

Terms of Reference for the End User Specialist Group

Status

1. The End User Specialist Group (hereafter referred to as the “Specialist Group”) is a Standing 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 first undertaking a one-off study leading to the specification of an End-User Requirement for forensic science services. For the purposes of this study, the end user will be taken to comprise those interests which are regularly engaged in contributing to criminal proceedings in courts, and the study will deal only with requirements relating to court¹ proceedings. The study will be confined to England and Wales and will be designed to:
 - a. Identify the “end users” of forensic science services in England and Wales;
 - b. Identify the individual requirements of the end users in relation to:
 - i. The quality of forensic science services provided;
 - ii. The quality of expert witness contribution to criminal proceedings and inquests;
 - iii. Other requirements.
 - c. Establish how those requirements are currently met in terms of:
 - i. Compliance with formal quality standards;
 - ii. Compliance with standards established by the service providers;
 - iii. Compliance with legal provisions;

¹ This is to be taken to include proceedings in coroners’ courts.

- iv. Compliance with other formal requirements established by the user;
 - v. Compliance with other norms and values (including those inculcated by education and training, and membership of professional bodies).
 - d. Identify any shortcomings in the extent to which the requirements are currently met;
 - e. Propose means of remedying the shortcomings, distinguishing between measures which fall within the remit of the Regulator and those which do not;
 - f. Make such other recommendations as appear appropriate.
3. Following the study, the Specialist Group will continue to support the Regulator and the Council by receiving information obtained through the Regulator's on-going scrutiny of the use of forensic science in the CJS, and any other sources, in order to assess and advise on any shortcomings in the delivery of forensic science to the end users. This assessment will also assist with the Regulator's management of risk.

Composition

4. The following organisations will be invited to nominate suitable persons to membership of the Specialist Group:

The Judiciary (through the Lord Chief Justice's nominee on the Council)

The Crown Prosecution Service

The Criminal Bar Association

The Coroners' Society of England and Wales

The Expert Witness Institute

The Academy of Experts

R.C. Path/BAFM

The Legal Services Commission

The Criminal Cases Review Commission

The Office of Criminal Justice Reform

The Association of Chief Police Officers

The Forensic Science Society

The Scottish Police Services Authority (SPSA)

The Northern Ireland Office

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 consult other end-user stakeholders, not represented on its membership, as necessary in order to obtain a comprehensive view. For example:

The Serious and Organised Crime Agency

HM Revenue & Customs

Serious Fraud Office

Assets Recovery Agency

Health & Safety Executive

Benefits Agency

9. The Specialist Group will report its findings to the Council, on completion of its work, by 30 September 2008.
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 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 11 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 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.