



AFP

Better Practice Guide on Australian Federal Police Character Standards

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Introduction

The purpose of this guide is to provide AFP delegates with a framework to ensure consistent, fair and transparent assessment of the character suitability of applicants for employment with the AFP.

This guide reflects community expectations that all AFP employees are held to the highest level of integrity. It seeks to define minimum AFP character benchmarks for prospective applicants across all AFP roles and responsibilities.

This Better Practice Guide forms part of the AFP character standards framework.

In accordance with section 24 of the [AFP Act](#) and the [AFP Regulations](#), this guide:

- defines the minimum AFP character standards for AFP employees across all roles in the AFP.
- reflects the AFP Commissioner's expectations that all AFP employees must act with the highest level of integrity both on and off duty.

The Employment Character Questionnaire, which is completed by external applicants at the time of application, aids the assessment of an applicant's character and his/her ability to comply with the AFP's professional standards both in an official and private capacity.

The AFP's employment decisions are made in accordance with part 2, division 2.1, section 3 of the [AFP Regulations](#), based on:

- (a) impartiality and professionalism
- (b) merit
- (c) freedom from discrimination
- (d) openness and accountability
- (e) fairness
- (f) equity in employment
- (g) effectiveness.

An unsuccessful application may be indicative of the potential integrity risk for both the individual and the AFP.

The delegate has discretion to consider the inherent and unique requirements of individual roles and apply this guide accordingly.

Why assess "character"?

The integrity of the AFP is critical to its success in:

- meeting Australian Government, stakeholder and community expectations.
- ensuring the continued achievement of organisational objectives; and
- maintaining the continued support, trust and confidence of the Australian Government, stakeholders and community.

The AFP's broad mandate is supported by its diverse workforce. AFP employees have access to both sensitive and classified information, areas, and equipment associated with the intrusive powers the AFP is provided with under law to fulfil its responsibilities.

In accordance with [Commissioners Order 2 \(CO2\)](#), all AFP employees must conduct themselves and behave in a manner that reflects the AFP's high standards of integrity both in an official and private capacity.

Assessing character

Section 24 of the [AFP Act](#) provides for the engagement of an AFP employee subject to conditions which include, but are not limited to, security and character clearances.

Applicants will also be assessed against the AFP Core Values as part of the selection process:

- Integrity
- Commitment
- Excellence
- Accountability
- Fairness
- Trust
- Respect.

An assessment of an applicant's character is considered, based on available information, on that person's ability to comply with the professional standards of the AFP in an official and private capacity.

This guideline captures elements of the AFP's security and integrity frameworks and the responses of applicant's are assessed accordingly. Non-disclosure and/or disclosure of criminal history (spent or otherwise) or any issue that could impact on the assessment of good character must be considered.

It is open for the delegate to seek further information from the applicant surrounding the circumstances of any offence or issue disclosed or non-disclosed before making a final decision.

Delegates role and decision

Once a decision has been made not to proceed with an application it is final and the AFP will not review the delegate's decision.

It is at the discretion of the applicant to seek their own legal advice if they are dissatisfied with a decision.

Firearms Act 1996 (ACT)

Schedule 2, Part 2.2 of the [ACT Firearms Act 1996](#) exempts AFP sworn employee members from the requirements of this Act, in relation to the possessing or using a firearm in exercise of their functions as a member. In addition, section 12(1)(a) of the AFP Act provides that:

"...an AFP employee is not required under, or by reason of a law of a State or Territory:

a) to obtain or have a licence or permission for doing any act or thing in the exercise of his or her powers or the performance of his or her duties... as an AFP employee".

In circumstances where the delegate forms the view that the applicant would not likely be eligible to hold a firearms licence in the Australian Capital Territory (or any other jurisdiction) because of a past conviction, or some other attribute, it is reasonable for the delegate to refuse that applicant.

Spent Convictions Scheme

A prospective employee must disclose all convictions, spent or otherwise to the AFP when seeking employment with the AFP. Under Part VIIC, Division 3 of the Crimes Act, if a person's conviction is spent, the person is not required to disclose to any other person, the fact that the person has been charged with, or convicted of the offence. However, these 'non-disclosure' provisions do not apply to persons seeking employment with a law enforcement agency, such as the AFP.

Where an applicant has disclosed a conviction (spent or otherwise), their suitability for employment must be assessed by the delegate once the delegate has given due consideration to the person's entire application. Applicants must not be automatically excluded from employment with the AFP based on the disclosure of a spent conviction alone. In circumstances where an applicant has disclosed a previous conviction (spent or otherwise) the delegate may take into account the following relevant matters when assessing that person's character:

- date of the offence(s) and conviction
- age of applicant at the time of the offence/s or conduct
- seriousness of offence/s or conduct
- frequency or repeated nature of the offence/s or conduct which indicates a pattern of behaviour in relation to alcohol, drugs, aggression, dishonesty or socially unacceptable behaviour.
- applicant's conduct and lifestyle since the offence
- role in which the applicant will perform in the AFP.

Character Standards and Exclusion Periods

Should an applicant fail to meet the AFP's character standards as outlined in this document, the applicant may be excluded for a period of time including permanently. The exclusion period reflects a reasonable period of time in which a constant period of good behaviour proves the applicant's ability to meet the AFP's expectations of good character.

A delegate may permanently exclude an applicant from employment with the AFP if the applicant's history is significant. The below offences/circumstances and periods of exclusion are provided as a guide to assist delegates to apply some consistency to applicant exclusions.

The exclusion periods indicate a period of time from the incident listed which an applicant would need to show good conduct before being reasonably considered for employment within the AFP

The delegate may use their discretion when deciding to apply an exclusion period to an application; and may take into account the following relevant considerations:

Conviction or Integrity Issue	Recommended Period of Exclusion (Delegate Discretion) from date of offence/conviction
Terminated or dismissed from any employment	Delegate discretion depending on circumstances
Inappropriate and/or Criminal associations	
Any sentence of imprisonment, including suspended sentences and periodic detention	
Subject of a current or outstanding arrest warrant, including first instance and family law	

Declarations that indicate past behaviour is inconsistent with the professional standards of the AFP and not in alignment with AFP values. These include but are not limited to the following. • Racism • Misogyny • Adverse media attention that may cause reputational damage to the AFP	Delegate discretion depending on circumstances.
Convicted of, or otherwise proven to have committed any of the following:	
• indictable offence including indictable offence heard summarily	5 year exclusion recommended
• offence for assault, hinder, obstruct or resist a Police Officer or any other public official	5 year exclusion recommended
• personal violence offences, including assault occasioning bodily harm	5-10 year exclusion recommended
• Domestic or family violence offences or behaviour	10 year exclusion recommended
• Sexual harassment offences or behaviour	10 year exclusion recommended
• Sexual assault or abuse offences or behaviour	15 year – indefinite exclusion recommended
• dishonesty offences, including fraud, obtaining benefit by deception, forgery or impersonation	5-10 year exclusion recommended
• corruption activities or related offences	Delegate discretion depending on circumstances
• firearm or weapon related offences	5 year exclusion recommended
• summary offence not outlined in this section on more than one occasion	Delegate discretion depending on circumstances
• offence for driving under the influence of illicit drugs	Delegate discretion depending on circumstances
• The applicant knowingly or deliberately fails to disclose relevant information or provides false or misleading information during the application process	5 year exclusion recommended
• Illicit drug related offences, including the manufacture, sale or distribution, on any occasion in any country, of substances that are illegal or prohibited in Australia	5-10 year exclusion recommended based on circumstances

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The applicant fails to satisfy the requirements to obtain a security clearance	5 year exclusion recommended
Subject (respondent) of a current court ordered apprehended violence order or equivalent; or a current interim apprehended violence order or equivalent	5 year exclusion recommended
Subject (respondent) of an apprehended violence order or equivalent which has expired, been dismissed or revoked	2-5 year exclusion recommended
Subject (respondent) of an order under firearms or weapon legislation that prohibits the person from possession or using a firearm	2-5 year exclusion recommended
One conviction for a public order or minor street offence	1 year exclusion recommended
One conviction for any criminal (willful) damage to property offence	3 year exclusion recommended
One formal Breach of the Peace or Move on Notice	1-3 year exclusion recommended Delegate discretion depending on circumstances.
One lodgement / charge for intoxication or disorderly behaviour in a public place	Delegate discretion depending on circumstances
One conviction for a theft or stealing offence (single offences as a juvenile only)	1-5 year exclusion recommended
One conviction for a receiving or possessing stolen property offence (single offences as a juvenile only)	1-5 year exclusion recommended

Driving and Traffic Offences:

Conviction or Integrity Issue within the last 10 years	Recommended Period of Exclusion (Delegate Discretion) from date of offence/conviction
One conviction for low range driving under the influence (0.05 grams or more but less than 0.08 grams)	1 year exclusion recommended
One conviction for mid-range driving under the influence (0.08 grams or more but less than 0.15 grams)	3 year exclusion recommended
One conviction for a high range driving under the influence (0.15 grams or more)	5 year exclusion recommended
Three or more convictions for driving under the influence (any range)	15 year exclusion recommended
Demerit point accumulation resulting in suspension of licence	2 year exclusion recommended
Suspension of licence for any other reason	Delegate discretion depending on circumstances
Other minor driving or traffic offences including but not limited to, low/mid- range speed (less than 25km/hr over the speed limit), using mobile phone, not wearing seatbelt	1 year exclusion recommended from most recent offence, if an applicant has five or more minor traffic offences across the last three years 2 year exclusion recommended from the date of most recent offence, if an applicant has four or more minor traffic offences in the last 12 months Consideration for exclusion if total of minor offences is excessive i.e. exceeds total years of driving
Serious traffic or driving offences such as negligent driving, any 'hoon' offence resulting in disqualification or suspension of licence, driving whilst disqualified or suspended, drive in a manner dangerous, negligent driving causing injury, high range speed (more than 25km/hr over the speed limit), drug impaired driving	5 year exclusion recommended from date of offence or Delegate discretion depending on circumstances

Declarable Associations

Inappropriate and/or Criminal associations for the purpose of this guideline are

determined to be a 'Declarable association' under the AFP National Guideline on conflicts of interest, which is defined as:

- Current or former AFP employees, where the employee should reasonably know that the other person is suspended or may have separated from the organisation in adverse circumstances.
- Current or former members of any law enforcement or intelligence agency where the employee should reasonably know that the other person is suspended or may have separated from the organisation in adverse circumstances.
- Should reasonably know that the other person is suspended or may have separated from the organisation in adverse circumstances.
- Known criminals or any person, including a family member, suspected to be engaged in criminal activity, including 'social' drug use.
- Criminal entities
- Any person, including a family member, closely affiliated with or related to known criminals.
- Any person, including a family member, group or organisation known or perceived to be involved in unlawful activity.
- Any person, including a family member, involved in a group or organisation known or perceived to be involved in unlawful activity
- Personal contact or relationships with journalists or media representatives

Foreign government officials; public figures (e.g. politicians or celebrities); sporting bodies, clubs or associations; political, trade union or professional organisations or other groups and individuals; community, ethnic, family or religious groups where a reasonable person may consider that person or entity to have extreme political, social or religious views or activities.

Queries about the content of this document should be referred to the [PRS Integrity Intervention Team](#).

Resources

- [AFP Commissioner's Orders](#)
- [AFP National Guideline on Conflicts of Interest](#)
- [AFP Better Practice Guide on Conflicts of Interest](#)
- [Australian Federal Police Act 1979](#)
- [Australian Federal Police Regulations 1979 \(Cth\)](#)
- [Crimes Act 1914 \(Cth\)](#)
- [ACT Firearms Act 1996](#)

Shortened forms

Shortened form	Full form
ACT	Australian Capital Territory
ACTGAL	ACT Government Analytical Laboratory
ACTP	ACT Policing
AFP	Australian Federal Police
AUD	Australian dollar

Definitions

Term	Definition
AFP employee	A person engaged under s. 24 of the Australian Federal Police Act 1979 (Cth).
Applicant	A person applying for employment with the AFP.
Delegate	Commander Professional Standards is the delegate/internal administrative authority for the purposes of this instrument. Delegations under section 24 of the AFP Act are not applicable to this instrument.
Character Questionnaire	A series of questions to assist with the review of an individual's integrity and personal circumstances, and to assess their suitability to both hold a security clearance and work for the AFP.
Gateways	The recruitment process that each applicant must undertake to meet benchmark levels determined by the delegate
AFP Professional Standards	The standards expected of all AFP employees both in a private and official capacity and has the meaning given by Part A of CO2.
Spent convictions	Refers to convictions where a waiting period has passed and the individual in question has not re-offended. Convictions are considered spent if: • It has been 10 years from the date of the conviction (or 5 years for juvenile offenders) • The individual was not sentenced to imprisonment for more than 30 months • The individual has no re-offended during the 10 year (5 years for juvenile offenders) waiting period