

Fingerprint Quality Standards Specialist Group (FQSSG)

**Note of the meeting held on 16 January 2012
New Scotland Yard, 10 Broadway, London SW1H 0BG**

Present:

Gary Pugh, Chair	Director of Forensic Services, Metropolitan Police Service
Prof. Jim Fraser	Centre for Forensic Science, University of Strathclyde
June Guinness	Forensic Science Regulation Unit
Andrew Rennison	Forensic Science Regulator
Andrew Ritchie	GMP, Forensic Services Branch
Richard Small	West Midlands Police
Karen Squibb-Williams (via telecon)	Crown Prosecution Service
Joanne Tierney	Scottish Police Services Authority
Soheel Joosab	Forensic Science Regulation Unit (Secretary)

Apologies

There were no apologies.

1. Welcome and introduction

1.1 Mr Pugh welcomed members the fifth meeting of the group, with particular welcome to Joanne Tierney as a new member to the group.

1.2 It was appreciated that the group had not met for some time. However, given the remit of the group, and as members were aware, it was considered it would be of more benefit to await the outcome of the Fingerprint Inquiry Scotland before considering future work streams. Now that the findings and recommendations of the Inquiry had recently been published, it was felt timely to reconvene the group to consider priorities and strategies in developing a fingerprint examination standard.

2. Minutes and actions from previous meeting

2.1 Minutes of the last meeting (27 January 2011) were agreed as accurate.

2.2 Actions from the last meeting were reviewed. However, it was agreed that, given the interval between the last and the current meeting, that events had overtaken most of the actions, and so were no longer pertinent.

3. Fingerprint Inquiry – Scotland

3.1 A question was asked about the role of the ACPO Gold Group (GG) which had been established in relation to the Inquiry. Mr Rennison advised its initial role was to coordinate on any significant issues coming out of the Inquiry which might have had direct impact across the CJS in the immediate weeks following publication. The GG are now, however, looking in wider detail at the Inquiries findings and the impact on the fingerprint discipline.

3.2 Given what could be closely aligned remits of the GG and the FQSSG, it was agreed that procedures should be put in place to avoid possible duplication of work. Accordingly, there would be merit in setting and seeking consensus of the remits and explicit objectives of both groups. Additionally, this should include the SPSA.

3.3 Mr Rennison advised that the GG is in the process of drawing up its ToR. When available, this can be forwarded to the FQSSG for note and reciprocation. Members discussed the benefit of both groups having a standing agenda item at their meetings on each others progress; it was agreed this should be put to the GG.

Action: Gary Pugh to write to GG (David Shaw) with FQSSG ToR

3.4 Based on the Inquiries' findings/recommendations, members felt that consideration should be given to producing a risk and impact assessment outlining proposed (preventative and contingency) mitigating actions. Risks might include the criminal justice element, organisational change and possible ongoing austerity programmes. Additionally, there might be opportunity to ask the GG if it would be prepared to share its risk register with the FQSSG.

3.5 Mr Rennison said that he would be in attendance at both the GG and FQSSG meetings, and this should compliment clarity of work streams. Additionally, he was aware that the GG is to visit the SPSA to ensure they are acting in concert with the SPSA and discuss approaches and shared goals.

- **SPSA's response to the Inquiry:**

3.6 Ms Tierney advised that the SPSA has accepted all the recommendations.

3.7 She emphasised that the Inquiry recommendations should not be measured in isolation, but should always be considered in the full context of the body of the report. For example, the report states that the number of verifiers in an examination is important (as are the competencies of the verifiers). However this does not come out clearly in the recommendations (r's.29-32, page 744 of the Inquiry report), but it does in the fuller body of the report. In considering the key recommendations, it should not, merely, be about tweaking forms and numbers around the margins of fingerprint examination and quality processes.

3.8 Ms Tierney advised that while the Inquiry had been ongoing, the SPSA initiated six work streams to look at: note taking; scientific validation; verification of findings; human factors; fingerprint evidence; and quality accreditation.

- **FQSSG considerations of the key recommendations**

3.9 In deliberating the key recommendations¹, it was felt that the position was not only about an incorrect fingerprint examination (although important), but also about the analysis and approach to the examination of a mark. It was noted that within the report subtle distinctions were made indicating that experts can, understandably, follow similar cognitive processes but arrive at different conclusions. However, this

¹ <http://www.thefingerprintinquiryScotland.org.uk/inquiry/3112.html>

should not mean that it is necessarily about competence only, but that a visual cognitive descriptive as fingerprint examination cannot be categorised in terms of 100% certainty. It was agreed that recommendations 1-7 sit well together (particularly around governance), and are set in a form that the Regulator is looking to construct around in that accountability is a cornerstone of an effective fingerprint standard.

3.10 Members responses to the recommendations:

R.1: The group agreed this recommendation. However, it was considered that as a prosecutor may not have the same level of technical understanding to that of a fingerprint examiner, it would be useful (in facing a possible challenge in court) to have a 'tool' which sets out clearly at what stage in an examination an experts considerations became opinion.

R.2: The group endorsed this recommendation agreeing that fingerprint experts should not claim, or talk, in terms of 100% certainty in the identification of a mark.

R.3: There was consensus that fingerprint examination is not a series of measurements that necessarily follow a definitive scientific formula. It is inherent, therefore, that in the examination process examiners will have varying thresholds of opinions, and so differences arise. Members agreed that an effective quality management system would steer toward a consistency of opinion, as there would be exposure to what others had based their decisions on.

R.4: The group endorsed the recommendation. Differences of opinion between examiners should not be referred to as 'disputes; it is an emotive term, and the wording 'differences of opinion' (as in the recommendation) is appropriate.

R.5: A number of members were of the view that not all fingerprint examiners are fully cognisant of ACE-V methodology and that perhaps the training of ACE-V needs to be more comprehensive to ensure that all practitioners are up to ACE-V standard. It was highlighted that a lot of decision making in the fingerprint process that is not encompassed, or guarded against, in ACE-V, e.g. bias. The group agreed that ACE-V is useful as a descriptor, but the level of detail of operating procedures behind it (SOP's) would require structuring – this area of work is beyond the remit of the FQSSG.

R.6: Members considered this recommendation in the full context of the report. It was agreed that the recommendation was not expressing (in evidence presented in court) the expectation that a jury should readily be able to recognise matching characteristics, for example, complex ridge characteristic's. There is, however, an expectation that experts should present their conclusions in a way that a lay-person would be able to distinguish that there is an 'event'. The emphasis is that the court is not inviting a jury to be experts, but more that examiners must be competent in the presentation and rationalisation of their opinions. The group also felt that the courts would benefit from having experts present their evidence in a comparable manner. There would however be a question as to whether this could be mandated and might be a matter for future consideration.

R.7: Members agreed this recommendation.

R.8: Regarding the term used of “an unexplained difference”, members considered it may be necessary for examiners to present a statement of findings which demonstrates why there is an unexplainable difference of characteristics, and setting out their associated observations. The group welcomed this recommendation and felt it had a strong element of training to underpin the ability for examiners to clearly explain, and validate, their reasoning and progressive steps in identifying a mark.

It was highlighted that ‘complex’ marks can be particularly challenging. It would, therefore, be reasonable to have a separate process that manages such instances and establishes a confident work environment that, if needed, encourages examiners to ask for help in the examination of a mark if needed.

R.9: A concern was raised that comprehensive note taking at every stage of every latent identification or examination could result in the critically slowing down the identification process. The group therefore discussed how the detail of this recommendation might be approached and the critical aspects behind the recommendation.

Ms Tierney said that the SPSA has note taking as one of its ongoing quality work streams (paragraph 3.9), which has emphasis at the initial analysis stage for note taking. The SPSA has developed an analysis sheet (that has been piloted and shortly to be rolled out for further testing) which is used to record what the examiner observes when a mark is first examined. The analysis sheet is a single non-laborious check-box form and is used for every mark and can be updated if the examiner later re-evaluates their decision. The group agreed this approach would add benefit within a fingerprint standard and warrants further discussion. Joanne agreed that the check-box template could be circulated to the group for their note.

Action: Joanne/Secretariat to circulate SPSA note taking template

R.10: The group endorsed this recommendation.

Overall, it was felt that the evidence of the report articulated that fingerprint evidence can be a reliable form of identification. However, with some fundamental rethinking of quality procedures and frameworks, and an acceptance that errors can be made (administrative or otherwise), fingerprint examination could be made far a more robust process.

4. Developing a Quality Standard Framework for Fingerprint Examination: Draft paper²

4.1 Mr Pugh outlined the background of the draft framework paper. At this stage the aim is to provide an overview of the key elements of fingerprint examination, reflect what the expectations of the end-user might be, and examine quality standards processes.

4.2 It is proposed the framework draws upon an ISO17025 approach in encompassing the broad elements of validation, detailed technical procedures, demonstrable competence and audit. The purpose of the framework will be to provide

² <http://www.homeoffice.gov.uk/publications/agencies-public-bodies/fsr/dev-quality-std-fingerprint-exam>

practitioners with initial guidance to match the principles of a (ISO 17025) developed standard within their quality management systems.

4.3 The group agreed that the focus of a fingerprint standard should initially be on fingerprint comparison, principally the decision making process. This may in future broaden to cover the recovery of marks at crime scenes. Additionally, subject to wider discussion, there was consensus that such a standard should be a UK standard.

4.4 Mr Pugh highlighted that Mr Rennison had commissioned (as an annex to the Codes of Practice) the production of a forensic toxicology quality standard based around ISO17025 methodology, and proposed that the fingerprint standard be produced along a similar cognitive process. Mr Rennison agreed it would be useful to consider how the Toxicology Standard had been structured and how it might contribute in contextualising and developing a fingerprint standard around an ISO17025 perspective.

Action: Andrew Rennison/June Guinness to circulate the (draft) Toxicology standard for members note.

4.5 Overall, it was considered that the draft framework was well balanced and, with further development, would be a firm foundation to progress to a standard. It was agreed that a work plan be produced with June Guinness to be holder of the plan.

4.6 In considering timescales, Mr Rennison proposed that a standard might be produced and consulted upon within twelve months' (this would include a consultation period). The group felt that this would be achievable.

Actions:

- a) **Gary Pugh** to Invite the GG to comment on the draft framework paper;
- b) **Andrew Rennison/Richard Small** to consider and produce outline work programme;
- c) **June Guinness** to break down project elements into deliverables with timescales and assigned to members for action;
- d) **Gary Pugh** to engage with the SPSA to examine what relative work they and the Metropolitan Police are currently taking forward with an aim to arrive at a form of consensus of understanding;
- e) **Andrew Rennison/June Guinness** (in looking at the Toxicology standard) to produce an outline (quality standard) framework document with ISO17025 methodology; and
- f) To provide the group with a wider perspective, **Gary Pugh** to write to Neil Dennison (Chair of Fingerprint Strategic Network, West Yorkshire Police) inviting him to join the group.

5. Any Other Business

None

6. Date of next meeting

Dates/venues for future meetings are to be considered.

Action: Gary Pugh/Andrew Rennison