



01

AFP Practical Guide on International Police to Police Assistance in Death Penalty Charge Situations

**FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE**

AFP Internal Use Only

**For further information
regarding the content and use
of this document contact the
Document Owner**

Authorised by:	GMNO
Owned by:	DIO
Date Issued:	
Date of Next Review:	
Document Identifier:	OG00014
Registry File Number:	

**FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE**

Table of Contents

AFP Practical Guide on International Police to Police Assistance in Death Penalty Charge Situations	1	03
Document Metadata Table	2	

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

AFP Practical Guide on International Police to Police Assistance in Death Penalty Charge Situations

04

The Attorney-General in consultation with the Minister for Justice has determined that in future Australia will exercise a discretion when considering foreign requests for mutual assistance in criminal matters where the request relates to a charge attracting the death penalty under the law of the requesting country. In the exercise of that discretion, assistance may be refused in the absence of an assurance from the requesting country that the death penalty would not be imposed or carried out. The Attorney-General has decided that this policy will also apply to police to police requests.

Consistent with the Attorney-General's decision, in future the following will apply in relation to AFP cooperation with overseas law enforcement agencies:

- police to police cooperation may continue on the present basis ie, the AFP may provide such assistance as requested, provided it meets existing policy guidelines, irrespective of whether the investigation may later result in charges being laid which may attract the death penalty.

- where the assistance of the AFP is sought by the police or another law enforcement agency of a foreign country in relation to a matter in which a charge has been laid under the law of that foreign country, for a crime attracting the death penalty, no action is to be taken, nor should any indication be given as to the decision likely to be taken in respect of the request. All such requests are to be notified to the Director International and Operations as soon as possible after receipt. Following consultation with the Attorney-General's Department, the General Manager National Operations will provide the Commissioner and Deputy with such advice as considered necessary in order that advice may be provided to the Minister for Justice and the Attorney-General.

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)
DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

Document Metadata Table

05

Title:	AFP Practical Guide on International Police to Police Assistance in Death Penalty Charge Situations
Alternative Title:	Unset
Caption Title:	International Police to Police Assistance in Death Penalty Charge Situations
Document Identifier:	OG00014
Registry File Number:	
AFDA Classification:	
Description:	This Practical Guide relates to foreign requests for mutual assistance in criminal matters where the request relates to a charge attracting the death penalty under the law of the requesting country
Governance Function:	Operations
Coverage:	
Owned by:	DIO
Authorised by:	GMNO
Contact Person:	
Author:	
Contributor:	
Date Created:	2004-04-24T17:54:16
Date Valid:	1998
Date Issued:	
Date Modified:	2004-04-24T18:04:58
Date of Next Review:	
Date Reviewed:	
Type of Document:	Practical Guide
Replaced by:	
Replaces:	
Format:	
AFP Audience:	
AFP Employment:	
Subject:	
Consequence:	
Educational Objective:	
Experience Level:	

**FREEDOM OF INFORMATION ACT 1982
 (COMMONWEALTH)
 DOCUMENT HAS BEEN RELEASED
 UNDER THE FOI ACT BY
 THE AUSTRALIAN FEDERAL POLICE**