

Newsletter

Message from the Forensic Science Regulator

I am writing this message before the general election, so it remains to be seen who will form the next Government and what its policies in relation to forensic science may or may not be. Whatever the policy environment, I am certain that we will continue to see dedicated forensic scientists in all sectors doing their best, despite the challenges.

I have been particularly encouraged recently by a number of constructive discussions about approaches in the digital forensics community towards quality, accreditation and the provision of assurance. Undoubtedly, significant change and investment for the future is needed for digital forensics as the volume and complexity of work grows. We are looking at a number of ways to support the community, including through investigating the potential for a widely available, up-to-date source of ground truth data. As crime scene investigation (CSI) units progress towards achieving the quality standards next year, there are opportunities to better equip CSIs with the anti-contamination methods, packaging and storage facilities they need. As forensic collision investigators validate their methods, valuable learning is emerging, which is leading to innovative approaches.

In this newsletter, there is an update on standards for examination of complainants of sexual assaults. Those working in sexual assault referral centres (SARCs) have an extraordinarily challenging job to do, which stretches far beyond the forensic science aspects of sample collection and documentation of injuries; I appreciate their commitment to quality standards and ensuring that their work supports subsequent scientific analyses.

There is, of course, much to do and many barriers to be overcome in order to embed the type of forensic science quality and sustainability that we would all like to see. I will continue to work with all those with the potential to bring about change in support of high quality, effective forensic science.

Thank you for your support and I wish you a very Merry Christmas and a Happy New Year.



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Examination of Sexual Assault Complainants Standard and Guidance Update

The review of the consultation feedback on the standard and guidance has now been completed; the updated documents have been approved by the Regulator's Medical Forensics Specialist Group and Quality Standards Specialist Group. In preparation for the publication of the finalised versions at the end of the year, NHS England (NHSE) held workshops in Leeds and London targeted at regional sexual assault referral centres' (SARCs') commissioning leads, NHSE and police/police crime commissioners, and SARC managers and provider representatives. The Regulator, UK Accreditation Service (UKAS) and the Care Quality Commission (CQC) presented at each workshop; the main areas of discussion were about identifying the legal entity for each SARC, the accreditation process for single and multi-site organisations, the costs, and the consequences for not meeting the deadline.

Accreditation to the International standard ISO 15189 Medical laboratories – *Requirements for quality and competence* is required by 1 October 2023. However, a timeline against the completion of certain activities has been set out in order to aid organisations to work towards meeting the deadline. Following the publication of the documents the Regulator will work with UKAS to support learning and an early adopters' pilot. UKAS has posted an expression of interest for stakeholders or experts who would be interested in being involved in the pilot project as part of the steering and technical group and/or acting as a technical assessor at: <https://www.ukas.com/news/call-for-expressions-of-interest-sexual-assault-referral-centres-sarcs/>.

Forensic Science Regulator's Conference in 2020

The Regulator is pleased to announce that plans are currently under way to host the next Forensic Science Regulator's conference in 2020. The date is Tuesday 10 March, 2020 and having received very positive feedback last year, the conference will again be held at Villa Park Football Stadium, Birmingham, B6 6HE.

This year's conference will focus on learning from the past and planning for the future. Although it is not yet possible to give details of all the speakers or presentation titles, thus far confirmed speakers include Professor John Aston, the Home Office Chief Scientific Adviser and James Vaughan, the Chief Constable of Dorset Police. It is certain to be an interesting and informative day. The conference will be run as a plenary session with no parallel workshops.

Please be aware that this is an invitation-only event. If your organisation delivers forensic science in the UK and did not receive an invitation to the 2019 conference, please ensure that you are on our mailing list by emailing: FSREnquiries@homeoffice.gov.uk or email FSRConference@homeoffice.gov.uk with details to support your request to be added to the conference invitation list.

Document Examinations

There has been a recent upturn in the number of referrals made to the Regulator where concerns have been expressed over the quality of document examination. Specifically, these have related to the reliability of opinions expressed on authorship of signatures.

Submissions made to the Regulator have mostly involved the apparent use of photocopied sample material, which is also non-contemporaneous with the questioned material. It has long been accepted that for reliable opinions of authorship to be expressed, the material examined should be original writing and that sample writing of known origin should be as contemporaneous as possible with that in question. Whilst the Regulator appreciates that it is not always possible to fulfil both of these requirements, it is particularly disappointing that recent examples have included instances where neither has been realised. This situation was particularly notable in one instance where there was a time difference of several years between questioned and known writing.

The Regulator would like to remind all document examiners of the importance of these criteria. If they cannot be satisfied, then examiners are reminded that such limitation in available material ought to be clearly identified in their report and taken into account when formulating opinions.

Cyber Security

The effects of the cyberattack on one of the largest commercial forensic science providers mentioned in the last newsletter were severe. The immediate loss of access to affected IT systems and data held on those systems was significant, and the need to block any electronic communication with the company until it had been given a clean bill of cyber-health meant that it could not accept new work, even in areas that were not affected. The National Cyber Security Centre (NCSC) was directly involved with the recovery operation, but also worked with all major forensic science providers to ensure that appropriate security provisions were in place. The NCSC was asked to consider what specific requirements to improve security in general could be considered for future versions of the Regulator's Codes of Practice and Conduct (the Codes). Proposed additional requirements, based largely on good practice guidance previously issued by the NCSC, were published for comment on the Regulator's website. Feedback was received from a range of forensic science providers and is currently being reviewed.

Once any new provisions are incorporated into the Codes there is only a relatively short compliance window. As a few of the provisions are estimated to take a little longer to implement, it has been decided that the revised requirements will be issued as a Regulatory Notice as an interim measure. This has the added benefit that it would not require a further issue of the Codes so soon after the next release; the provisions in the Regulatory Notice could be incorporated much later in 2020. The Regulatory Notice is planned for January 2020.

New Forensic Science Regulator's Publications

Lessons Learnt Issues 6, 7, 8 and 9

These four new documents provide an overview of the lessons that can be learnt from a number of quality referrals submitted to the Forensic Science Regulator. The documents can be found via the following links.

Lessons Learnt Number 6 – This issue focuses on dip sampling as a method for reviewing 'exclusion' results from fingerprint comparisons. The document can be accessed via the following:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/848492/L-B06_Fingerprint_results_checking_v1_final.pdf

Lessons Learnt Number 7 – This issue focuses on two occasions when exhibits from separate cases have been accidentally merged. The document can be accessed via the following:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/848498/L-B07_LL_exhibits_v1_final.pdf

Lessons Learnt Number 8 – This issue concerns matters relating to a serious data handling issue identified at one forensic science provider. The document can be accessed via the following:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/848500/L-B08_LL_data_audit_v1_final.pdf

Lessons Learnt Number 9 – This issue describes a situation involving an absence of a staff elimination database.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/848503/L-B09_LL_Coms_and_contam_v1_final.pdf

Forensic and Medical Examinations for Rape and Sexual Assault (FMERSA) Course 2020

14/01/2020 – 15/10/2020 (various dates)
University of Manchester Innovation Centre, UK

This two-module course presents doctors and nurses with the opportunity to train towards conducting forensic medical examinations of rape and sexual assault victims, under the direction of the UK's longest established sexual assault referral centre.

The course includes the medical, psychological, social and legal aspects of rape and sexual assault, focusing on the forensic medical examination, the collection of evidence, statement writing and testimony at court. The curriculum covered will help clinicians prepare to take the Membership or the Licentiate exam of the Faculty of Forensic and Legal Medicine.

For more information please visit:

www.stmaryscentre.org/professionals/sexual-assault-training-courses-and-events/forensic-and-medical-examinations-rape-and-sexual-assault-course-1

Alternatively, please email Josh Edgar at the following: Josh.edgar@mft.nhs.uk

Relevant Events: Part 1

Forensic Science Regulator's Annual Conference

10/3/2020

Villa Park, Birmingham, UK.

This is an invite-only event.

International Conference on Chemistry

20/2/2020 – 21/2/2020

London, UK.

This is a particularly innovative and stimulating event that provides cutting-edge information on physical, organic and inorganic chemistry.

More information can be found via the following link:

www.colloquiumonline.com/track/forensic-chemistry

Westminster Legal Policy Forum Keynote Seminar:

Evidence gathering and prosecution rates – forensic science, witness statements and the processing of digital evidence

19/3/2020

London, UK.

The agenda covers the following:

- a. public confidence in the Crown Prosecution Service and understanding of the courts system – how these can be increased;
- b. witness statements – current shortfalls and priorities for change;
- c. use of evidence in criminal cases;
- d. technology in evidence gathering and disclosure;
- e. forensic science and criminal justice; and
- f. digital evidence including disclosure, new developments, the secure processing of personal information, and how its increased use is affecting the criminal justice system.

More information can be found via the following link:

<https://www.westminsterforumprojects.co.uk/conferences/westminster-legal-policy-forum>

Forensics Europe Expo

19/5/2020 – 21/5/2020

Olympia, London, UK.

The exhibition and conference topics are aligned with four key pillars of forensic investigation: digital forensics; laboratory equipment; scene of crime analytics; and forensic analytics.

More information can be found via the following link: www.forensicseuropeexpo.com/welcome

Relevant Events: Part 2

ICFPFI 2020: International Conference on

Forensic Pathology and Forensic

Investigations

21/5/2020 – 22/5/2020

London, UK.

This conference aims to bring together leading academic scientists, researchers and research scholars to exchange and share their experiences and research results on all aspects of forensic pathology and forensic investigation. It also provides a premier interdisciplinary platform for researchers, practitioners and educators to present and discuss the most recent innovations, trends and concerns, as well as practical challenges encountered and solutions adopted in the fields of forensic pathology and forensic investigation.

More information can be found via the following link:

<https://waset.org/forensic-pathology-and-forensic-investigation-conference-in-may-2020-in-london>

*Any comments or feedback on this newsletter
would be greatly appreciated*

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