Australian Federal Police, you can apply for an internal or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking an IC review.

You do not need to seek a review by either the AFP or the IC should you wish to complain about the AFP's actions in processing your request.

REVIEW RIGHTS under Part VI of the Act

Internal Review by the AFP

Section 53A of the Act gives you the right to apply for an internal review in writing to the Australian Federal Police (AFP) within 30 days of being notified of a decision. No particular form is required. It would assist the independent AFP decision-maker responsible for the internal review if you set out in the application, the grounds on which you consider that the decision should be reviewed.

Section 54B of the Act provides that the internal review submission must be made within 30 days. Applications for a review of the decision should be addressed to:

Freedom of Information
Australian Federal Police
GPO Box 401
Canberra ACT 2601

REVIEW RIGHTS under Part VII of the Act

Review by the Information Commissioner (IC)

Alternatively, Section 54L of the Act gives you the right to apply directly to the IC or following an internal review by the AFP. In making your application you will need to provide an address for notices to be sent (this can be an email address) and a copy of the AFP decision. It would also help if you set out the reasons for review in your application.

Section 54S of the Act provides for the timeframes for an IC review submission. For an *access refusal decision* covered by subsection 54L(2), the application must be made within 60 days. For an *access grant decision* covered by subsection 54M(2), the application must be made within 30 days.

Applications for a review of the decision should be addressed to:

Office of the Australian Information Commissioner
GPO Box 5128
Sydney NSW 2001

Further, the OAIC encourages parties to an IC review to resolve their dispute informally, and encourages agencies to consider possible compromises or alternative solutions to the dispute in this matter. The AFP would be pleased to assist you in this regard.

Information about the IC review process can be found in Part 10 of the Guidelines which are available on our website at <http://www.oaic.gov.au/publications/guidelines.html>.

RIGHT TO COMPLAIN under Part VIIB of the Act

Section 70 of the Act provides that a person may complain to the IC about action taken by the Australian Federal Police in relation to your application.

A complaint to the IC may be made in writing and identify the agency against which the complaint is made.

The IC may be contacted on 1300 363 992. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigated.

Number of child sexual assault offences reported to ACT Policing
 Date reported between 01 January 2017 to 31 December 2017
 Source and Author: PROMIS database as at 01 May 2018, Performance Statistics team

Reported period	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Total
Sexual intercourse, person < 16 yrs	2	3	15	2	4	12	7	3	6	4	3	0	61
Indecent act, person < 16 yrs	3	3	10	5	8	19	10	8	7	4	3	4	84
Total	5	6	25	7	12	31	17	11	13	8	6	4	145

Number of child grooming offences reported to ACT Policing
 Date reported between 01 January 2017 to 31 December 2017
 Source and Author: PROMIS database as at 01 May 2018, Performance Statistics team

Reported period	Jul-17	Total
CTH - GROOMING CHILD TO ENGAGE IN	1	1
Total	1	1

Functional Governance Better Practice Guide

Child abuse and sexual offence investigations

Date of initial endorsement:	1 December 2002
Date of last review:	26 April 2017
Endorsed by:	Chief Police Officer - Crime
Owner:	Chief Police Officer - Crime
Contact:	Superintendent – Criminal Investigations
Identifier:	DCPOC034
IPS Status	Pending

Disclosure and classification

This document is classified For Official Use Only and is intended for internal AFP use. Disclosing any content must comply with Commonwealth law and the AFP National Guideline on information management.

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 \(Cth\)](#).

This document is a functional governance instrument as defined under s.4 of the [AFP Commissioner's Order on Governance \(CO1\)](#).

Definitions

AFP	Australian Federal Police
CAHRU	Child At Risk Health Unit
CI	Criminal Investigations
FAMSAC	Forensic and Medical Sexual Assault Care
FME	Forensic Medical Examination
SACAT	Sexual Assault and Child Abuse Team
Act of indecency	Is defined in Part 3 of the Crimes Act 1900 (ACT) .
Child abuse	Means the non-accidental physical injury, neglect, emotional abuse, including psychological harm or sexual exploitation of children and young people.
Child	Means a person who is under 12 years of age.
Chief Executive	Means the Chief Executive of the Office of Children, Youth and Family Support.
Concerns interview	Means an interview conducted where there is no clear allegation and the victim is interviewed to see what, if anything, is disclosed.
Disclosure statements	Means a statement from the first person the victim told about the alleged assault.
Historical sexual assault	Means sexual assaults where enough time has passed to inhibit the collection of forensic evidence from the victim.
Medical assessment	Means the 1 hour full paediatric evaluation of a child's health status which may include physical and forensic examinations.
Penetration	Is defined in Part 3 of the Crimes Act 1900 (ACT) .
Young person	A person who is 12 years of age or older, but, for the purpose of the: <ul style="list-style-type: none"> • Crimes Act 1900 (ACT), is not yet 16 years of age • Children and Young People Act 2008 (ACT), is not yet 18 years of age.

Guideline Authority

This guideline was issued by the Chief Police Officer for the ACT 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.

Introduction

This practical guide sets out the requirements for:

- responding consistently when dealing with child abuse and sexual offences against children and/or adults
- requesting forensic medical examinations for victims of suspected sexual and/or physical abuse.

Policy

The primary objectives of the investigation of sexual offences are to:

- lawfully gather evidence
- identify and charge offenders
- achieve a successful prosecution.

However, the needs and welfare of the victim should be taken into consideration. The AFP abides by the governing principles stated in s. 4 of the [Victims of Crime Act 1994](#) (ACT) in relation to the treatment of victims. Accordingly, a whole of government approach is undertaken which utilises internal and external stakeholders.

SACAT investigations

The Sexual Assault and Child Abuse Teams (SACAT) are primarily responsible for investigating:

- all sexual assaults involving penetration (by any means) or cunnilingus, committed in a manner which suggests the incident is a single event
- sexual assaults committed in circumstances which suggest a serial offender
- child abuse, sexual or serious physical offences committed on a child or young person
- all sexual offences committed on a child or young person that relate to incest or paedophilia
- historical sexual offences that require the commitment of resources for a lengthy period
- offences relating to internet crime, in particular child pornography and grooming offences.

Either SACAT or other nominated Criminal Investigations (CI) members will lead investigations relating to the above offences, including coordinating all medical assessments, forensic examinations and victim/witness statements.

SACAT team leaders or the CI Reception Officer will determine whether:

- SACAT investigates the matter independently
- assistance is required from other CI resources

- the matter is investigated by a joint SACAT/patrol team or SACAT/CI response team
- the matter is referred to the respective patrol for investigation.

Other investigations

The responsibility for investigating all other offences which include acts of indecency and assault lies with the following:

Patrol level

- indecent exposure or acts of indecency involving touching outside the clothing of a person over 12 years of age
- acts of indecency involving touching under the clothing of a person over 12 yrs of age
- common assault of a person over 10 years of age.

Crime Team level

- indecent exposure in circumstances suggesting a serial offender with intent to commit further acts (i.e. attempt penetration)
- acts of indecency where there has been touching under the clothing of a person under 12 yrs of age or where circumstances suggest intent to commit further acts.

In the case of the death of a child refer to the [Standard Operating Procedure for Police attendance at deaths](#).

Reporting

Mandatory

Members who believe or suspect a child or young person is in need of care and protection must report the basis for their belief or suspicion to the Chief Executive (per s. 356 of the [Children and Young People Act 2008](#) (ACT)). Members must use the 'Mandatory report to Care and Protection Services' form (AFP Forms).

General reporting

A member, who believes a child or young person has been sexually and/or non accidentally physically abused, must notify:

- their team leader
- after hours, the Criminal Investigations Reception Officer and
- the Office of Children Youth and Family Services via mandatory reporting requirements (using the relevant forms in AFP Forms).

Serious and urgent matters should be reported in the first instance to the Centralised Intake Service.

Other cases should be reported by email to childprotection@act.gov.au.

Emergency Action

Members should seek advice from the Office of Children, Youth and Family Services prior to taking emergency action. Contact numbers are available from Police Operations.

Members must use the 'Emergency Action (Child & Y P Act 2008)' form (AFP Forms) to record the action taken.

Members should also make a detailed record of the mandatory report on PROMIS in a case note entry or on the Results Summary screen.

If a member takes emergency action under s. 406 of the [Children and Young People Act 2008 \(ACT\)](#), they must ensure they then comply with s. 408 of the same Act.

Receipt of complaint

A member who receives an initial complaint of sexual assault/child abuse must obtain and record the following information:

- personal details of the complainant and victim, including:
 - name
 - date of birth
 - address
 - contact telephone numbers
- matters relevant to the welfare and safety of the victim including the:
 - presence, extent and cause of any injuries
 - need for an ambulance
- current location of the complainant and victim
- a brief outline of what has occurred (when, where, what, how and why)
- details of the alleged offender and relationship of that person to the victim.

Where practicable, the member should:

- provide any necessary instructions to assist in preserving evidence
- explain what police require the complainant to do.

Historical sexual assault

These reports may not require the attendance of a patrol. The member must take sufficient details of the complaint including:

- contact details
- when the alleged incident(s) occurred
- brief circumstances of the incident(s) to determine the nature of the offences being reported.

When investigating a matter referred to police via the Office of Children Youth and Family Support it is imperative details of the reporter not be disclosed to the alleged offender, unless circumstances exist that are crucial to the investigation (i.e. disclosure statements).

First response

First response to child abuse and sexual assault matters should normally be the responsibility of patrol teams. However, Criminal Investigations (CI) teams may be required to perform this role, for example, in response to referrals from client agencies.

Members should contact the on-call CI Reception Officer for authorisation to call out Sexual Assault and Child Abuse Team members, if required.

First response members should address concerns relating to evidence collection, corroboration, crime scene preservation, prosecution of offenders and presentation of evidence to the courts.

Procedures for first response members can be found in the 'Aide Memoire on Child Abuse and Sexual Offence First Response Procedures (ACT Policing)' located in the AFP Investigator's Toolkit ('ACT specifics' section).

For more information refer to the [Better Practice Guide on Criminal Investigations response and notification](#).

Interviews and assessments

During business hours, members should organise interviews and medical assessments through the Child at Risk Health Unit or Forensic and Medical Assault Care duty worker.

Forensic medical examinations

Before the victim has any contact with a hospital, doctor, or member of The Canberra Hospital Forensic and Medical Sexual Assault Care or Child at Risk Health Unit, members must either:

- obtain the consent of the parent or guardian
- provide written evidence that emergency action has been taken per s. 406 of the [Children and Young People Act 2008](#) (ACT).

Unless otherwise directed by a Sexual Assault and Child Abuse Team (SACAT) team leader or the Criminal Investigations Reception Officer, medical examinations must be organised and coordinated by a member of SACAT.

Victims requiring medical attention

Where a victim has suffered injuries which require medical attention, the forensic medical examination (FME) must be performed at Calvary Hospital or the Canberra Hospital.

Medical attention not required

If the victim does not have injuries requiring medical attention, the FME should be performed:

- during business hours (8am–4pm Monday to Friday), at Forensic and Medical Sexual Assault Care (FAMSAC)

- outside business hours, at:
 - the hospital at which the victim has presented, if applicable
 - Winchester Police Centre, if the victim did not present at a hospital.

Under 15 years

Where urgent medical attention is required, members should ensure the Child at Risk Health Unit (CARHU) doctor or on-duty worker is advised the child is being brought to hospital.

If possible, medical examinations should be conducted after any statement or evidence-in-chief interview is obtained from the child.

Members should ensure children are accompanied by an adult who is familiar with the child's situation, health and well-being, unless no appropriate person is available.

Members must consider the child's parent/guardian may be the alleged offender, and therefore may not be an appropriate person to accompany the child.

To refer children for medical examinations, members should:

1. Make initial referral by phoning s 22(1)(a)(ii)
2. Arrange for representatives from the Office of Children, Youth and Family Services and/or police to accompany the child to the CARHU
3. Complete a written referral using the following AFP Forms:
 - SACAT – Referral for Counselling Child At Risk Health Unit
 - SACAT – Referral for Medical Examination Child At Risk Health Unit.

15 years and over

SACAT/ACT Policing team members must refer people 15 years of age and above to FAMSAC for examination as follows:

- during business hours: the FAMSAC Nurse Coordinator or Medical Coordinator or s 22(1)(a)(ii)
- after hours: the on-call FAMSAC doctor.

Further Advice

Queries about the content of this document should be referred to Superintendent Criminal Investigations.

Resources

Legislation

- [Children and Young People Act 2008](#) (ACT)
- [Crimes Act 1900](#) (ACT)
- [Victims of Crime Act 1994](#) (ACT)

AFP Governance

- [Standard Operating Procedure for Police attendance at deaths](#)
- [Better Practice Guide on Criminal Investigations response and notification](#)

AFP Forms

- Emergency Action (Child & Y P Act 2008)
- Mandatory report to Care and Protection Services
- SACAT – Referral for Counselling Child At Risk Health Unit
- SACAT – Referral for Medical Examination Child At Risk Health Unit

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UNDER THE
FREEDOM OF INFORMATION ACT 1982

Functional Governance Better Practice Guide

Criminal Investigations response and notification

Date of initial endorsement:	27 September 2004
Date of last review:	15 February 2018
Endorsed by:	Chief Police Officer - Crime
Owner:	Chief Police Officer
Contact:	Superintendent – Criminal Investigations
Identifier:	DCPOC037
IPS Status	Pending

Disclosure and classification

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Compliance

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This document is a functional governance instrument as defined under s.4 of the [AFP Commissioner's Order on Governance \(CO1\)](#).

Definitions

ACT	Australian Capital Territory
AFP	Australian Federal Police
CI	Criminal Investigations
CIRO	Criminal Investigations Reception Officer
PROMIS	Police Real-time Online Management Information System
RO	Reception Officer
Alpha 7	Means a sworn member of ACT Policing performing the roll of the on-call Superintendent.
Alpha 8	Means a sworn member of ACT Policing performing the rostered duties of the Alpha 8.
Business hours	Means in this guideline: 8:00 am to 5:00 pm.
Crime Manager	Means a sworn member of ACT Policing in charge of the ACT Policing Criminal Investigations Response or Targeting portfolios.
Member	Means a sworn AFP appointee as defined in s. 4 of the Australian Federal Police Act 1979 (Cth).
Officer In Charge	Means a sworn member of ACT Policing in charge of a Police Station.
Patrol	Means in this guideline: the response portfolio of ACT Policing, comprising uniform patrol members from each of the five main ACT Police Stations (Belconnen, City, Gungahlin, Tuggeranong and Woden).
DOM	Means a substantive Sergeant of ACT Policing performing the role of the Duty Operations Manager.
Capacity	Means the human resources available to investigate a particular incident.
Capability	Means the skills and knowledge to investigate a particular incident.

Guideline Authority

This guideline was issued by the Chief Police Officer for the ACT 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.

Introduction

This Better Practice Guide advises on the incidents that ACT Policing Criminal Investigations (CI) should have carriage of by virtue of their complex and/or protracted nature and outlines the processes to refer and re-allocate matters or provide advice and guidance to ACT Policing members. The decision making process in regards to the allocation of incidents should not be driven by resourcing issues rather than by the nature of the incident.

Clarity around resourcing considerations is provided on page 9 of this Better Practice Guide.

Incidents

A member who becomes aware of, or receives a report of an offence or incident listed on the following table must, as soon as is practicable, ensure their patrol Team Leader and Operations are notified and briefed.

A member of Operations must notify and brief the Duty Operations Manager (DOM) as soon as practicable.

Members must also consider any change in the circumstances or nature of an investigation that will require Criminal Investigations Reception Officer (CIRO) notification, whether or not the CIRO has already been briefed about the matter.

Notification Incident Type	CI Responsibility
Acts endangering life	<ul style="list-style-type: none"> Grievous bodily harm
Aggravated burglary	Includes incidents: <ul style="list-style-type: none"> involving the use of weapons against a victim involving multiple offenders resulting in actual bodily harm (ABH) resulting in grievous bodily harm (GBH)
Aggravated offences against pregnant women	Causing either: <ul style="list-style-type: none"> loss or indications of harm to pregnancy or death or harm to the child born
Aggravated robbery	Includes incidents: <ul style="list-style-type: none"> involving weapons involving multiple offenders resulting in ABH resulting in GBH
Arson	In circumstances endangering life and/or involving significant property damage (value \$50,000 +)
Assaults	Resulting in: <ul style="list-style-type: none"> GBH ABH (serious) wounding (serious)
Blackmail/extortion	All
Bomb/explosive matters	Incidents involving significant damage to property or risk to the safety of others, including the use of improvised explosive devices
Burglaries – including commercial burglaries	Incidents that are of political, media and/or public interest or: <ul style="list-style-type: none"> significant/serious/indicative of organised criminal activities, and/or complex due to scale

Chemical/biological/radiological suspicious packages/incidents	Red level response
Child abuse and related offences	Including either: <ul style="list-style-type: none"> • abduction of young persons • child destruction and infanticide • concealment of birth • exposing or abandoning a child • unlawfully taking, enticing or detaining a child
Child sexual abuse and related offences	As per SACAT Guideline – does not include non-sexual assaults on children over 10 years of age
Child pornography and related offences	As per SACAT Guideline - by person/s over 16 years of age or indicating contact offences
Technology enabled crime	Serious/complex/protracted
Deaths	Non-vehicle related and including either: <ul style="list-style-type: none"> • murder • manslaughter, including suspected industrial manslaughter • suicide/apparent suicide • fatal overdoses from either illicit drugs or prescription medicines • in custody (per the ACT Coroner's Act 1997) • in disability care facilities • resulting from industrial accidents • resulting from alleged breaches of 'duty of care' • during or following medical procedures at the request of the Coroner • where the cause of death or the identity of the deceased are not readily apparent • involve infants/children • any other death referred by the Detective Superintendent CI.
Drug incidents	Involving: <ul style="list-style-type: none"> • clandestine drug laboratories • cultivation (significant) • drug offences involving children • manufacture • overdoses involving deaths • complex/protracted trafficking/supply incidents
Extortion	All

Forcible (unlawful) confinement	Serious in nature resulting in either: <ul style="list-style-type: none"> • ABH or • GBH
Fraud and/or theft	If complex and involving substantial and/or significant property loss (value \$50,000 +)
Human remains	Unidentified
Kidnapping	All
Missing persons	In suspicious circumstances and/or where fears for immediate safety/welfare are held
Proceeds of crime/confiscation of criminal assets	All
Product contamination	All
Ransom	All
Sensitive investigations or special references	Relating to: <ul style="list-style-type: none"> • abuse of public office • bribery • conspiracy • corruption • perjury • personating AFP members (Criminal Code 2002 (ACT) and/or Australian Federal Police Act 1979 (Cth)) • perverting the course of justice • sabotage • Politically sensitive matters
Sexual offences	Including either: <ul style="list-style-type: none"> • abduction • incest • sexual intercourse without consent • sexual assault • sexual servitude
Terrorist offences	All
Torture	All
Weapon/s related incidents	Incidents involving firearms (in accordance with the definition of 'firearm' provided in the <i>ACT Firearms Act 1996</i>)

Initial and general advice

In the first instance, all members should seek advice from their relevant Patrol team leader. If there is any uncertainty as to the requirement to contact the CIRO to discuss a matter, the DOM should be consulted.

Normal business hours

General advice can be sought through the relevant CI team, for example:

- assault/aggravated robbery – a Response Crime Team
- OMCG related matters – Taskforce Nemesis
- sexual or indecent assault – the Sexual Assault and Child Abuse Teams
- fraud matters – the Fraud Investigations Team
- criminal asset matters – the Financial Investigation Team
- drug matters – the Drugs and Organised Crime Team
- property offences – Response Crime Team

Outside normal business hours

Where a Patrol team leader requires advice or assistance from CI, the Patrol team leader should consult with the DOM prior to contacting the CIRO.

Once all relevant issues have been assessed the Patrol team leader will contact the CIRO directly to request assistance, advice or to hand over carriage of a matter to CI.

Contact details for the CIRO are in the 'PROMIS CI Reception Officers' on-call list or the CIRO can be contacted on the dedicated CIRO mobile number 22(1)(a)(ii).

Allocation, referral and call out

The initial attending members at an incident will:

- provide the initial response and assessment of the incident;
- secure the scene;
- take initial witness details;
- facilitate accurate recording and evaluation of the complaint and any allegations; and
- help identify all persons involved and any other relevant issues.

Where an incident is reported to the CIRO, it is best practice that the relevant Patrol team leader provides the following:

- patrol responding;
- action taken; and
- proposed action.

The determination of carriage of any matter, and approval for recall of CI members or otherwise is made by the CIRO. The CIRO will immediately advise the DOM of this decision so that it can be recorded contemporaneously on CAD.

This decision will be based upon the following considerations:

- the circumstances and seriousness of what has occurred;
- whether the investigation will be lengthy or protracted;
- the complexity of the investigation;
- whether firearms are involved;
- whether the investigation will require the use of resources or skills from specialist areas; and
- whether the matter is politically sensitive in nature

The decision made by the CIRO can include, but is not limited to:

- the matter remaining at patrol level;
- an immediate CI call-out and response;
- CI taking carriage of the matter on normal shift or at a later time and the Patrol Team Leader and the DOM arranging suitable crime scene preservation until then; and
- the matter remaining at patrol level, with assistance and advice provided by CI.

If the matter will be further managed by CI, the relevant CI team leader or team members (on call or otherwise) should be contacted directly by the CIRO and requested to take over inquiries, including (if required) the necessity to be recalled to duty.

The CIRO must advise the DOM of the identities of the CI members allocated to an investigation or recalled to duty.

Resourcing issues

Resourcing issues are not to be used as a reason for Response to refer a matter to CI or for CI to reject a referral from Response.

In circumstances where CI require additional resources to meet the operational needs of a referral CI shall negotiate with other areas of ACTP such as Response, specialist teams and investigative targeting teams to provide such assistances as is needed.

In circumstances where no additional resources are available CI should develop strategies to prioritise current holdings in order to meet the resourcing needs.

Dispute resolution

If there is a dispute between the Patrol team leader and the CIRO in relation to the management of an incident and involvement of CI, the chain of command must be followed in accordance with the Incident Command and Control System.

During business hours

The relevant patrol Officer In Charge (OIC) and CI Crime Manager should discuss and resolve the issue.

In exceptional circumstances (if they are unable to resolve the issue) it should be resolved through the cooperation of the relevant Superintendent of the requesting area and Superintendent CI.

Outside business hours

If the Patrol team leader and the CIRO cannot resolve the dispute, the matter is to be referred to the member performing the role of Alpha 8 in the first instance. If Alpha 8 is not able to resolve the issue the matter is to be escalated to the Superintendent performing the role of Alpha 7, who will determine the appropriate course of

action. Their decision is final. The DOM is to be advised so that this decision can be recorded contemporaneously in CAD.

Recording notifications

For all notifications rejected by the CIRO, the CIRO must add a case note entry into the relevant PROMIS job, allowing patrol members, Officers In Charge, etc. to view the critical decision and the rationale behind that decision.

CIROs should ensure the case note entry appears in the PROMIS log in the following format:

Case note entry type for rejected referrals - Critical Decision

Case note entry content:

- notification details (time, date, contacted by whom)
- incident details as described to the CIRO
- reason for rejection
- any other relevant information

Further Advice

Queries about the content of this document should be referred to Superintendent Criminal Investigations.

Resources

Legislation

- [Australian Federal Police Act 1979](#) (Cth)
- [Criminal Code 2002](#) (ACT)
- [Coroner's Act 1997](#) (ACT)

AFP governance instruments

[AFP Practical Guide on the Alpha 8 role \(ACT Policing\)](#)