

Terms of Reference for the Evidence Assessment Quality Standards Specialist Group

Status

1. The Evidence Assessment Quality Standards Specialist Group (hereafter referred to as the “Specialist Group”) is an ad-hoc specialist group established to advise the Forensic Science Regulator (“the Regulator”) and the Forensic Science Advisory Council (“the Council”) on matters within its remit.

Remit

2. The Specialist Group will support the Regulator and the Council by providing advice on and developing standards for all matters related to the assessment, interpretation and presentation (provision of reports and statements) of science evidence used in the criminal justice system and related issues within the remit of the Regulator. The Specialist Group will:
 - a. Review any standards and guidance currently in place (and the factors influencing those standards) as they apply to the forensic science. The review will consider, but not be limited to, the following.
 - i. UK-wide legal provisions (including common law, statute, subsidiary legislation and case law) in as much as they impact on the requisite quality standards;
 - ii. The procurement framework through which forensic services are currently commissioned.
 - iii. Applicable statistical and scientific principles;
 - iv. Published and unpublished papers; and
 - v. The Regulator’s Quality Standards for Providers of Forensic Science Services to the CJS.

- b. Report to the Regulator and Council on the scope, suitability and effectiveness of the existing standards and their application.
 - c. Propose means of remedying any shortcomings, distinguishing between measures which fall within the remit of the Regulator and those which do not, including the drafting of suitable standards.
 - d. Develop and publish guidance on issues related to, or influencing, quality standards or the quality of delivery of science evidence to the Criminal Justice System.
 - e. Make such other recommendations as appear appropriate.
3. The Specialist Group will, following a request from the Regulator develop standards, processes or policies for consideration by the Council and Regulator.

Composition

- 4. The following organisations will be invited to nominate suitable persons to membership of the Specialist Group.
- 5. The first approach will be to deal with the requirements of the CJS for England and Wales and the membership will be extended to Scotland and Northern Ireland to make appropriate adjustments.

Area of expertise	Person description	Nominating authority
England and Wales	Three forensic scientists with significant experience of reporting science evidence within the CJS	AFSP
Police	A senior police officer with experience in the application of forensic science to the investigation of crime.	ACPO
CJS	A lawyer with experience of prosecuting,	CPS

	or managing the prosecution of, cases in which forensic science has been at issue.	(England and Wales)
	A lawyer with experience of reviewing/defending or managing the defence of cases in which forensic science has been at issue.	CCRC
	A person experienced in acting in a judicial capacity (either at first instance or appeal) in trials for indictable offences in England and Wales.	Lord Chief Justice
Professional bodies	Two persons with experience in the interpretation and presentation of scientific evidence.	Royal Statistical Society
Regulation	A forensic scientist/specialist providing advice to the Regulator	The Regulator

6. The Chair, Deputy Chair and members of the Specialist Group will be appointed by the Regulator, with the approval of the Council.
7. The Regulator may at the request of, or following consultation with, the Chair of the Specialist Group, add to the membership of the Specialist Group or invite other individuals to serve on the Specialist Group for limited periods of time where additional skills, knowledge or experience are required.

Operation

8. The Specialist Group will operate in accordance with a detailed plan presented by the Chair and approved by the Regulator, who will be advised by the Council.

9. The Specialist Group will conduct its business out of committee as far as possible, but will meet as and when required in order to discharge its remit.
10. In the interests of public accountability, the Specialist Group will carry out its work as openly as possible, within the terms of the Code of Practice on Access to Government Information, subject to any necessary confidentiality requirements and any conditions set by Ministers or agreed by the Regulator.
11. No budget is delegated to the Specialist Group but such assistance as is reasonably required to enable the Specialist Group to undertake its duties will be provided, within available resources.
12. Membership of the Specialist Group is unremunerated. The Regulator may approve repayment of travel and subsistence costs necessarily incurred on Specialist Group business by any members who are unable to obtain reimbursement from their employers. Repayment will only be made where the Regulator has specifically agreed, in writing and in advance of the expenditure, to entertain claims from a named individual under this provision.
13. Where the business of the Specialist Group gives rise to the need for expenditure from the Regulator's budget (including any claims under paragraph 11 above), the Regulator's written approval must be obtained in advance of any commitment to the expenditure.
14. The Chair of the Specialist Group may establish such other procedures as s/he considers appropriate for the operation of the Specialist Group, providing that these are not inconsistent with the above.

Working Groups

15. The Specialist Group may, with the approval of the Regulator, establish such working groups as it considers necessary for the efficient and effective conduct of its business. Such working groups will be constituted with clear written terms of reference and will report to the Specialist Group.

Conduct

16. Members of the Specialist Group are required to observe the Seven Principles of Public Life endorsed by the Nolan Committee on Standards in Public Life. Each member must at all times act in good faith and observe the highest standards of impartiality, integrity and objectivity in relation to the conduct of the Specialist Group's business.
17. Any Specialist Group member has the right to bring to the attention of the Regulator any matter, which he or she believes raises important issues relating to his or her duties as a member. In such cases the member should, before approaching the Regulator, raise their concerns with the Specialist Group Chair to establish whether they might be resolved within the Specialist Group.

Confidentiality

18. In accepting appointment to the Specialist Group, members are required to accept that they will not disclose any information or documents presented to the Specialist Group without the approval of the Regulator. This includes any documents marked with any GPMS security classification (including RESTRICTED) and the content of any discussions relating to such information. Members undertake not to make copies of any such documents, and to follow the advice provided by the Regulator and FSRU about the handling of such documents.