

## FIND Strategy Board

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# Open Minutes of Meeting

24<sup>th</sup> June 2020 – By Teleconference  
11.00-13.30

Present:

## CORE MEMBERS

ORGANISATION	MEMBER
NPCC	ACC Ben Snuggs (BS)
Home Office, representing the Home Secretary	Alex MacDonald (AMcD)
Association of Police and Crime Commissioners	Martyn Underhill (MU)

## APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material	Paul Wiles (PW)
Forensic Science Regulator representative	Gillian Tully (GT)
Biometric and Forensic Ethics Group Chair	Mark Watson-Gandy (MW-G)

## APPOINTED MEMBERS

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

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NPCC – DNA	Emily Burton (EB)
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### 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	Bianca Russo (BR)
Home Office, HOB Programme	Amy Morrell (AM)
Transforming Forensics	Joanne Ashworth (JA)
NCA	Derek Lloyd (DL)
Devolved Administration – Northern Ireland	Stephen Campbell (SC)
Home Office - Office for Security and Counter-Terrorism	Robert Wilson (RW) – Part of meeting

### APOLOGIES:

ORGANISATION	MEMBER
Information Commissioner's Office	Mark Jones (MJ)
NPCC – Homicide Working Group	Martin Bottomley (MB)
Home Office	Carl Jennings (CJ)

#### 1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting and outlined that the meeting would be via teleconference only. PW gave an update on his position and said that his term was

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due to finish on 15th June but it has been extended by 6 months so he will now finish on 15th December.

BS acknowledged that there is a lot going on in the forensic world at the moment and that he is looking forward to the update on governance

### **3.0 Previous Minutes (0620/01)**

3.1 CG asked for comments on the minutes in 2 weeks, PW asked for them to be updated to reflect that he wasn't at the meeting and BS asked for a change in title.

### **4.0 Action Review**

4.1 CG took the group through the action list.

04/18 – Fingerprint data assurance strategy

PW asked when the enhanced fingerprint MI would be available and whether it would be included in the contract. AM said potentially end of this year start of next. She said the requirements are being captured from business owners; it isn't included in the contract because it is for like for like but they can be included after it has transitioned. BS said that he had spoken to Rachel Swann on this and although it is like for like they are definitely being captured for the future.

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 had spoken to Andy Feist in HO Analysis and Insight and that his team are looking to obtain some more data on VAs so they can extend their analysis to look if the issue still persists and whether the gap is still there. This also links into the Marie Barratt work on impact of forensics.

19/18 Update of international policy to include Prüm searching of fingerprints.

AT provided an update that progress is aligned to the work ongoing with the inbound Prüm step 2 data retention. PW said that it will depend on outcome of discussions with the EU as to whether we remain in EU exchange mechanisms.

32/18 Timeline to be expanded to cover 2025 vision

BS said that this is covered by the actions from the workshop so the action can be closed.

17/19 CJ to produce advice for ministers on genealogical Databases

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CG said that this is currently on hold as they are only putting up urgent and high priority work due to the time it is taking ministers to approve submissions.

20/19 FINDS to carry out review of documentation to identify those that can be published on line

CG said that this has now been completed and that the only additional documents that may be suitable for including are the familial search policy and the guidelines for prospective suppliers – close action.

01/20 BS to provide external scrutiny of the concerns around NDNAD

BS said that this is linked to 27/17, he is providing this external scrutiny with Rik Smith. BS said that he had checked with GT that she was content that the required level of external scrutiny is being provided and she is – close action.

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 this can be closed and merged with 05/19.

03/20 to convene the relevant parties for a decision on the use of Genealogical databases.

GT said that she has asked scientists working on genealogy to provide data to inform this discussion, however whilst this technology is not being used we do not have any data on it.

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

CG said that they have discussed this and LB-M said that they do still require the figures but that they only need to be provided quarterly.

06/20 AT to circulate list of functionality not being delivered through NDNAD 2 to Board members.

AT updated that this is an ever changing picture with new releases and testing continuing approaching the scheduled go-live date, key stakeholders are being kept informed for any heightened risks. There is an agenda item for NDNAD 2 risk and readiness – close action.

### **5.0 Operational Risks and performance**

#### **Risk & issues Register (0620/03)**

5.1 AT took the Board through the risk register (0620/03).

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For the existing 8 risks, all remain static apart from decreasing risk for FINDS site move. No new risks have been raised. The issue (ref. SBIS09) for MOD legal authority to access policing database collections has been closed following NPCC counsel's advice received. No new issues have been raised.

4 outstanding escalations:

- MI development delays
- NDNAD personal data present in test environment
- non-compliance to TickITplus for NDNAD environments
- FINDS Birmingham – site move

SBIS01 NDNAD Security – AT said that there has been good progress is being made on this as part of the NDNAD 2 solution.

SBIS09 Legal authority to access policing database collections - BS said he was pleased that this work had now been concluded. PW said that he has not yet had time to read the legal advice.

New risk proposed - MU said that he and James Vaughan had written to ministers about the closure of the International Crime Co-ordination Centre's (ICCC) Prüm Desk. The ICCC Prüm desk had been successfully supporting forces in the progression of Prüm DNA exchange across Europe. The Home Office should now be picking up this function but they are concerned that this is not the case. The minister (Kit Malthouse) has written back to say that this is being picked up by the Home Office but MU does not believe that this to be the case hence should be considered for the risk register.

**Action 12/20 MU to share the letter sent to the minister on the closing of the ICCC Prüm desk and the response received to AT, BS and BR**

### **Closed Item – CT escalation**

5.2 SK presented paper 0620/07.

**Action 13/20 AT to add escalation to risk register**

### **Highlight report (0620/04)**

5.2 AT presented the scorecard.

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The number of loads dropped off at the end of March due to COVID-19 it is anticipated that we will see the effects more next quarter.

FSP subject interpretation errors – there was an uptick in Q4 sourced to errors detected through a dip test on one specific analyst (historic cases).

GT noted that, considering fingerprints data assurance, there was no report for fingerprints brought to the last Quarterly Suppliers Performance Meeting (QSPM), and this is in combination to the other technical issues mentioned in the meeting, there is a need for a holistic view for the status of the IDENT1.

PW questioned why there had not been any SCORD searching to date in 2020.

### **Action 13/20 CG to seek clarification on SCORD searches in 2020**

## **6.0 Strategic change and delivery to Strategy Board timeline.**

### **Strategy Board timeline – outcomes of workshop**

6.1 CG said that they had been through the future work suggested at the workshop in January and had identified a series of actions/work packages that need to be progressed. These have been added to the action register with an action owner and will be discussed at future meetings.

She asked Board members to review these and confirm they are happy with the action wording and owners. Progress on these actions will then need to be fed back to FINDS prior to each meeting and they will then be discussed at the meetings by exception. JA asked that DNA futures are included in WS-15.

### **NDNAD 2 readiness and risk – FINDS perspective**

6.2 AT gave an update on NDNAD 2 Risk & Readiness. There is ongoing testing being undertaken with Forces, FSPs, and FINDS, this testing is highlighting defects/bugs which are being passed to the Project for resolution, the fixes for some of these will be implemented at a relatively close date to the go-live, and so there is a dependency on the successful testing of these (or to contribute to the risk if not).

Another risk consideration is through indirect impacts, for the non-developed items and unfixed defects, there may be individual manual workarounds proposed, although potentially not onerous on an individual basis, the composite of manual workarounds may prove unwieldy and convoluted such that it could also translate to an integrity risk through the end user experience.

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As the expert users of the NDNAD system, FINDS will continue to track the delivery of NDNAD 2 accordingly and ensure key stakeholders are made aware for any concerns.

PW said that we need to ensure that the link to PNC is tested fully and that the retention of records remains lawful. If anything goes wrong with that, forces need to know immediately.

GT said that we all recognise the benefit of the new system but that until FINDS has the opportunity to do live UAT we do not know whether the system is ready to go live. We need FINDS to give full clarity from the results of the testing - an unvarnished view on whether it is ready.

### Prum update (0620/05)

- 6.3 BR said that it was her first Strategy Board, she thanked people for the support she had received since taking over the role. She said in terms of the project they have got a robust method for reporting the DNA data. They receive a lot of requests for data so they have agreed a process with the Met whereby they send monthly data to HO policy who then put it in the data pack.

They are now live with 8 member states. When the project was set up, there was a large number of PNC records which brought back 'no trace'. The process is reliant on PNC to provide the details of the subjects that are suitable for search so they have been going through the records to identify the ones which are suitable for search. Due to Covid-19 they have had to split the process. Slide 4 shows the types of matches, quality 4 matches have been deprioritised, other member states don't look at these. Slide 3 shows the point MU made about the number of matches not acted on by forces.

8th July is the 1 year anniversary of Prüm.

MU said that he would like to see the outcomes of these hits. BR said that work is ongoing and it will take time to bed in the reporting structures. She asked for further clarification on what MU's expectations are and the points raised in the letter to the minister.

#### **Action 14/20 BR, MU, Chris Porter and Richard Martin to discuss the concerns around the outcomes of Prüm matches and to address these concerns.**

BR introduced a key point for the obligation to review the UK position on sharing suspect's data and look at the benefit. It has been agreed that there would be operational benefit in sharing suspect's data so far they have informed the EU that they intend to do this and that we are working through how this can be completed.

PW asked if she know how many people this would be, BR responded that it is estimated to be 2% of convicted.

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BS queried the figures for Thames Valley in the matches table on slide 3. BR said she would confirm.

**Action 15/20 BR to confirm figures for Thames Valley in the matches table on slide 3.**

- 6.4 Fingerprints – They are as ready as they can be to go live with fingerprint exchange; they are going to go live with Germany first once they are given the go ahead to exchange. There are a number of votes before they are given the go ahead to exchange fingerprints. There have been 2 votes in the European parliament which have been lost, it is believed that this is because of not sharing suspect data so it is hoped that when this is addressed it will help.

The next step is a European Council vote, this is expected to be mid-July. EU negotiations are on-going, there are weekly meetings and they have been told that Prüm is included on the agenda. PW said that when parliament agreed to re-join Prüm there was the requirement that the OBC and the Information Commissioner have oversight of the exchange so we need to ensure that the mechanisms for this are put in place.

### Biometrics Governance

- 6.5 AMcD said that the government is committed to empowering the use of new biometrics within a strict legal framework, they are currently discussing with government how this can be done. The appeal in South Wales on the adequate legal framework for police use of live facial recognition is on-going this week and this will impact on this work. The Prime Minister had an interest in this work but this has meant it has been difficult to progress discussions in the last 3 months.

The first meeting of the Biometrics Strategy Board has been held and it looked at the terms of reference for the new Board. Andy Cooke was clear on what he wants from the Board, it will define a vision and strategy for police use of Biometrics. It will look at police want to invest and disinvest in over the next 5 years.

The Board agreed that they would ensure that there is a robust plan. Alan Barr is going to produce a paper on the Biometrics Strategy Board and the relationship with the forensic portfolio. They are working on a proposition of governance. The key point is that Andy Cooke will sit at the apex.

**Action 16/20 AMcD to send the Board a copy of the paper by Alan Barr on the Biometrics Strategy Board and the relationship with the forensic portfolio.**



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### **Legislative Update (Paper 0620/06)**

- 6.6 AMcD provided an update on the paper. The facial recognition appeal case is ongoing. The Forces have not deployed Live Facial Recognition since February, as during the current pandemic there are no relevant large assemblies of people in shopping centres, transport hubs and music and sports venues.

He asked if the Board would like sight of the stocktake paper, criminal justice and forensics that has been drafted.

#### **Action 17/20 AMccD to send the Board a copy of the stocktake paper.**

The Home Office is has set up a Digital Forensics Policy Team to develop an appropriate framework for the proportionate extraction, use, storage and deletion of digital forensics data in accordance with ethical considerations, legal requirements and operational needs.

PW raised an issue with the Police Powers and Protection Bill where forces are using procedures to deal with young offenders that don't involve charge and don't lead to them gaining a PNC record and whether forces can apply for a 63G request to retain the Biometrics

#### **Action 17/20 AMcD and PW to discuss the issue relating to young offenders.**

### **Transforming Forensics and Forensic Capability Network**

- 6.7 JA gave an update she said that they have been through a governance review which has looked at how the FCN will be governed, there will be an executive board. They are moving into the delivery phase for their fingerprint work.

FCN went live on 1st April, it is mainly about people and service, and it is split into commercial, science, operations and quality. Vickie Burgin is the Director of Science. There is lots of work ongoing to look at R & D. She said they are currently working through their commissioning process. She said they are working with FINDS to look at what documents they are taking over, they have already taken over the DNA sampling kit specification document and they are also looking at taking over the DNA good practice manual.

JA asked if Vickie Burgin could replace her on the Board. BS said she could.

#### **Action 18/ CG to add Vickie Burgin to Strategy Board distribution.**

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### **Updates from Board members.**

- 6.8 EB raised the issue of a reduction in sampling and an increase in bad practice in custody suites due to COVID-19; this was raised at the DNA Ops group. It looks like there has been a reduction of between 40 to 70% in the number of samples being taken from arrestees when they are in custody. There has been an increase in the number of people going through the Voluntary Attendee process.

BS asked if this was due to forces not wanting to take samples from people. EB said that she believed it was. There was some guidance produced by FCN which recommended that once the identity of the individual is established, DNA is only taken if the individual is a new offender, has no DNA profile on record or the previous profile requires upgrading.

PW thanked EB for raising this and asked if she could share the data.

### **Action 19/20 EB to share data on reduction in sampling due to Covid-19**

## **7.0 Communication, consultation and engagement**

### **Annual report**

- 7.2 CG said that it had been agreed that the Annual report would be a 2 year one to cover the period 2018/19 – 2019/20. The report has now been completed and the submission is just being finalised.

### **Any Other Business**

- 7.3 None