

FIND Strategy Board

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Author & Warrant/Pay No	Caroline Goryll, Home Office
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Open Minutes of Meeting

15th July 2019

11.00-13.30

MPS, London

Present:

CORE MEMBERS

ORGANISATION	MEMBER
NPCC	Apology
Home Office, representing the Home Secretary	Apology
Association of Police and Crime Commissioners	Apology

APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material	Paul Wiles (PW)
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 Chair	Chris Hughes (CH)
Information Commissioner's Office	Meagan Mirza (MM) (teleconference)

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Devolved Administration – Scotland	Fiona Douglas (FD) (teleconferencing) Gary Holcroft (GH) (teleconferencing)
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APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – CT Forensic Database representative	Shazia Khan (SK) (deputising)
NPCC – Homicide Working Group	Martin Bottomley (MB)
NPCC - Fingerprints	Jane Bunting (JB) (deputising)
NPCC – DNA	Emily Burton (EB)

SECRETARIAT

Home Office Forensic Information Databases Service (FINDS)	Kirsty Faulkner (KF)
Home Office Forensic Information Databases Service (FINDS)	Caroline Goryll (CG)

IN ATTENDANCE

ORGANISATION	MEMBER
Home Office, Interpol and International Biometric Exchange Team	Nikita Cannan (NC) (teleconferencing) Georgina Preston (GP) (teleconferencing)
Home Office, HOB Programme	Amy Morrell (AM)
Home Office, policy	Carl Jennings (CJ)

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APOLOGIES:

ORGANISATION	MEMBER
NPCC	Steve Lyne
NPCC	Ben Snuggs
Home Office	Alex MacDonald
Devolved Administration – Northern Ireland	Stephen Campbell
NPCC – CT Forensic Database	Leigh Williams
NPCC Transforming Forensics Programme	Joanne Ashworth

1.0 Welcome, Introduction and Strategic Developments

KF welcomed everyone to the meeting and outlined that Steve Lyne was due to chair the meeting because Ben Snuggs was unable to do so due to force priorities. Unfortunately Steve was unable to attend at short notice so KF asked members if they were happy for her to chair. KF noted that the meeting was not quorate and therefore it would be an update meeting only with no decisions being made.

3.0 Previous Minutes (0719/01)

3.1 No comments

4.0 Action Review and rolling 12 month timetable.

Action Register (0719/02)

4.1 KF took the board through the outstanding actions.

New action raised:-

11/19 AM to look into the case from the livescan prison pilot where an individual did not have biometrics previously taken within a police custody suite, and therefore the Livescan search did not result in a biometric match on IDENT1, to identify if they have now had their biometrics taken.

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5.0 Operational Risks and performance

Risk & issues Register (0719/03)

- 5.1 No new risks recorded. Within the existing 7 risks, 3 remain static, three risks (International exchange (STRAT10), strategic direction (STRAT03) and funding (STRAT15) are improving. It is proposed to close STRAT 14 (ability to respond to HOB developments).

An issue was raised to formalise the issue with Eurofins cyber-attack.

4 outstanding escalations:

- MI development delays
- NDNAD personal data present in test environment
- non-compliance to TickIT for NDNAD environments
- CED records retained with incorrect demographics or retention timings

2 new escalation this period:

- Eurofins (see issue report in July Strategy Board agenda)
- Barcode duplication in arrestee kits

3 escalations closed this period.

GT raised that a new risk should be added around the movement of the NDNAD to NDNAD 2; it was noted that the risk was on the HOB risk register but it should be considered by the Strategy Board.

Action 12/19 KF to add risk around movement of NDNAD to risk register

SK reported that the MPS have got a team looking at the PED/CED transfers.

5.3 Eurofins (0719/04)

KF took the group through the paper. MM said that the ICO were investigating the issue. The governance structure was described and it was noted that the marketplace group were managing the backlog with all forces, NPCC, Home Office and APCC. EB and GT gave an update on the work they were doing to provide assurance of the integrity of records from Eurofins.

PW asked if there would be an impact for all forces or just those that use Eurofins; KF said it was a national response to manage the national issue and was agreed from NPCC, Home Office and APCC.

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The impact on the NDNAD was discussed and it was noted that the measures were being carefully monitored. It was noted that the go-live date for Prum was slightly extended to ensure the priority of the response for Eurofins

Highlight report (0719/04)

- 5.4 CG/KF presented the highlight report. There was an in-depth look at CED and force errors for this meeting. Group agreed the in depth error data should be included routinely. It was agreed that the CT SCORD data will be included from the September meeting onwards.

Unidentified bodies 0710/06

- 5.5 KF took the group through the paper. Currently unidentified body/part DNA profiles which has been submitted to the Missing Persons DNA Database are not routinely loaded to the NDNAD and if a Law Enforcement Agency requires a load to the NDNAD the Chair (or nominee of) the Strategy Board approval is required. The paper asked the FIND Strategy Board to permit all unidentified body/part(s) DNA profiles that are loaded to the UK Missing Persons' DNA Database (MPDD) to also be loaded to the National DNA Database (NDNAD) , without Chair (or nominee of) the FIND Strategy Board approval. MM asked what the legal basis to take these samples is, KF said that this is to be added to the paper then it is to be re-circulated for agreement.

Action 13/14 AB to add legal requirement to unidentified body part paper and then CG to re-circulate paper to assist in a decision being made ex-committee.

Management of Scottish records on IDENT1

- 5.6 GH presented the paper. KF reflected that the main purpose was to ensure records are maintained appropriately for the relevant jurisdiction and in compliance with Data Protection Act. She asked if IT changes would be needed and GH responded that they would be and the scale was being confirmed.

MM suggested the request should go through the PNC Oversight Board and that they need to determine who is acting as Controller. Additional information needed was discussed, GH to pull together and put in a paper for the PNC Oversight Board.

Action 14/19 GH add points discussed to paper for presentation to the PNC Oversight Board.

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6.0 Strategic change and delivery to Strategy Board timeline.

Strategy Board timeline (0419/05)

- 6.1 KF presented the timeline – she said further work needs to be done on how this should be presented.

PRUM update

- 6.2 NC & SK gave an update on Prum, which went live on 8th July. They have started exchanging DNA with Austria and there was a good number of matches, some for serious offences. SK reported that it was likely to extend to other member states.

In terms of the Prum oversight board they are looking at what the mechanism for the agreed level of update for the board should be and also updating the governance rules. The formal evaluation for fingerprints will take place in September.

GT, PW and CH congratulated them on Prum going live. GT asked how the quality assurance around stage 2 is going to work. SK said she had asked for it to be on the agenda of the project board. PW said it was stated that through the Prum oversight board him and the ICO should have oversight of the changes but that this currently isn't in place. NC said that this is what they are working through.

Forensic & Biometric governance consultation

- 6.3 CJ gave an update on the governance consultation. JJ is leading on this, he is starting off with the design. It is to be completed by the end of the year. It was noted that this would be discussed at the September meeting.

Action 15/19 Forensic and Biometric Governance consultation to be added to September agenda.

Legislative updates (0719/06)

- 6.4 CJ took the Board through the paper.

Key points to note:

- The Home Office, NPCC and APCC published the Joint Forensics Review and Implementation Plan on 23 April at:
<https://www.gov.uk/government/publications/joint-review-of-forensics-2018-and-implementation-plan>
- The Lords Science and Technology Committee report 'Forensic Science and the Criminal Justice System – a blueprint for change' was published on 1 May at:
<https://publications.parliament.uk/pa/ld201719/ldselect/ldsctech/333/333.pdf>

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- The Government response to this report was published on 5 July at: <https://www.parliament.uk/documents/lords-committees/science-technology/forensic-science/Govt-response-forensic-science.pdf>

Position for access and use of policing fingerprint data for DSTL

- 6.5 KF gave an update, despite a number of levels of chasing they are still awaiting the legal view on option 1. There has been some policy view from the Home Office supporting the MOD. They think the issues around PACE are ok but there are concerns around TACT samples. They are advocating additional council advice.

PW expressed his concern at the lack of progress in this area. He said that he has published an addendum alongside his annual report to outline this delay in progress. He said that there had been agreement that all parties would agree on what legal advice is required before it was sought so that there isn't conflicting views but the HO have gone ahead to get their own advice. He said that the NPCC need to get their own legal advice as data controllers.

MM said that what she has said previously still stands, the risk sits with the force. CH said the simplest thing is for the police who own the data to sort it out.

Transforming forensics.

- 6.6 KF gave an update. The Forensic Capability Network (FCN) prospectus has been issued to Chief Constables and Police and Crime Commissioners. Work is continuing on the fingerprint bureau tools and platform proposal. They are looking at the upfront assurances around the platform. A proposal is going to the next TF board to move the DNA futures work to FINDS. GT said that it is important to demonstrate that the checking is effective.

Update on genealogical databases.

- 6.7 MB gave an update; Richard Deacon presented a paper on this to the homicide working group. KF also referred to the BFEG paper on genealogical databases. The outcome of this is that further guidance is needed.

Action 16/19 CG to circulate ethics group paper to the Board.

It was highlighted that such databases do not allow use for criminal investigations. PW recommended that any force using this technique needs to highlight it to the Board. MM said that there is a risk in the companies running these databases in providing the people on its information. KF cautioned care until we have a framework.

CJ suggested to put advice to ministers, due to the flurry of recent correspondence.

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Action 17/19 CJ to produce advice for ministers.

6.8 Updates from Board members

PW said that his annual report has been published along with the government response and the addendum. LB-M raised VA's, she said that there are concerns about the guidance because forces haven't seen it and don't know where to find it. She said there is a lot of confusion with forces around VA's when they go to audit them. The guidance is good but more needs to be done because forces don't know when they should be taking a VA sample. She asked for the guidance to be issued again and for it to be expanded.

Action 18/19 BS to discuss the VA issue with PW

MM said that there are a number of policing related investigations which are ongoing. Consent should only be used in really limited circumstances. She received a query from an academic about the familial policy which CG had helped with. She questioned why the familial policy isn't published on the Home Office website. KF said that any policy containing operational advice should not be published.

Action 19/19 MB to carry out a review of the familial policy

Action 20/19 FINDS to carry out a review of their documentation to identify those that should be published on line.

HOB

6.9 AM gave an update on the work of HOB. Work is ongoing on SCBP which is bringing the fingerprint databases together. A single supplier for the service of the Immigration and criminal databases. The actual databases will not change it is just the contract for the service of them.

Strategic matcher – the platform will be live at the end of the year and the algorithm in March 2020.

NDNAD 2 – will go live in early December 2019.

Facial images – HOB are looking at the options, they are advancing with the matching but the problem is the link into PNC to allow the weeding of records. This was going to be through NLEDS but this has since been delayed.

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7.0 Communication, consultation and engagement

Under 18

- 7.1 CG gave an update. The proposal has been sent to the Information Commissioners Office, they have agreed with the proposed approach but they highlighted that the data protection act referenced were incorrect and it needs to be updated to the new data protection act and we need to identify the relevant legal basis/condition which will need to be included.

The next step is to then draft the communication to forces. She hopes to have this completed for sign off and sending out by the end of August.

Annual report – Verbal

- 7.2 CG said the report would be produced in the same format. KF highlighted the research carried out by Northumbria University recommended that there should be improved data on the effectiveness of the NDNAD but that this data would not be available for the next annual report.

Any Other Business

- 7.3 None