

# **Terms of Reference**

for the

## **Digital Forensics Specialist Group**

### **Status**

1. The Digital Forensics Specialist Group (hereafter referred to as the “Specialist Group”) is established to advise the Forensic Science 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 FSAC by:
- i). Identifying requirements for new or improved quality standards applying to the provision of digital forensics services to the police service and the wider CJS. This will include the quality of the techniques employed and of closely associated processes such as evidential integrity, interpretation and presentation of results;
  - ii). Drawing up proposals for such quality standards, following a risk-based assessment of priority, for approval by the FSAC;
  - iii). Advising on how to accredit those supplying digital forensics services to the police and to those serving the courts, including the defence, and including in-house police services and forensic suppliers to the wider CJS;
  - iv). Advising on how to monitor compliance with digital forensics quality standards;
  - v). Developing procedures for validating and approving new technologies and applications in the field of digital forensics;
  - vi). Monitoring the availability of training and guidance in digital forensics and making proposals to the FSAC for approaches designed to improve the availability of, and standards in the quality of, training in digital forensics;
  - vii). Advising on measures to ensure the competence of individual practitioners in digital forensics;
  - viii). Creating, tasking, overseeing and managing the output of any working groups required to advise the Specialist Group on specific matters within its remit;
  - ix). Monitoring international developments relevant to quality standards in the provision of digital forensics and fostering co-operative links with relevant international fora;

- x). Advising on any other issues concerning quality standards in digital forensics which are referred to Specialist Group by the Regulator or the FSAC.

3. For the purposes of the Specialist Group, “Digital Forensics” will be taken to have the following meaning:

The process by which information is extracted from data storage media associated with computing, imaging, audio and communications devices<sup>1</sup>; rendered into a useable form and otherwise processed and interpreted for the purpose of obtaining intelligence for use in investigations, or evidence for use in criminal proceedings.

### **Composition**

4. The Chair and Deputy Chair of the Specialist Group will be nominated by the Regulator.

5. Membership of the Specialist Group will comprise persons formally appointed by the Regulator, with the approval of the FSAC.

6. 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**

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

8. The Specialist Group will report on its work annually to the FSAC, and as required to the Regulator.

9. Any proposed standards produced by the Specialist Group will be presented in draft to the FSAC, for approval by the Quality Standards Specialist Group and endorsement by the FSAC, before coming into effect in accordance with any procedures currently in force.

10. 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.

11. 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

---

<sup>1</sup> From February 1<sup>st</sup> 2010 the remit of the Specialist Group will also include the recovery or interpretation of digital images from apparatus designed solely and specifically to capture such images (such as CCTV devices).

Access to Government Information, subject to any necessary confidentiality requirements and any conditions set by Ministers or agreed by the Regulator.

12. 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.

13. 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.

14. Where the business of the Specialist Group gives rise to the need for expenditure from the Regulator's budget (including any claims under paragraph 13 above), the Regulator's written approval must be obtained in advance of any commitment to the expenditure.

15. 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**

16. The Specialist Group may, with the approval of the Regulator, establish such working groups as it considers from time to time 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**

17. 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.

18. 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**

19. 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.

FSRU

14 January 2010