



REPORT

December 2009

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The Regulator's Foreword

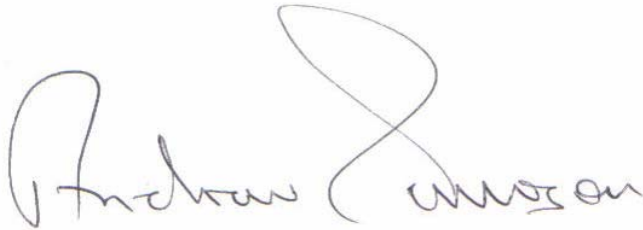


Science is commonly used in the investigation, prosecution and defence of cases across the UK criminal justice systems. The forensic science stakeholders investigators, prosecutors, defence teams and the courts, quite rightly expect this science to be valid, reliable and up to standard. Strictly speaking my role is to set and maintain the quality standards for such science used in England and Wales. However, from the outset the authorities in Scotland and Northern Ireland recognised the need for a UK-wide common approach to quality standards and

agreed to work with me in developing a single standards framework that meets the stakeholders' requirements. The commercial market in England and Wales which supplies forensic science services involves a number of companies who are equally important stakeholders who can and do make a valuable contribution to achieving the standards framework we all demand. It is clearly evident that all these stakeholders are committed to supporting me in the work to develop a modern and effective quality standards framework; I am grateful for that and for our ability to share ideas and views in an open and collaborative way. I am grateful also for the excellent commitment, support and advice I receive from the Forensic Science Advisory Council members and from the many contributors to the specialist groups. This extends further to the many people I have met through conferences and other events who are willing to be involved and to contribute their ideas.

I am pleased that the Home Offices recognises the importance of developing high level strategic approaches to the continued and effective supply of forensic science services through the establishment of a Forensic Science Strategy Group. Such strategic direction is a key component in maintaining and delivering good quality science, and to identifying and managing the risks to not achieving this.

There is no doubt that we will all face challenging financial pressures and changing market risks over the next few years. With continued collaboration and a commitment to work together, I am confident that we will continue to achieve the high quality science that is routinely used in our criminal justice systems and develop a single and effective quality standards framework around that science, and to jointly manage the risks that may arise if those high goals are not achieved.

A handwritten signature in black ink, reading "Andrew Rennison". The signature is written in a cursive style with a large, stylized initial 'A'.

Andrew Rennison
Forensic Science Regulator

Introduction

This is the first report of the Forensic Science Regulator (the Regulator) and is published as a record of achievements to date and as a revision of the business plan published last year for the period 2008 to 2011.

The full role of the Regulator is set out in the Manual of Regulation¹; the principal role is to establish and monitor compliance with quality standards for the provision of forensic science services to the police and wider criminal justice system. The regulation of forensic science quality standards is still in its early stages. The Regulator has now been in post since February 2008 and in that period has begun a programme of work to create an effective quality standards framework which will cover all aspects of forensic science activity across the UK, from the supply of equipment and consumables, action at a crime scene, collection and examination of exhibits, through to analysis of samples, interpretation of results and reporting of evidence.

This requires the continued support of many stakeholders who, across-the-board, have given their commitment to do so. Full development and implementation of the framework is expected to take another four years, hence it is now appropriate to set out a plan covering that time frame.

Vision

That forensic science delivered to the criminal justice system in the UK will consistently meet the high quality standards and integrity expected by the courts and the general public.

To achieve this, the Regulator will:

- Provide direction and unity of approach to achieving forensic science quality standards across the UK;
- Place quality at the centre of all forensic science activities; and

¹ Available at: http://police.homeoffice.gov.uk/publications/operational-policing/Forensic_Science_Regulator_3.pdf?view=Binary

- Create a quality standards framework around the full range of forensic processes.

Mission

- To influence the strategic management of UK forensic science to place quality standards at the heart of strategic planning;
- To develop a set of 'industry specific' quality standards for all forensic processes across the dimensions of provider, practitioner and method;
- To establish, through the United Kingdom Accreditation Service (UKAS), effective compliance assessment procedures;
- To use the Forensic Science Advisory Council as a source of independent and authoritative advice;
- To maintain the use of specialist groups of domain experts as the vehicle to deliver valid quality standards; and
- To engage with the full range of stakeholders in order to consult widely.

Strategic Direction

The rapidly changing nature of the market for the supply of forensic science services, together with the ever present pressure on forensic budgets and the consequential impact of research and development capabilities, mean that there must be a single authoritative group made up of the key stakeholders who meet on a regular basis to provide strategic direction and leadership to the supply and use, across-the-board, of forensic science.

The Regulator's interest here is the clear correlation between effective strategic management of the market and the quality of the 'products' delivered to the criminal justice system.

The Regulator is pleased that the Home Office has established a Forensic Science Strategy Group made up of key stakeholders, including the Regulator, and chaired

by a Home Office Senior Civil Servant. The Group has meetings planned for each month throughout the coming year.

One aspect of the Regulator's work is to identify and manage risks to achieving the high quality and standards we demand of forensic science. As this work developed it became clear that such risks were intertwined with a broader range of risks to the whole supply and use of forensic science. The Regulator agreed with the Forensic Science Strategy Group, at its meeting in July 2009, to establish a risk sub-group to identify and manage this broader array of risks.

Forensic Science Advisory Council

The Forensic Science Advisory Council (FSAC) has to date held ten meetings. The members are committed to their role and are able to give valued advice on a broad range of issues. New members have been invited to join the council to broaden the background of membership to cover small forensic businesses, criminal defence work and police scientific support. Minutes of council meetings are published on the Regulator's web site.

National DNA Database Ethics Group

The Ethics Group is sponsored by the Regulator but left to administer its own programme of work and to report, through the Regulator, to Ministers. The chair is a member of the National DNA Database Strategy Board and also has regular dialogue with the Association of Chief Police Officers (ACPO) chair of the Board. Since its inception, in 2008, the Ethics Group has been ably chaired by Professor Peter Hutton and has produced two annual reports.

Professor Hutton recently stood down as the chair and has left the group. He is to be thanked and congratulated for the leadership he brought to the group and for the energy he put into liaising with the many and varied stakeholders interested in ethical issues concerning the use of DNA technology. The group has grown into an effective and committed team. Mr Christopher Hughes OBE has been appointed as the new Chair.

Specialist Groups

The specialist groups are the Regulator's mechanism to involve domain experts in the setting and monitoring of standards. Current specialist groups are:

- The Quality Standards Specialist Group, chaired by the Regulator.
- The End User Specialist Group, chaired by Mr Ewen Smith, Commissioner at the Criminal Cases Review Commission and part-time Immigration and Asylum Judge.
- The Forensic Pathology Specialist Group, chaired by Dr Harry Millward-Saddler.
- The DNA Analysis Specialist Group, chaired by Ms Karen Squibb-Williams, Crown Prosecution Service.
- The Digital Forensics Specialist Group, chaired by Professor Jim Fraser, University of Strathclyde.
- The Practitioner Competency Standards Specialist Group, chaired by Deputy Chief Constable Clive Wolfendale.
- Evidence Assessment Specialist Group, chaired by Angela Gallop, LGC Forensics.
- Contamination Specialist Group, chaired by Stan Brown, Forensic Science Northern Ireland.

The specialist group methodology works well, and it is continually reassuring to see the commitment shown by the members of the groups who undertake this work in addition to their many, varied and busy roles. In some cases the Regulator has been able to bring in remunerated support to expedite the work of the groups so that members are free from burdens on top of their normal workloads, but are in a position to advise on work before it is published. This process will continue as and when funding allows in order that standards can be developed by the quickest route possible.

Membership of each group, with details of the meetings held, are attached at Appendix B, the terms of reference for each group are published in the Regulator's Manual of Regulation. Minutes of the meetings of each group are published but not until they have been agreed at a subsequent meeting. This does lead to some delay in making the ongoing work of the groups transparent, this is under review and thought is being given to exploring the idea of publishing provisional minutes agreed by a small number of members ahead of confirmed minutes following another full meeting.

Progress by each of the groups is summarised below:

Quality Standards Specialist Group

Chaired by the Regulator, the remit of the group is to provide advice on all matters related to the preparation, implementation and monitoring of scientific quality standards within the remit of the Regulator.

The group has conducted a number of workshops in order to discuss aspects of quality and standards in detail. This work was then handed to a consultant, Dr Bob Bramley, who was commissioned to draft a set of 'industry specific' standards. The draft standards were published for consultation on 10 March 2009².

Responses to the consultation are currently being assessed and will lead to a paper for the group to consider after which a revised set of standards will be published. This work has been invaluable in generating thinking, debate and as a basis for consultation on the nature and shape of future quality standards. It is visionary work with a long-term aim of creating new standards that are specific to the forensic science context. In the short-term, work is underway to produce guidance which the United Kingdom Accreditation Service (UKAS) can use in order to accredit against the international standards that form the basis of the industry specific standards, such that accredited organisations and individuals are assessed against additional requirements placed by the Regulator. This will allow for a natural and planned progression from the current international base standards to include enhancements of those standards to meet the needs of the UK Criminal justice systems.

² Quality Standards for Providers of Forensic Science Services to the Criminal Justice System.

Objective 1: By December 2009 to have a revised version of the Regulator's industry specific standards for consideration by the Quality Standards Specialist Group, as well as additional accreditation guidance for UKAS to use alongside the current base standards.

Regardless of the format of the final quality standards document, there is a need to continue the work to develop specific standards for different forensic disciplines that will, in all probability, sit as appendices to the main standards document. Early scoping work has identified some sixty or so appendices to be drafted and a project plan has been prepared to draft these appendices, with the assistance of domain experts, by the end of 2011. This is an ambitious project which will rely on the creation of a procurement framework through which specialists with expert knowledge can be engaged in order to expedite the creation of specific standards. This methodology is intended to complement the commitment shown by the specialist groups and to supplement the limited resources which the Regulator can commit to research and draft the standards within a short time scale.

Objective 2: By December 2011 to have appendices to the Regulator's Standards drafted for consultation.

Early responses to the standards consultation document, and advice from the FSAC, are that the Regulator should do more to develop standards and guidance on the interpretation of science evidence and the presentation of that evidence to the prosecuting authorities and courts. This follows from work already undertaken by the Association of Forensic Science Providers following which the Regulator agreed to set up a new specialist group to develop standards for the interpretation and presentation of forensic science evidence.

Objective 3: To establish a specialist group to develop standards for the interpretation and presentation of forensic science evidence³.

Similarly, early consultation identified a need to undertake more work to establish standards to manage the inevitable, but controllable, contamination of forensic exhibits, particularly with regard to trace evidence recovery. The increasing use of sensitive forensic techniques and the easy introduction of contaminated material

³ The terms of reference for the group are at appendix C. The group held a first meeting on 15 October 09.

onto forensic exhibits present problems that are well understood and carefully managed throughout the collection, handling and analysis of forensic samples. However, more can be done to create a single set of up-to-date standards to match the advances in forensic science technology.

Objective 4: To establish a specialist group to develop standards for the management and prevention of contamination of forensic exhibits⁴.

It is now possible, as resources are freed up with the completion of work by other specialist groups, to move to setting up these two new groups.

Notwithstanding the work still to be done in order to create a full and complete quality standards framework, detailed planning has started in order to implement the framework. However, this is subject to a range of variables under the control of different organisations. Therefore the Regulator is working with key delivery partners to agree a plan to pilot and deliver the standards framework across the full range of forensic science providers.

The Regulator has set a target date of December 2013 to have the standards framework implemented across all police forces, other law enforcement bodies and commercial providers. This is subject to testing and revision of the standards and the development of a full impact assessment as pilot work progresses. As the framework is implemented and matures it is planned to evaluate and review the ongoing business benefits it achieves.

This approach is based on consensus and agreement by all stakeholders to achieving an effective quality standards framework, underpinned by contractual obligations imposed on the providers of forensic science services, voluntary adherence in the case of the police and other law enforcement bodies and gatekeeper checks by the CPS on the quality and standards of forensic science evidence in cases that they prosecute.

The FSAC advise that the standards framework should become a mandatory requirement through all non-statutory measures possible to secure compliance. This can be achieved through police contracts with the forensic providers, codes of

⁴ The terms of reference for the group are at appendix D. The group held a first meeting on 29 October 09.

practice issued under the Police Reform Act, 2002 and by the Crown Prosecution Service adopting a gatekeeper role to check the quality of forensic science evidence in cases that they prosecute. This will be kept under review as the framework is implemented.

However, there is a programme of work at European Union level to create a statutory basis for the accreditation of forensic science services across all Member States. The rationale is to facilitate cross-border exchange of forensic science evidence which will be based on a common set of quality standards. The Regulator is closely involved in this work which began with requirements for the accreditation of DNA and fingerprint laboratory activities.

It seems sensible, therefore, to continue with a non-statutory approach in the UK but to be closely involved and influencing the development of EU legislation.

DNA Specialist Group

The DNA Specialist Group was formed to support the Regulator by providing advice on all matters related to quality standards applicable to the analysis of DNA. The group is chaired by Karen Squibb-Williams of the Crown Prosecution Service and met four times over its first year.

The group was established soon after the “Review of the Science of Low Template DNA Analysis” was published by Professor Brian Caddy and his team. The Regulator referred all the pertinent recommendations from the review to the group. The technical aspects of the review were discussed in specialist workshops, including working on anti-contamination requirements regarding consumables/reagents and staff elimination databases. The outputs and options created by all the workshops were presented back to the DNA Specialist Group. The group also considered DNA quantification and agreed draft language for the standard which allowed sufficient professional judgement, whilst ensuring the main risks of inhibition were suitably mitigated. The recommendations of the group will be reflected in the DNA annex of the draft industry specific standard for further consideration later in the year.

There were a number of recommendations from the Review concerning interpretation of DNA, particularly DNA mixtures. The extensive nature of the work required to fully address the topics arising needed a comprehensive piece of work only a dedicated resource could devote sufficient time. Therefore, the group recommended we commissioned a project to address these issues; this is expected to report in December 2009.

Topics outside of the Caddy Review were also addressed through specialist workshops such as familial DNA searching and creation of a set of common frequency databases. A review of familial DNA searching methodologies is part of the 2009/10 work programme, subject to a suitable definition of a user requirement. The creation of a set of common frequency databases, or rather standards setting for the creation of such databases, is currently considered a higher priority as newer DNA profiling systems are coming onto the market which may be adopted for various purposes within the CJS. These will therefore be pursued in the 2009/10 work programme for the group along with reviewing the standards annexes as they are drafted and any other matters of concern to the Regulator.

Practitioner Specialist Group

The group was established in May 2008 following a request by Meg Hillier, Parliamentary Under-Secretary of State, to review the accreditation of forensic practitioners.

The group was chaired by Deputy Chief Constable Clive Wolfendale, North Wales Police. Through the work of this group the Regulator was able to publish a review of practitioner accreditation on 15 January 2009⁵. The consultation on that document closed on 9 April 2009 with 52 responses. These have been reviewed and a paper summarising the responses has been published on the Regulator's web site. This group is not planning any further meetings.

⁵ A Review of the Options for the Accreditation of Forensic Practitioners

End User Specialist Group

The End User Specialist Group is chaired by Mr Ewen Smith, Commissioner, Criminal Cases Review Commission. The group has met twice and has held a workshop to help establish the requirements of the end user (the courts) from forensic science. The group is waiting for the results of legal research to establish the current legal position in terms of statute and case law on the use of science evidence in criminal trials. This will be used as a template upon which to assess the proposed standards framework and to assist with the final drafting so that the needs of the criminal justice system are catered for in the quality standards framework.

The group is next to meet in February 2010 to assess the output of the Forensic Pathology Specialist Group, the final versions of the Regulator's industry specific standards, the UKAS accreditation guidance against the current base standards and other work that needs scrutinising for an assessment from the end-users perspective.

Forensic Pathology Specialist Group

The Forensic Pathology Specialist Group, which was convened in November 2008, is chaired by Dr Harry Millward-Sadler (who previously chaired the Scientific Standards Committee of the Policy Advisory Board for Forensic Pathology).

Members include nominees from Pathology Delivery Board, Royal College of Pathologists, British Association of Forensic Medicine, Coroner's Society, ACPO, Human Tissue Authority, Crown Prosecution Service, Crown Office and Procurator Fiscal Service and forensic pathologists from Scotland and Northern Ireland. There are also a number of members nominated as a result of their particular experience.

The group has identified a number of areas where standards and/or associated processes are required. Some require action by the group and some are being addressed by other organisations. In the latter the group will advise the Regulator on what is required, when this has been achieved and whether action is required by the Regulator.

The first issue addressed by the group was the review of the Code of Practice and Performance Standards (the Code) which was first published (by the Home Office and Royal College of Pathologists) in 2004. The code has been reviewed / updated

and the proposed text is in the process of being agreed by the group. Once agreed by the group, the proposed text shall be reviewed by the End User Specialist Group. At that point the proposed text will be provided to the Royal College of Pathologists for its consideration with the aim of a joint publication.

The second issue addressed related to mortuary standards. The code requires work to be performed in suitable facilities but does not specify what that means. The group, in consultation with interested parties, has drafted a set of standards applicable to mortuaries employed for examinations in cases of violent or suspicious death.

The third issue addressed is performance audit. The Scientific Standards Committee was responsible for managing the audit of registered forensic pathologists. The Group has established a sub-group to consider the “user requirement” and design for such an audit with the aim of initiating an audit this year.

Additionally the group considered the maintenance of the existing guidance entitled “Legal Issues Relating to Forensic Pathology and Tissue Retention”.

Digital Forensics Specialist Group

The group is chaired by Professor Jim Fraser, Strathclyde University, and has worked to develop specific standards for the forensic examination of computers and telephones. The work has been greatly helped by collaboration with the National Policing Improvement Agency (NPIA) who commissioned a consultant to develop standards for agreement by the specialist group. The consultant, Mr David Jones, worked closely with Dr Bob Bramley so that the standards for digital forensics have been produced as an appendix to the main standards document. This methodology is now proposed for developing standards for many other forensic methods such that the final standards document sets the generic standards supplemented by specific standards needed for each forensic method.

The specialist group agreed the appendix for digital forensic work at its last meeting on 12 May 09. The appendix will be published along with other appendices once the format of the main standards document has been through consultation and revision.

National Forensic Intelligence Databases

The Regulator has a role to oversee quality standards applicable to the national forensic science intelligence databases⁶. Work is ongoing to develop quality standards for the:

- National DNA Database; and
- National Ballistics Intelligence Service database.

These will be ready for consultation early in 2010.

Objective 5: To publish (for consultation) quality standards for the National DNA Database and the National Ballistics Intelligence Service Database.

Compliance

The United Kingdom Accreditation Service (UKAS) is the sole national accreditation body recognised by government to assess and accredit organisations against agreed standards; UKAS is the organisation best placed to assess forensic science providers against the standards set by the Regulator.

The Regulator and UKAS have signed an agreement that covers their commitment to work together, how they will work together and when and how they will share information. This agreement will be reviewed annually.

The effectiveness of the compliance mechanism is dependent on a number of variables and will be tested during the roll-out of the Regulator's Standards. Feedback from all stakeholders will be an ongoing and important requirement.

Stakeholder Engagement and Consultation

In his first year in office the Regulator made a commitment to ongoing liaison with a broad range of stakeholders, this has proved to be invaluable. The fragmented and complex make up of the UK forensic science 'industry' requires that voices from all corners and sections of the forensic community are heard, as well as other stakeholders who rely on the products of forensic science, such as the Crown Prosecutors and the judiciary.

⁶ See Section 12 of the Regulator's Manual of Regulation

Some liaison is achieved through the Advisory Council and the Specialist Groups. More is achieved by the Regulator and his team attending conferences and meetings hosted by stakeholders, and by visits to stakeholders.

The regulator will maintain his commitment to visiting stakeholders and already has plans for many visits over the next year.

On a more formal basis, the Regulator will arrange conferences throughout each year:

- The Regulator's annual Stakeholder Conference – held in January or February each year for an invited audience;
- One conference each year for providers and practitioners from across the full spectrum of large companies, small companies, partnerships and sole traders; and
- An annual conference for quality managers from across the stakeholder community.

Scotland and Northern Ireland

The Regulator's remit is strictly speaking confined to forensic science quality standards in England and Wales. However, from the outset it was recognised that any standards developed must be applicable across the UK and be of value to all the criminal justice systems. Early agreement was reached with the Scottish and Northern Irish authorities to be involved in the setting of standards following which the Chief Executives of Forensic Science Northern Ireland (FSNI) and the forensic wing of the Scottish Police Services Authority became members of the FSAC. This has been followed up by meetings between the Regulator and senior officials within both countries to take the agreement to Ministerial levels.

Resources

The Regulator is supported by Home Office staff from the Forensic Science Regulation Unit (FSRU). The following resources have been allocated to the Regulator by the Home Office:

Budget (£K)

Admin 742.5

Programme 571.5

Total £1,314

The budget will be allocated from the Home Office Departmental Expenditure Limit (DEL) and delegated to the Regulator by the responsible director (see below). The Regulator will account for the management and expenditure of the budget in accordance with Home Office departmental policy.

Staff

Regulator 1

Grade 7 2

SEO/SSO 3

EO 2

Total 8

Current members of the Forensic Science Advisory Council

Meeting dates	Members	Organisation
19 November 2007	Dr Jane Beaumont	Director, United Kingdom Accreditation Service
22 January 2008		
18 February 2008	Mr Brian Rankin	President of the Forensic Science Society
7 April 2008		
23 June 2008	Dr Basil Purdue	Home Office Registered Pathologist
15 September 2008		
1 – 2 December 2008	Professor Julie Mennell	Dean, School of Applied Sciences Northumbria University
2 March 2009		
1 June 2009	Dr Sheila Willis	Director, Forensic Science Laboratory Dublin
7 September 2009.	Mr Roger Robson	Managing Director, Forensic Access Ltd
	Mr Roger Coe-Salazar	Chief Crown Prosecutor
	HH Judge Andrew Goymer	Southwark Crown Court
	Mr Mohammed Khamisa QC	Bar Council
	Mr Ian Kelcey	Kelcey Hall Solicitors
	Mr Tom Nelson	Director of Forensic Services Scottish Police Services Authority
	Mr Stan Brown	Chief Executive of Forensic Science Northern Ireland
	Mr Paul Crowther	Assistant Chief Constable British Transport Police
	Ms Julie Goulding	Commissioner, Criminal Cases Review Commission

Appendix B

Specialist Groups – membership and meeting dates

Digital Forensics Specialist Group

Meeting dates	Members	Organisation
8 July 2008 9 October 2008 25 February 2009 12 May 2009	Jim Fraser	University of Strathclyde (Chair)
	Mark Cameron	Child Exploitation and Online Protection Centre
	Neil Cohen	Home Office Scientific Development Branch
	Paul Crowther	ACPO
	Geoff Fellows	LG Training Partnership
	Nigel Jones	Technology Risk
	Andy Kay	NPIA
	Angus Marshall	Forensic Science Society
	Charlie McMurdie	Metropolitan Police
	Miranda Moore QC	5pb Chambers
	Tony Sammes	Cranfield University
	Peter Sommer	London School of Economics
	Merv Valentine	Greater Manchester Police
Craig Wilson	Kent Police	

DNA Specialist Group

Meeting dates	Members	Organisation
10 July 2008 19 August 2008 17 December 2008 25 March 2009 12 November 2009	Karen Squibb-Williams	Crown Prosecution Service (Chair)
	David Balding	Royal Statistical Society
	Marie Barrett	Eurofins
	Angel Carracedo	International Society for Forensic Genetics
	Kathryn Dagnall	Metropolitan Police
	Andrew McDonald	Orchid Cellmark
	Martin Fairley	Scottish Police Service Authority
	June Guinness	NPIA / FSRU
	Brian Irwin	FSNI
	Shirley Marshall	Forensic Science Society
	Tony Nash	Metropolitan Police
	Des Van Hinsberg	Forensic DNA Services
	Kerry Way	LGC Forensics
	Jonathan Whitaker	Forensic Science Service

End User Specialist Group

Meeting dates	Members	Organisation
22 July 2008 25 November 2008	Ewen Smith	Criminal Cases Review Commission (Chair)
	Mike Bell	Crown Office, Scotland
	Martyn Bradford	Avon and Somerset Police
	Anthony Heaton-Armstrong	Criminal Bar Association
	Jane Higham	Glaiysers Solicitors
	Kate Horne	Council for the Registration of Forensic Practitioners
	Paul Johnson	Royal College of Pathologists
	Nigel Meadows	Coroners Society of England and Wales
	Ann Priston	Forensic Science Society
	John Rea	Northern Ireland Office
	Karen Squibb-Williams	Crown Prosecution Service
	Lynne Townley	Crown Prosecution Service
	Ian Walker	The Expert Witness Institute
Francesca Weisman	Legal Services Commission	

Forensic Pathology Specialist Group

Meeting dates	Members	Organisation
14 November 2008 26 February 2009 28 July 2009	Harry Millward-Sadler	Southampton University (Chair)
	Jeff Adams	Home Office
	Caroline Browne	Human Tissue Authority
	Jack Crane	Northern Ireland Office
	Anne Harrison	NPIA
	Paul Johnson	Royal College of Pathologists
	Nigel Meadows	Coroners Society
	Basil Purdue	British Association in Forensic Medicine
	Trevor Rothwell	Consultant
	Charlie Wilson	British Association in Forensic Medicine

Quality Standards Specialist Group

Meeting dates	Members	Organisation
8 July 2008 19 September 2008 11 December 2008 24 February 2009 20 July 2009	Shirley Bailey-Wood	British Standards Institute
	Val Bowman	Home Office Scientific Development Branch
	Simon Bramble	NPIA
	June Guinness	NPIA / FSRU
	Peter Harper	Orchid Cellmark
	Emma Millican	Eurofins
	Katherine Monnery	United Kingdom Accreditation Service
	Nuala O'Hanlon	Forensic Science Northern Ireland
	Rebecca Pepler	M-Scan
	Kate Salesse	Greater Manchester Police
	Kevin Sullivan	Forensic Science Service
	Andrew Sweeney	Scottish Police Services Authority
	Ric Treble	LGC Forensics
	Merv Valentine	Greater Manchester Police
Charles Welsh	Skills for Justice	

Practitioner Standards Specialist Group

Meeting dates	Members	Organisation
17 June 2008 5 September 2008 22 June 2009 14 September 2009	Clive Wolfendale	ACPO (Chair)
	Jim Armstrong	Forensic Science Northern Ireland
	Rob Bettinson	United Kingdom Accreditation Service
	Kate Horne	CRFP
	Chris Howden	Association of Forensic Science Providers
	Dave Inglis	Scottish Police Services Authority
	Anya Hunt	Forensic Science Society
	Anne Parker-Tyler	National Policing Improvement Agency
	Nigel Pilkington	Crown Prosecution Service
	Brian Rankin	Forensic Science Society
	Roger Robson	Forensic Access
	Charles Welsh	Skills for Justice
	Jennifer Will	Legal Services Commission

Terms of Reference for the Evidence Quality Standards Specialist Group

Status

1. The Evidence 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 interpretation and presentation 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. Applicable statistical and scientific principles;
 - iii. Published and unpublished papers; and
 - iv. 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; and
 - 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.

Area of expertise	Person description	Nominating authority
England and Wales	Two forensic scientists with significant experience of reporting science evidence within the CJS	AFSP
Scotland	One forensic scientist with significant experience of reporting science evidence within the CJS	SPSA
Northern Ireland	One forensic scientist with significant experience of reporting science evidence within the CJS	FSNI
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, or managing the prosecution of, cases in which forensic science has been at issue.	CPS

	A lawyer with experience of prosecuting, or managing the prosecution of, cases in which forensic science has been at issue.	Procurator Fiscal
	A lawyer with experience of prosecuting, or managing the prosecution of, cases in which forensic science has been at issue.	Public Prosecutor NI
Professional bodies	Two statisticians with experience in the interpretation and presentation of scientific evidence.	Royal Statistical Society
Regulation	A forensic scientist from the FSRU	The Regulator

5. The Chair, Deputy Chair and members of the Specialist Group will be appointed by the Regulator, with the approval of the Council.
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 plan presented by the Chair and approved by the Regulator, who will be advised by the Council.
8. 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.
9. 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.

10. 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.
11. 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.
12. 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.
13. 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

14. 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

15. 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.
16. 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

17. 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.

Terms of Reference for the Contamination Standards Specialist Group

Status

1. The Contamination 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 identification, avoidance, management and control of contamination of exhibits, or other evidence, at all stages of the forensic process. The Specialist Group will:
 - f. Review any standards and guidance currently in place (and the factors influencing those standards) as they apply to 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. Applicable scientific principles and methods;
 - iii. Published and unpublished papers; and
 - iv. The Regulator’s Quality Standards for Providers of Forensic Science Services to the CJS.
 - g. Report to the Regulator and Council on the scope, suitability and effectiveness of the existing standards and their application.

- h. 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.
 - i. 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.
 - j. 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.

Area of expertise	Person description	Nominating authority
UK	Two 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
	A forensic scientific support manager with experience of crime scene management.	
Regulation	A forensic scientist/specialist providing advice to the Regulator.	The Regulator

5. The Chair, Deputy Chair and members of the Specialist Group will be appointed by the Regulator, with the approval of the Council.
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 plan presented by the Chair and approved by the Regulator, who will be advised by the Council.
8. 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.
9. 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.
10. 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.
11. 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.
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Working Groups

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