

NSW Police Force Handbook as of February 2005

ARCHIVE

Fingerprints

Refer to the *Code of Practice for CRIME* and the *Procedures for Evidence Act* for guidance on:

- taking fingerprints
- preparing instruments and hands
- handling fingerprints at stations
- handwriting forms (P59B)
- fingerprints from bodies
- fingerprinting crime scenes.

Fingerprinting prisoners – Writs of Habeas Corpus etc

Ensure offenders are fingerprinted when taken to court on:

- a writ of Habeas Corpus
- a bench warrant
- an Order under s44 of the *Prisons Act*.

Send the prints to the Commander, Fingerprint Branch.

Preparing antecedents (P16)

When a defendant is committed for trial or sentence, immediately complete a P395 in triplicate. Send the triplicate to the Commander, Fingerprint Branch.

For the procedure for preparing an antecedent report form, See also the section on 'Court matters'.

Fingerprint covering sheets

Stations with on line charging facilities

Generate two computer fingerprint covering sheets listing the offenders fingerprinted, before sending the prints and covering sheets daily to the Commander, Fingerprint Branch.

You will receive the duplicate list back after it is checked. File it for six months, then destroy it.

Stations not on line

Complete a P59E in triplicate, listing the offenders fingerprinted before sending prints daily to the Commander, Fingerprint Branch. Place the original (green) and the duplicate (pink) copies with the fingerprint forms in the envelope, and keep the triplicate (yellow) copy at the station.

Fingerprint examinations on exhibits

Sydney metropolitan area

Submit to the Special Examination Section (SES), Fingerprints Branch, only exhibits arising from major crime scenes, or exhibits from minor crime scenes, which need advanced development techniques.

Have exhibits from minor crime scenes (not requiring advanced development techniques) examined in situ at the crime scene or at a police station.

When you send exhibits to the SES, include documentation verifying that the exhibit has been entered into the Exhibit book at a station within the LAC nearest the crime scene.

Dangerous exhibits – special requirements

If the exhibit contains drugs, inflammable or harmful liquids or items from clandestine drug labs, those substances need to be properly disposed of (or if needed, removed and stored as an exhibit) before the SES can accept them for fingerprinting. In these circumstances, contact the Leader, SES for guidance on maintaining the integrity of the fingerprints during the removal process.

Blood/Human tissue etc – for exhibits exposed to or contaminated by body tissue or fluids, which might present an OH&S risk, contact the Leader, SES for guidance on rendering the exhibit safe for fingerprinting.

Syringes – send only syringes involved in serious matters for fingerprinting. In such cases, send a report from a supervisor justifying the need for the examination (considering the potential threat to the safety of the examination staff) along with the syringe (which must be submitted in a suitable, labelled protective container).

Firearms – render the weapon safe and attach a label indicating this has been done.

Cutting implements – securely pack such items in a way, which ensures the implement cannot penetrate the packaging when being handled.

Objects/vessels containing non dangerous materials – ensure any such container is capable of being sealed to prevent spillages during examination and storage.

Voluminous exhibits or large cash exhibits – Before forwarding such exhibits, ensure the case officer contacts the Leader, SES, Fingerprint Branch to arrange a suitable time/date for the receipt and documentation of the exhibit.

Elimination prints

If you need to get elimination fingerprints/palm prints, obtain the consent of the person proposed to be fingerprinted. Tell people they do not have to supply their prints but if they do, the prints will only be used for comparison with those found at the scene.

Take elimination prints using a P550, if possible. Complete all particulars required on the form. If a P550 is not available, use a normal fingerprint form. Write on the top of the form 'FOR ELIMINATION PURPOSES ONLY'. Send a report with the form and include the full name and address of who supplied the prints, name of the victim, where the offence happened, police in charge, COPS event number and fingerprint case numbers.

Also include in the report whether the person wants their prints destroyed or returned at the end of the elimination process. Have them sign your notebook to confirm this.

Do not record the elimination prints on P59E forms. Use this form only if the person is charged.

Send the prints to the Latent Print Section, Fingerprint Branch.

When the elimination procedure has been carried out, destroy the prints in front of the Leader, Latent Print Section or return them to the person by post – depending on the option advised.

Overseas inquiries

Do not contact Interpol directly to make overseas criminal records' inquiries.

If you suspect someone in custody is from another country and want to establish if there are convictions against them overseas, send a report to the Criminal Records Section (CRS) outlining the present charge/s, the court and hearing date. Attach this to the original set of prints if possible. If it is not possible to forward the fingerprints, ensure the date and station at which the person was charged is included in your report.

If you have not received a response by the court date, apply for an adjournment to allow the inquiry to be finalised.

Interstate/Corrective Service inquiries

Direct requests for interstate criminal records and Corrective Services custody information to the CRS.

Police certificates for entry visas

Advise anyone applying for a police certificate for entry to any country to confirm that country's entry requirements with the relevant consulate before you complete the P397A or collect the fee.

Do not advise the applicant of the country's requirements.

When a fingerprint check is needed, take the applicant's fingerprints on a normal fingerprint form and collect the appropriate fee.

Send the P397A (and fingerprint form where appropriate) to the CRS

If the applicant has lived in another country they might request a second set of fingerprints to be sent to that country. Hand the fingerprints to the applicant, who is responsible for forwarding them to the relevant country.

Lodging and processing applications

When completing a P397A include all details on parts A, B and C. If required, take prints on a normal fingerprint form, include the reason why prints were taken and endorse the form accordingly.

Collecting prescribed fees

Collect the prescribed fee and issue a receipt.

Send the duplicate copy of the P397A with the fee to the Accounts Branch.

Transmitting forms to the CRS

Send the original of the P397A to the CRS. If a full print check is needed, send a completed fingerprint form along with the P397A.

Do not record prints taken for visa purposes on the P59E.

CRS

Send the police certificate to the consulate concerned. If the applicant requests, you may send or hand it to them provided there are no convictions recorded.

If the applicant has indicated they want the form destroyed in their presence, return it to the relevant station for appropriate action.

Interstate/overseas requests for police certificates

Direct interstate or overseas requests for a police certificate to the CRS. Do not make any local inquiries about the applicant's character.

Police certificates for employment purposes

Do not supply police certificates to applicants for employment purposes, except when requested by a consulate.

Police certificates for adoption/ sponsorship

People requesting police certificates for adoption/sponsorship purposes are to supply fingerprints and pay the necessary fee. Use the same procedure as for visas.

Supplying people with their criminal records

Supply criminal records only to someone wanting to verify its accuracy , If they request a copy of their records they need to:

- approach the Freedom of Information Unit for a copy of their criminal record based on a name and date of birth check **or**
- agree to their prints being taken and pay the full print check fee (for which you issue a receipt).

If the second option is chosen, ask the applicant to go to the station with print facilities nearest their home.

Do not record prints taken for this purpose on a P59E.

CRS

After the print check , send a copy of the criminal record and prints to the station where the prints were taken. If no criminal record exists, send a certificate to the applicant. Destroy the prints at the time the certificate is issued.

If the applicant has a criminal record:

- contact them advising where the record can be collected
- send a covering minute to the relevant station, with a copy of the criminal record.

Supplying record to applicant

At the relevant station, when an applicant or representative hands you a letter from the CRS:

- satisfy bona fides
- supply the record to the applicant or their authorised representative
- get the applicant's or representative's signature on the receipt
- after supplying the record, destroy the applicant's prints in their presence, endorse the file and return it to the CRS for filing.

Foreign nationals seeking permanent Australian residency

Applicants must produce their current passport confirming identification and supply a stamped envelope, addressed to the consular/authority.

To process the application:

- take the prints on a normal fingerprint form or on the form supplied by the requesting country
- certify the reverse side of the passport photo with your signature, name, rank, station and date
- complete the application details and certification, with the station correspondence stamp in the top of the fingerprint form.
- place the documents in the stamped, addressed envelope, and mail it. Do not send them to the CRS.

Do not undertake a CNI check or retain the fingerprints.

Collect the prescribed fee, issue an official receipt and send the payment to Accounts.

In these circumstances, as no other documentation is prepared (eg: no P397A), clearly indicate payment refers to an intending immigrant on the remittance schedule.

Police certificates for Australian residents

Only issue police certificates for Australian residency to NSW residents if they possess a letter requesting it from the Department of Immigration and Multicultural Affairs (DIMA) or an overseas Australian consulate. The letter must be personally addressed and quote a DIMA file number.

NB: Do not accept applications without such a letter.

Process such applications as per the practice under 'Police certificates for entry visas' attaching a photocopy of the DIMA letter to the application and forward to the CRS. Costs are as per Visa certificates.

Residents seeking Australian citizenship

Do not accept applications for police certificates for Australian citizenship purposes. Advise the applicant to contact DIMA, which conducts its own inquiries.

Renewal of South African passports

When someone requests fingerprints be taken for the renewal of their South African passport:

- confirm their bona fides
- take the prints on a normal fingerprint form or on the form supplied by the applicant
- complete their details, sign it and include your name, rank and station
- return the fingerprint form to the applicant.

Do not conduct a CNI check or retain the fingerprints.

Collect the prescribed fee (cash, bank cheque or money order). Issue a receipt and send the payment to Accounts, clearly indicating it is for the South African passport procedure.

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