

FIND Strategy Board

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Open Minutes of Meeting

16th December 2021 – By Teleconference
13.00 – 15.30 pm

Present:

CORE MEMBERS

ORGANISATION	MEMBER
NPCC	DCC Ben Snuggs (BS)
Home Office, representing the Home Secretary	Jeremy Jones (JJ)
Association of Police and Crime Commissioners	Alexandra Campbell (AC)

APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material representative	Katie Scotton (KC)
Forensic Science Regulator representative	Gary Pugh (GP)
Biometric and Forensic Ethics Group Chair	Mark Watson-Gandy (MW-G)
Information Commissioner's Office	Mark Jones (MJ)

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APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – CT	Shazia Khan (SK)

SECRETARIAT

Home Office Forensic Information Databases Service (FINDS)	Juliette Verdejo (JV)
Home Office Forensic Information Databases Service (FINDS)	Caroline Goryll (CG)

IN ATTENDANCE

ORGANISATION	MEMBER
Home Office, HOB Programme	Ian Betts (IB)
Home Office, Interpol and International Biometric Exchange Team	Bianca Russo (BR)
FCN Science	Debbie Sharp (DS)
NCA	Steve Cox (SC)
Devolved Administration – Northern Ireland	Stephen Campbell (SC) John Davey (JD)
Devolved Administration – Scotland	Derek Scrimger (DS)

APOLOGIES:

ORGANISATION	MEMBER
Association of Police and Crime Commissioners	Darryl Preston
Commissioner of the Retention & Use of Biometric material	Fraser Sampson Rebecca Marsh
Devolved Administration – Scotland	Fiona Douglas Gary Holcroft

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Devolved Administration – Northern Ireland	Noel Rainey
NCA	Kathryn Clarke
Scottish Biometric Commissioner	Brian Plastow
NPCC – DNA	Emily Burton
NPCC – Homicide Working Group	Martin Bottomley
FCN Science	Vicki Burgin

1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting; he asked the new members of the Board to introduce themselves. He said that CC Nick Dean has taken over his role as the portfolio lead and he had his first board meeting this week.

3.0 Previous Minutes (1221/01)

3.1 DS asked for his name to be corrected from David to Derek – minutes agreed

4.0 Action Review (1221/02)

4.1 CG took the group through the action list.

05/19 PW expressed his concern about the veracity of the data obtained from FP. CG said that there is a lot of background to this action and that it has been ongoing for quite a long time. BS asked what the expected time scales are for completing this work. JV said we will be looking for a continued fairly long timeline with this because the technology that's used to get the MI out of IDENT1 is quite old and we also have the cloud migration project for IDENT1. It's looking to see what we can do between now and then. At the moment they are still in the discovery stage, so working with HOB to help the developers understand what our challenges are, why it's hard for us to access the data.

There is discovery work into whether the current application would be suitable to migrate into the cloud, or whether a new system would be needed. IB said he didn't have anything further to add other than that they hoped to complete the cloud migration by March 22. DS asked if there is a requirement for host forces to have a cloud application for IDENT1 accessibility. JV confirmed that there is not.

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06/19 consider how the dashboard can consider the usefulness of the NDNAD in terms of key indicators for the effectiveness of the NDNAD.

CG said that they had made some further improvements to the scorecard, they have further increased the CED data and that if there are no further improvements people would like to see that this action is closed. Board agreed to close action

03/21 JV to review the near matching business case to see where it fits into FINDS priorities. BS asked for a steer on timeliness for when this will be completed. JV said they are still working through the priority of the outstanding functionalities. In the next month they will have a clearer picture of what the priority is, but they are also waiting for the outcome of this spending review. So probably by the next board they will have a little bit more information on the priorities.

Strategy board workshop actions.

4.2 CG took the Board through those actions which have been updated.

WS-03 - Scrutinise any risks/ issues arising from implementation of new HOB platforms/ algorithms for DNA/Fingerprints – CG said that JV was proposing to close this action as outstanding issues are addressed in the quarterly releases. JV said this action was around drawing out at any risks to the data integrity, security and functionality of the new database and that's obviously an ongoing piece of work during the development of the database. They have continued to monitor it very closely now that it's over a year since they went live with the new database, they have several ways to track this. There is something on the board risk register and an action on the DNA Operations Group action register and Risk Register, which is around functionality and tracking. So in terms of the action that was needed to be drawn out it's been completed and there are other avenues to keep track of some of those on ongoing risks that are still being carried.

There was a question around the strategic matcher for fingerprints on the IDENT1 database which it is still ongoing in the HOB programme. That does not appear anywhere on the risk register or the actions log. So we may need to give some thought to that once we have an idea of timescales and what is needed.

BS agreed – Board agreed to close action.

WS-07 - Update of access and use policy –CG said his is on the agenda for sign off so the action can be closed. Board agreed.

WS-08 – Provide clarity for TOR for the Board – CG said that these have been agreed and signed off and we are awaiting the annual report submission for ministerial approval. Propose to close action – Board agreed.

WS-09 - Annual report review to include enhanced trend analysis and database impact. – CG said that the latest report has been drafted and is on the agenda. BS asked if the

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latest report addresses this specific action around enhanced trend analysis. CG said that it does not as Jaspersoft was not implemented for this full reporting year; she confirmed this action is to remain open.

5.0 Operational Risks and performance

Risk & issues Register (1221/03)

5.1 JV took the Board through the risk register She said that all risks have remained static and no new risks have been added

STRAT 10 Sharing data with EU:
Prüm EU re-evaluation visit took place in Nov 2021. Report expected in Jan 2022. Positive verbal feedback received. FP exchange will increase to include France, Belgium and Netherlands in early 2022.

STRAT 12 Interfaces between the functions within the database supply chains lead to quality failures, particularly custody:
Baseline for custody / sampling errors now established. Error reduction strategy EN to be set up.

STRAT 16 NDNAD2 leads to integrity / legislative compliance issues:
All significant outstanding integrity compliance issues now addressed. Review of any remaining concerns next quarter. Awaiting report of HOB QAT audit.

Issues Log **Three issues remain open:**

SBIS02 Security culture and outstanding security enhancements - SFTP implementation planned for April 2022. Reports on access and data sets outstanding.

SBIS04 CPIA Data Returns - FINDS/BCO meeting agreed that details of forces unable to provide CPIA data for samples held within property stores will be passed to BCO to follow up for assurance. Review meeting planned in Feb/March 2022.

SBIS06 NDNAD Service support – Confidential Working Area (CWA) through which NDNAD2 application is accessed does not have 24/7 support. Cost estimates accepted, out of hours support to be implemented by HOB in Jan 2022.

Escalations **Four escalations remain open:**

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NDU-ESC-068 NDNAD personal data present in test environment: *Ongoing work to develop a comprehensive directory of the environments/containers containing NDNAD data*

FINDS-ESC-082 - Non-compliance to TickIT*plus* for NDNAD environments

FINDS-ESC-092 - IDENT1 CT collection searching - Linked to Risk STRAT 18

FINDS-ESC-094 - PNC Record deletions impacting NDNAD and IDENT1:

Highlight report (1221/04)

5.2 CG presented the scorecard.

She said she wouldn't go through the whole slide pack but would pick out some highlights.

Slide 3 - subject loads have shown an increase over the quarter and crime scene loads show a decrease.

Slide 4 & 5 - match rate and partiality have fluctuated over the quarter, they both peaked in August 21.

Slides 6&7 - on CED has changed, they have put the figures into graphs. There were 22 new investigations raised in the quarter following CED matches and 24 investigations were closed by forces with contamination identified. There were 197 outstanding CED investigations as at 01/10/21 with 189 of these being greater than a month old.

As stated previously 24 investigations were returned in the quarter this shows the number of mixtures and non mixtures and partial and full profiles and the source of the contamination.

Slide 8 - are errors detected on the NDNAD by forces and FSP's. FSP interpretation errors which are the highest FSP errors have decreased and although the number of force sample / record handling error have increased the rate has decreased. These are red errors only.

BS asked CG to confirm what CED stands for and what it is used for. CG confirmed it is the contamination elimination database and contains the profiles of police officers and crime scene attending police staff. Crime scene samples are searched against it to identify potential contamination events. Matches are sent to the officer/police staff owning force for investigation.

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BS asked what is being done about the unresolved investigations and if there anything he can do to help the process. CG said that they have started to include these in their quarterly reporting. JV said that that at the moment there is more work that needs to be done by FINDS to present the data but that they may need help from BS to escalate in the future.

BS said the report is very comprehensive. He asked what FINDS do in their routine tasks to monitor this data and what their process are to follow up with forces/FSP's. JV said we produce the quarterly reports for forces on their own individual data and if anything particular from that is noted, if something is particularly gone up or down, or is vastly different from the national picture then CG and her team will reach out to highlight and quite often that that generates a bit of investigation.

That usually identifies a root cause, which we can then address. Some of the areas we are trying to resolve will come out of the expert network group that they will be setting up and there's some work to do around the CED. It might be in the long term they want to more regularly spend time with individual forces going through those individual errors and data. Hopefully once they can do a bit more traveling some visits to understand how people are working operationally will be needed.

Strategy Board authorised requests (1221/05)

5.3 JV presented the paper she said she wanted to have this discussion at the board at this time, because they have updated the access and use policy and FINDS receive a number of requests on a regular basis that fall outside those normal policies for access and use around fingerprints, DNA associated images. The access and use policy states specifically what DNA fingerprints can and can't be used for. And there's also a number of uses that are highlighted as requiring Strategy Board approval FINDS acts as the nominee on behalf of the Chair of the Strategy Board in reviewing and authorising those requests. She said she wanted to highlight the approval process and the types of requests that are coming through.

She wanted the board to note the current process in relation to those requests, agree that FINDS are best placed to continue processing these requests and she recommended the data on these requests is reviewed annually with the access and use policy as a good point in time.

JJ said he agreed but asked if the access and use policy and the figures on the exceptional cases are in the public domain. JV confirmed that the policy is but the figures on exceptional cases are not. JJ asked why they are not and whether consideration should be given to putting them in the annual report. JV said that we don't currently report on all requests that fall under the current policy so therefore also don't report on those that fall out of it.

BS said it should be for FINDS to consider adding these to the annual report.

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Action 05/21 – FINDS to consider adding Strategy Board exceptional case approvals to the annual report.

SC asked for clarification on what speculative searches outside of loading policy are. JV said that if a profile meets the minimum loading criteria it should be loaded to the NDNAD and the spec search facility is for profiles that don't meet that loading criteria. However there are exceptions where profiles that do meet the loading criteria but police forces have asked for them to be speculative search instead, normally because of safeguarding reasons.

BS summarised that the Board have noted the current process and they agree with the recommendation that data on these requests is reviewed annually along with Access & Use policy to ensure that approval for these types of request is still required and appropriate but that consideration should be given to publishing this data.

International DNA and Fingerprint exchange.

Prüm Update 1221/06 a&b

5.4 BR started by giving the policy update, she said as has already been discussed the EU come in and evaluated on the 23rd and 24th of November. There were a few recommendations at the end of that visit but none of those are binding, they will be written up in to an evaluation report which they will have sight of before it goes to the EU Council. So they will have an opportunity to challenge bits, correct things, etc.

They have started the fingerprints roll out to more countries, they have selected a number of priority countries to begin with and they have made that initial contact with them.

BS acknowledged the amount of hard work which has taken place to get to this place with the audit and thanked all of those who have been involved in this work. JV asked about the domestic audit which is due to take place in January. BR confirmed that it would still be taking place.

BR said that the EU has published their next generation Prüm proposals which set out technical spec and changes over the next few years. She asked if the board would find them useful if they were circulated. BS confirmed they should be.

Action 06/21 BR to circulate next generation Prüm proposal to Board members.

SK took the group through papers 1221/06 a&b. She said that for DNA it is a 2 step process where you anonymize the DNA profiles, search those and there is an automated hit which is then verified and then if we are interested in progressing the hit it goes over to our Step 2 colleagues which is the NCA for the UK. They have not

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connected with any new countries since the last Board because they have been concentrating on the Prum evaluation. In the last month (Oct 21) they had 121 hits for the UK, and just short of 1500 for other Member States. The premise of Prum is that whoever owns the case will follow up the match unless it is a CT, VISOR or linked series.

Quality 4 matches are highly unlikely to be true matches and are not taken forward, they are not progressed by other member states either and SK is taking these to the Delivery Board to get a policy decision on them. A lot more forces are now initiating a step 2 response for their matches following receiving them.

BS noted how good it was to see the positive progress and the operational benefits.

Interpol DNA update 1221/07

- 5.5 SC went through the Interpol DNA update (paper 1221/07). BS asked if there was anything he wanted to flag as exception in relation to in relation to any kind of specific countries or particularly crime types. SC said that their biggest challenge was the loss of SIRENE, they are currently working on how to manage that.

International DNA & fingerprint exchange policy update 1221/08

- 5.6 JV presented paper 1221/08, she said it is similar to the paper presented in September. The policy has been updated substantially partly to reflect the change in the legal basis for the exchange of data through the UK, EU Trade and Cooperation Agreement, but it's also had some of the other exchange mechanisms updated. They have done some reformatting to make it a lot more readable. A wide range of stakeholders have been consulted, and they are all listed on the paper, they have been working closely with ILEC and the NCA.

No comments raised.

BS said that the recommendations are that we note the key updates in the international DNA fingerprint exchange policy and the consultation review process; these have been noted and we approve the updated draft for issue

Board signed off the updated International DNA & fingerprint exchange policy.

FINDS Strategy Board access & Use policy 1221/09

- 5.7 JV presented paper 1221/09, the access and use policy is updated yearly, it has a similar wide consultation to the international policy in terms of NPCC and Home Office stakeholder consultation.

Key amendments to note are the addition of the following sections to the policy:

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- FIND record retention where the subject is deceased before a CPS charging decision – have added details and information about a record retention within the Forensic Information Databases where the subject is deceased before the CPS charging decision could be made, so the policy now details of decision process and highlights the need for supporting documentation with sufficient evidence to charge had the offender not die
- Surrogate DNA sample/profile usage - where a PACE DNA sample is not possible or where the individual refuses to provide an elimination DNA sample to assist. For the purposes of legislation, the relevant police powers for surrogate DNA samples are the general powers of seizure and retention found in sections 19 and 22 of PACE (in Part II).
- There are a number of points clarifying for IDENT1 access and use, including for the creation of a new container within an IDENT1 collection, and the interaction between the MOD special collection and IDENT1.

No comments raised.

BS said that it reads much better and he was happy for the Board to approve for issue.

Board signed off the updated Access and Use policy.

6.0 Strategic change and delivery to Strategy Board timeline.

HOB update

- 6.1 IB provided an update on HOB. They are making really good progress with Leidos on service management. They are planning for the strategic Central and Bureau platform SCBP cloud transformation work and also moving forward with resetting the strategic matcher plan.

HOB look after immigration biometrics as well and they have just completed a week's trial in Manchester on self-enrolment. They asked about 550 members of the public to come in and provide their facial images and their fingerprints in various forms and on different types of technology to see how self-enrolment might work within an immigration context.

With strategic matcher they have now agreed a baseline plan with their supplier to deliver stage one of matcher in January 23, stage one is the law enforcement or policing fingerprints print to print matching so stage one. One of the key elements is the agreement that they will re-procure the contract for matcher to replace the existing contract when it comes to an end in February 2023 very good progress is being made on that re procurement activity.

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The launch event took place the previous day internally within the Home Office to mobilise the procurement team and they are on course to start the actual commercial process off in February 22 so that they get everything in place for the new supplier to come in in February 23 when the contract ends.

BS said picking up on the earlier action point around strategic matcher rather than have a specific action around this could we cover it in the HOB update section of the agenda? JV agree it could be, she said the Board would need updates on the cloud platform and strategic matcher and then if there were any specific risks or actions they can be added to the risk register or action log at a later date. BS asked for these to be added to the agenda as bullet points.

Biometrics Governance & Legislative Update (Paper 1221/10)

6.2 JJ gave an update on governance. He suggested that in future his 2 agenda items are combined into one for future Boards. The Biometrics Strategy Board is chaired by Chief Constable Jeremy Vaughan from South Wales and will next meet on 21st or 22nd January. At the last board Jeremy reported back that the police chief's council have approved some modest funding to fund a central biometrics hub to support police.

The police crime sentencing and courts bill is being heard, there are provisions in there to make it easier for the police to recall people to take biometrics If they're not taken initially, which is relevant to voluntary attendance issues, it is now at the lords stage. The department for digital culture, media and sport consultation on reforms to data is on-going, this includes biometric data. They have included proposals on biometrics in there to simplify the oversight arrangements and to make it easier to amend the rules on collection retention and use, and to develop a code of practice on police use for emerging technology, but particularly biometrics technologies and facial recognition.

JJ said he wanted to congratulate Fraser Sampson on successfully publishing 2 annual reports within 9 months of starting his new role.

JV provided an update on the National Fingerprint Footwear Strategy Board. The footwear database is having some changes made following an IT health check. There is also some enhancements in terms of capability and functionality of the database. An access and use policy has been drafted for it has gone to the NFFSB strategy Board for as part the consultation. JV asked if it also needed to come to this board for sign off. BS said that he didn't think it did only if there was something that needed to be escalated to this board. He said he would like to receive a copy to review for consistency and he would circulate to Board members if anything needed to be highlighted.

Action 07/21 JV to send BS footwear access and use policy.

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They are in discussions with Germany about the exchange of footwear data.

DNA futures.

- 6.3 JV gave an update on the YSTR project. Funding was obtained for the initial stages of setting up a YSTR database for which they are collecting samples to look at frequency of profile information within the community that will lead to the statistical work required to actually utilise. The money is being used to put out 2 tenders through the FCN tender process. One for sampling to obtain those samples from within the UK population and secondly to process. They have had a number of bids from forensic service providers for the processing aspect of the tender and, but they didn't receive any bids for the sampling. One university was interested in the sampling so they are following up with them.

Transforming Forensics and Forensic Capability Network

- 6.4 DS provided an update through a presentation. A review was conducted by Sir Craig Mackey and resulted in a series of recommendations which were transferred into an action plan and the action plan has been overseen by a Gateway group consisting of numerous regional chief constables.

Following out of that Gateway Group is a number of work streams that are trying to deliver. There's one around the transforming forensics closure plan, and there's run around FCN refocus. It's about focusing on what the community really needs and trying to prioritize on the activities. The next Gateway Group is in mid-January, and then the outcomes will be taken to the next Chief Constables Council, which is in February.

While the review has been ongoing some elements of work that the FCN were conducting have slowed but there has been some focus on some particularly important topics. The main two are; for transforming forensics is around the rape review response project from a digital perspective and in the FCN, there's been a focus on next generation procurement

The next generation procurement process, is using a dynamic purchasing system which is new to forensics. They have designed a lot in structure which is aligned to forensic disciplines, not to crime type. They are trying encourage new entrance to the marketplace, the lot structure is designed for that, and a dynamic system allows new entrants to come on at any time throughout the lifetime of the contract.

There are 14 loted service lines altogether, and there's a blend of pay as you go and fixed fee services. They have got biology casework at fixed free fee and crime stains as a page as you go service. The invitation to participate closed at midday on Monday.

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DS thanked Emily Burton for approving the DNA Good Practice Manual for publication; it has gone live onto the Knowledge Hub. They have started discussions around the security and handling of it because they have received requests for access from people outside the previous distribution.

The FCN are now controlling and owning the National SFR Guidance, version 3 should be due out by the end of the year. They have picked up the Lawful match guidance from FINDS, hopefully this will be reviewed following the TF FCN review.

They have developed very high level Road maps for DNA and fingerprints that cover the next five years and then they also integrate into the research and development strategy as well.

Genealogy pilot

- 6.5 SK provided an update. She said they are hoping they will have a plan on a page and will be annotating where they are in terms of that for the next meeting. As reported previously they were successful in gaining some STAR funding for this. They have established a project board and the governance that sits within that board. There are four work streams.

Retaking of failed PACE samples

- 6.6 JV said that this came through the DNA Operations Group and it was raised by EMSOU, it's around the wording in the Good Practice Manual, around taking failed PACE samples where they are unsuitable or proved to be insufficient for processing and obtaining a result. This was one of the points they wanted to come back to for further guidance about what unsuitable and insufficient means.

Following it being raised by EMSOU JV discussed it with Fraser Sampson who's view is that if there's human error, either in the custody suite or the laboratory such as clumsiness that that shouldn't be an issue with resampling and he referred to the road traffic code which is in favour of resampling, but that is his view not legal advice. His suggestion was that forces seek counsel from their own legal departments on this, however FINDS are hoping to support and a national approach for this. So FINDS wanted to seek a view from the board as to if we look to Home Office policy and legal to get advice would that might be a good starting point.

JJ said that Home Office legal are very reluctant to provide legal advice for policing but that they will review legal advice from the police. He asked what access BS had to legal advice. He said previously they had been through Dorset for legal advice but that isn't ideal because it is one force. He could approach NPCC but they may recommend each force has their own advice but we want to avoid that because we need a national consistent approach. He said he would work with JV to take through the NPCC.

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Action 08/21 BS & JV to work through obtaining legal advice through the NPCC on the retaking of samples.

FIND Strategy Board annual report.

CG said she will be circulating it tomorrow the cover paper will highlight the new things which have been added to the report and the approvals process. She will be asking for board feedback by the 14th of January.

Action 09/21 board members to feed back on the annual report by 14/01/22

Updates from Board Members.

- 6.7 GP thanked JV for some very constructive and helpful discussions around how they Forensic Science Regulator Act will apply. He said there's quite a bit of work to do, but he would like to bring the output of that work about how the act will apply to the forensic databases, which he see in squarely in scope of the act, to the Board. BS confirmed he was happy to add to the agenda whenever needed. GP said once they have developed the ideas he would like to walk through them with BS in terms of the implications.