

FIND Strategy Board

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Open Minutes of Meeting

24th March 2020 – By Teleconference
13.30-16.00

Present:

CORE MEMBERS

ORGANISATION	MEMBER
NPCC	ACC Ben Snuggs (BS)
Home Office, representing the Home Secretary	Carl Jennings (CJ)
Association of Police and Crime Commissioners	Paul Dutton (PD)

APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material representative	Lucy Bradshaw-Murrow (LB-M)
Forensic Science Regulator representative	Gillian Tully (GT)
Biometric and Forensic Ethics Group representative	Tom Sorell (TS)

APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – CT Forensic Database representative	Shazia Khan (SK)

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NPCC - Fingerprints	Jane Bunting (deputising) (JB)
NPCC – DNA	Emily Burton (EB)
NPCC – Homicide Working Group	Martin Bottomley (MB)

SECRETARIAT

Home Office Forensic Information Databases Service (FINDS)	Andrew Thomson (AT)
Home Office Forensic Information Databases Service (FINDS)	Caroline Goryll (CG)

IN ATTENDANCE

ORGANISATION	MEMBER
Home Office, Interpol and International Biometric Exchange Team	Anna Reid (AR)
Home Office, HOB Programme	Amy Morrell (AM)
Home Office	Carl Jennings (CJ)
NCA	Derek Lloyd (DL)

APOLOGIES:

ORGANISATION	MEMBER
APCC	Darryl Preston (DP)
Devolved Administration – Northern Ireland	Stephen Campbell (SC)
Information Commissioner’s Office	Meagan Mirza (MM)
Transforming Forensics	Joanne Ashworth (JA)
Biometric and Forensic Ethics Group Chair	Mark Watson-Gandy (MW-G)
Home Office	Alex MacDonald (AMcD)

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1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting and outlined that the meeting would be via teleconference only.

1.0a COVID-19 discussion points

AT gave an update on the FINDS response to COVID-19. In order to ensure that essential services can continue to be run from DNA, Fingerprints, and Footwear databases, FINDS have invoked a Business Continuity Response with focus on the core activities that are delivered for CJS purposes. Namely this is the loading, searching, and release of records from databases - including DNA extracts released for Prum and CT purposes, the continuance of the Enquiry Centre, PNC related integrity checks, and provision of the Proficiency Test scheme to both Forensic Service Providers and Police Forces. BS said that they had seen a 20% reduction in 999 calls across his forces but that the types of offences they were seeing had changed. He said that they expected to see fewer submissions to the NDNAD because people's interactions with the police are being done differently.

3.0 Previous Minutes (0320/01)

3.1 No comments, CG asked for feedback by 7th April

4.0 Action Review

4.1 CG took the board through the action register 0320/02:-

27/17 – concerns on security of the NDNAD to be raised to permanent secretary. BS said that he has chased Rick Smith (NPIRMT Senior Cyber & Information Assurance Manager) on this.

13/18 FINDS to produce further information on the numbers on the reduction in sampling and the numbers of voluntary attendees. CG said that she has contacted Andy Feist and this work is currently on hold due to other ministerial requirements but that they hope to pick it up after Easter. BS asked CG to obtain timescales for this.

19/18 Update of international policy to include Prum searching of fingerprints. BS asked for the 2 papers on this to be brought to the Board in June.

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17/19 CJ to produce advice for ministers on genealogical Database. CJ to update ministers on MB paper on Genealogical databases

20/19 FINDS to carry out review of documentation to identify those that can be published on line. CG said that this would be completed by June.

26/19 LW & KF *to draft questions to be sent to counsel for NPCC to obtain legal advice.* BS said that the request had been sent to counsel and that legal advice from counsel is expected imminently. This action can now be closed.

01/20 BS to provide external scrutiny of the concerns around NDNAD GT has provided BS with contacts to engage with.

02/20 BS to liaise with CC and DCC Rachel Swann to raise a request for change to the MI provision for fingerprints. BS said that he had spoken to DCC Rachel Swann to ensure the requirements of the Board would be considered so we have the opportunity to influence what is put in the requirement. AM said that the words of the action need to be updated because the new contract has already been awarded. CG to update.

03/20 to convene the relevant parties for a decision on the use of Genealogical databases. GT said that she had had some bilateral meeting on this but had not yet had the full meeting on this. CJ said that this would also feed into the advice to ministers.

04/20 CJ/AMcD to speak to policing powers unit about legal provision to take samples from VAs. BS asked CJ if there was anything further he needed from the Board. He said no but that current events (COVID-19) may lead to this all being put back. Close action.

5.0 Operational Risks and performance

Risk & issues Register (0320/03)

- 5.1 AT took the Board through the risk register (0320/03).
A new risk (STRAT 17) for the site move for the Home Office FINDS team's impact on the ability to effectively deliver National DNA Database (NDNAD) and National Footwear Database (NFD) services has been raised. For the existing 7 risks, all remain static.

No new issues have been raised, proposed closure for SBIS08 (CED data breaches) with there being an established monitoring regime and stable status in place.

4 outstanding escalations:

- MI development delays
- NDNAD personal data present in test environment
- non-compliance to TickIT for NDNAD environments

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- FINDS – site move

BS asked if SBIS04 (compliance to CPIA) was able to be reduced to amber. LB-M said that some forces are still not consistently reporting their holdings to FINDS so she didn't think that it should be lowered, adding that only the necessary figures need to be collated and that we need to ensure the correct monitoring is in place.

Action 05/20 CG and LB-M to discuss the requirement around CPIA figures.

STRAT 16 - The HOB NDNAD2 release may lead to integrity and legislative compliance issues leading to quality failings within the criminal justice system – SK asked if there was a list of what quality checks/ risks were not going to be covered in the delivery of the new NDNAD2 system. AT said that FINDS are currently collating this list. SK said that it would be beneficial for the Board to have sight of this list. BS agreed that it should be circulated to the Board. He asked AT what the timelines are for the list to be available.

Action 06/20 AT to circulate list of functionality not being delivered through NDNAD2 to Board members.

Highlight report (0320/04 A,B,C &D)

5.2 AT presented the scorecard.

- High level figures for Prum DNA searches and matches have been added to the MI summary
- For compliance purposes, steady state with the previous Quarter for the database activities, for the NDNAD there were significant increases in Biometric Vetting submissions during the quarter with Forces recruitment activities, this did impact as there is a system limitation on processing NDNAD searches, but desired KPIs were all met in December.
- Considering inputs and outputs to the NDNAD, following the impacts from the Eurofins ransomware issue in the summer, by December the steady state had returned.
- For the Force error aspect, the most recent quarters data indicates that lost samples and the bags for the DNA kits not being sealed properly remain as focal points, and FINDS are using the data to target specific Force level trends to discuss with Force contacts.

5.3 GT said that that the crime stain error figures in the scorecard should be reviewed. It is incorrect to report that the force crime scene sample/record handling errors is 0 when these errors are not currently being measured. It is being inconsistently reported and should be removed. CG outlined that the force subject error rates come from the integrity checks carried out by FINDS on subject samples but the same checks are not carried out on crime scene samples (partly because there are not duplicate samples for these). CG agreed these figures should be removed, she said that we were now getting a full set of data from forces on subject errors and that the next step

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is to obtain them on crime scene errors. BS asked how this could be taken forward. GT said that that should be easier now forces have to have accreditation for crime scene investigation. L-BM said that she would also tie in with what they want and that she would like to look at the error figures with CG and see if they can be presented differently.

Action 07/20 CG to look at the error figures:

- **Make changes to the reporting of force crime scene errors (through FINDS integrity checks)**
- **Take forward the reporting of crime scene errors from forces – include in data assurance strategy**
- **Ensure error figures meet OBC requirements.**

5.4 2 research requests were sent out with the meeting papers for any comments by 1st April

- 1 is for data extracted from the NDNAD – research for FINDS to be undertaken by Dr Carl Mayers from Dstl on frequency of near matching – which is being recommended for progression
- 1 is for including Gorilla fingerprints on the live IDENT1 to see how the algorithm treats them – this is not being recommended as would more appropriately be undertaken on a test bed of some description not the live system.

A Change paper for 'Expanding the number of loci on the National DNA Database' was also sent out for any comments – this has already been considered by the Biometric and Forensic Ethics Group and was accepted there. Comments were asked for in 2 weeks

TS said that the discussion/decision on the gorilla print research seemed to be sound.

Management of Scottish records on IDENT 1

5.5 FD outlined that for a number of years now Scotland has been seeking to move forward with areas such as NVLID and Paperless office in an effort to allow Scotland to realise the same business benefits of IDENT1 as the rest of our colleagues in the UK, all be it within the constraints of historical set up of Scottish data control on IDENT1 and our different legal system and PNC status. She had submitted a paper on this but it was not included in the papers circulated for the meeting. CG outlined that this was because SPA should submit a paper to P4G to inform the NPCC decision first (this paper was submitted on 23/03/20) and once it was agreed there it could be brought to the Board.

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BS said that if the proposal was approved by P4G and DCC Nav Malik, it should be considered that there is already approval in principle in place due to this already being raised to the Strategy Board at an earlier juncture. On this basis there would be no further need for this to go back to the Strategy Board – the P4G and DCC Nav Malik approval would suffice. The Board agreed but it acknowledged that if there were any residual issues that FINDS were not happy with following the P4G approval then these would be raised with the Board.

Use of Genealogy Databases (0320/06).

- 5.6 MB summarised the paper on guidance on Genealogy Database use. It concludes that the NPCC Homicide Working Group does not endorse the use of commercial genealogy databases in UK for criminal investigations owing to the significant ethical and operational risks that the technique, as applied by U.S. investigators, currently involves. In the event that a Senior Investigating Officer, recognising the risks and challenges to this investigative technique, chooses to embark upon such a course of action, they should notify the Chair of the Homicide Working Group and the Chair of the Forensic Information Databases Strategy Board.

CJ said that ministers need to be made aware of this guidance but do not need to be included in the decision making process. The topic of genealogical databases is becoming an increasingly high profile topic with a number of media enquiries on it being received. Ministers need to be made aware of the complexities of this and if they are not they could be influenced by the media reporting of it. GT said that she thought it was a good paper but that “currently” should be added to the conclusion because this stance could be changed in the future.

MB said that we need to make use of other techniques such as near match reporting that can be used to counterbalance use of Genealogy Databases. CJ asked how this fitted in with GT action to set up a group of relevant parties to discuss this. GT said that she was approached by FSPs to set up a group to look at how decisions around this would be made and how, if the science and platform were available, how this then could be taken forward.

Decision – The Board agreed the paper

DL said that UKICB could be responsible for putting some control measures in place going forward in the future if information was to be shared internationally.

Action 08/20 DL & MB to discuss control measures for Genealogy Database international use for the future

Action 09/20 CJ to provide briefing to ministers on the Genealogy Database use guidance (for information not decision). BS to then use this to brief CC James Vaughan.

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6.0 Strategic change and delivery to Strategy Board timeline.

Strategy Board timeline – outcomes of workshop

- 6.1 BS said that he had received some good feedback from the workshop. It would hopefully ensure the Board has the opportunity to influence in the correct places. CG said that in their role of Board secretariat, FINDS would review the outcomes of the workshop and add these as specific pieces of work to the Strategy Board's action log. The Board agreed this would be a good way to approach this.

Action 10/20 CG/AT to add pieces of work from the workshop to the action log and bring a proposal of work to the next Strategy Board meeting.

HOB replacement databases (0320/07)

- 6.2 AM presented the paper, she gave an update on the Strategic Central and Bureau project (SCBP). This is the Transition of service management and hosting to one supplier (Leidos), reducing costs, enhancing security, enabling a single central workflow for bureaus and future transformations. Due to the current issues there may be some changing of the dates. When the database transitions from NG to Leidos there will be a period of change freeze. There will be no changes to IDENT 1 for a while. Once the transition has happened the door will be opened for more changes to happen. Leidos will need a period of no change to get up to speed. SK asked what affect COVID-19 will have on the change freeze period. She said they currently have a request for an important change. AM said that this is being discussed. The priority is delivering the changes in the current programme.

SDNA – with FINDS being in the COVID-19 Business Continuity status, with only staff delivering to the core BAU purposes, HOB has correspondingly reduced presence in the office and so the programme are working on remote access. There is still optimism that the project can still go live in May but it is being reviewed.

Prum update (0320/08)

- 6.3 SK provided an update. The Prum data pack has been distributed, they are providing monthly figures to senior stakeholders and HO policy are pulling it together into a pack. It has been agreed that this will be used for communication for consistency. The first slide shows the metrics, it shows the Article 4 searches which are the legacy searches when a country first connects and the Article 3 searches which are the BAU searches going forward after the initial legacy search.

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DL said that 13,000 crimes have been handled; this is a huge benefit for EU and other member states. They are currently working with HOB on fingerprint searching to put in some data management rules.

AR said that Prum sharing is a 3 pronged tool, DNA is progressing very well, vehicle registration data is not progressing and they are still hopeful to exchange fingerprints with Germany in May. Although COVID-19 may have an impact on this. Post Brexit transition negotiations are still on-going.

BS said that the success story is plain to see and the data pack is very useful and clearly shows the benefit. He asked how confident we are that there will be the same success with vehicle data. AR said that if we have a good discussion with the EU it will but that it is not a domestic priority at the moment.

LB-M said that they have carried out a scoping exercise with the ICO for an audit of the Prum processes at the Met however COVID-19 has delayed when this audit can take place. BS asked if there was a TOR for this audit, LB-M said that as this is a completely new set of processes they need to do their initial audit first to determine what the TOR will be.

Biometrics Governance

- 6.4 CJ said that CC Andy Cooke from Merseyside had been appointed the NPCC overall lead for biometrics. The proposal is to create a Biometrics Strategy Board which will sit over this Board which will also cover facial recognition and the newer biometrics. He is going to link in with the NPCC leads and is going to send a letter with Christophe Prince (Home Office) to stakeholders to ask for feedback. The Biometrics Strategy Board will co-ordinate for Digital and Information Management purposes from the Portfolio too.

There are a couple of things which they are awaiting a steer from ministers on:-

- The election manifesto commitment on giving police access to new technology
- consideration for roles of the Biometrics Commissioner role and the Surveillance Camera Commissioner.

PD said that the APCC had not been consulted about this new Board yet but that he assumes the APCC will be asked to join this Board. BS said that he is sure the APCC and the Strategy Board will get the opportunity to feed in.

TS voiced concerns that this Biometrics Board with a broader remit duplicates the work of the other Boards and that it would be another Board for things to have to go through. With there being many different Boards it easy to lose track of what is happening in some areas particularly with things like AI. We need to be more joined up.

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CJ said this is why we need another Board to oversee it and pull it all together. LB-M raised that in the emergency Coronavirus bill they have lengthened the amount of time biometrics can be retained for six months where the biometrics have been retained for the purposes of national security (with the possibility of extending for a further six months). The regulations related to this must be made in consultation with the Biometric Commissioner who has committed to produce a report about the implications of the extension at the end of the six month period.

Legislative Update (Paper 0320/09)

- 6.5 CJ took the Board through the paper.

Position for access and use of policing fingerprint data for DSTL

- 6.6 BS said that he is awaiting the legal guidance which is due any day. He is hopeful that this will offer a way forward.

Updates from Board members.

- 6.7 Biometric Commissioner – LB-M said that they have submitted their AR to the Home Office and they hope to have it published as soon as possible. PW appointment as Biometric Commissioner comes to an end in June, a replacement has not yet been found.

APCC – PD said that the Police Crime Commissioner elections should have been held in May but that these have now been delayed a year; a number of Police Crime Commissioners had indicated that they wished to stand down in May so they need to determine if these will be staying on for a further year. Martyn Underhill was one of the PCCs standing down. BS reiterated that there needs to be APCC representation on the Board.

BFEG – TS said that the BFEG are working to understand the requirement for guidance on principles for data analytics and big data analysis.

Forensic Regulator – GT said that there is the legal requirement for the maintenance of accreditation for FP and DNA; UKAS are currently not visiting on site but they are doing all they can remotely. GT said that she has suspended her implementation of crime scene standards for forces for at least 6 months.

7.0 Communication, consultation and engagement

Annual report

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- 7.2 CG said that due to other work pressures there had been a delay in completing and getting sign off for the 18/19 report, as COVID-19 would now present a further delay she suggested that a single report should be produced to cover 18/19 & 19/20 . CJ said that it sounded sensible but that he would need to check with Christophe Prince and Alex MacDonald.

Action 11/20 – CG to contact BS, MU & AMcD to propose the FIND annual report will cover 2 years 18/19 & 19/20

Any Other Business

- 7.3 AT said that Home Office are still going through the recruitment process for a replacement for the head of FINDS vacancy.