

FIND Strategy Board

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Open Minutes of Meeting

15th June 22 – In person at MPS, Lambeth and by Teleconference
11.00 – 13.30 pm

Present:

CORE MEMBERS

ORGANISATION	MEMBER
NPCC	CC Ben Snuggs (BS)
Home Office, representing the Home Secretary	Laura Collison (LC)
Association of Police and Crime Commissioners	Darryl Preston (DP) Alexandra Campbell (AC)

APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material representative	Jai Krishnan (JK)
Forensic Science Regulator representative	Gary Pugh (GP)
Biometric and Forensic Ethics Group Chair	Niamh Nic Daeid (NND)

APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – CT	Shazia Khan (SK)

FIND Strategy Board

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, HOB Programme	Ian Betts (IB)
Home Office, Interpol and International Biometric Exchange Team	Bianca Russo (BR)
FCN Science	Carolyn Lovell (CL)
NCA	Steve Cox (SC)
Devolved Administration – Northern Ireland	Noel Rainey (NR)
Devolved Administration – Scotland	Gary Holcroft (GH)
Scottish Biometric Commissioner representative	Diego Quiroz (DQ)
HO – Deputy Director, Strategy, commissioning and Forensic Information Services.	Jen Leech

APOLOGIES:

ORGANISATION	MEMBER
NPCC – Homicide Working Group	Martin Bottomley
Scottish Biometric Commissioner	Brian Plastow
NPCC – DNA	Emily Burton
FCN Science	Vicki Burgin
Information Commissioner Office	Natasha Andrews
Devolved Administration – Northern Ireland	Stephen Campbell

FIND Strategy Board

Home Office Forensic Information Databases Service (FINDS)	Juliette Verdejo
Home Office, Policy	Jeremy Jones
NCA	Kathryn Clarke

1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting and thanked those that were able to attend in person and the Metropolitan police for hosting the meeting.

3.0 Previous Minutes (0622/01)

3.1 No comments– minutes agreed

4.0 Action Review (0622/02)

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 The BSN detailing changes required to support improvement of IDENT1 data in the short / medium / long term is undergoing approval with HOB, to then be sent to the IDENT1 supplier for assessment and costing. This action has been ongoing for some time so whilst this costing work is ongoing FINDS are exploring other options for data analysis function with Home Office colleagues to help with that work.

07/20 CG to look at the error figures in the highlight report: It was agreed at the last meeting that it was better to focus on subject errors as forces will need time to embed their crime scene processes for crime scene accreditation before they have the resources to look at crime scene errors. This action has therefore been put on hold and a new action raised for subject error reduction strategies - 04/22 to track the subject error reduction work.

07/21 JV to send BS footwear access and use policy. This has now been drafted and is with stakeholders for comment. JV is to take to Fingerprint & footwear Strategy board at the end of June for sign off she will share finalised version with BS once signed off.

08/21 BS & JV to work through obtaining legal advice through the NPCC on the retaking of samples. This was raised because most forces have different policies on when they're retaking samples and whether they can retake them due to human or lab

FIND Strategy Board

error, this legal advice has been obtained it stated that “I do not consider (and can find no ruling or legislative provision to support the view) that, where a sample is unsuitable or insufficient as a result of human/lab error, the powers to re-take that sample under PACE provisions would be disapplied”.

This legal advice will be included in the next version of the DNA Good Practice Manual but as this is not going to be released until the end of the year it was proposed that Emily Burton as chair of the DNA operations group writes to forces. BS agreed but he also stated that he wanted to ensure that this NPCC legal advice is shared with key partners and colleagues. He asked for a supplementary action for him and Juliette to share this.

New action 05/22 BS & JV to share NPCC legal advice on the retaking of samples with key stakeholders.

Strategy board workshop actions.

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

WS-04 – Ensure work is progressed to address the specific known issue affecting biometrics with regards – EB & JV have discussed and collated feedback on VA guidance from DNA Operations Group.

WS-06 - Progress the work to look at the loading to NDNAD of STR results from massive parallel sequencing (MPS) to ensure a decision is made. This work is ongoing. BS asked if we have indicative timelines for when this will be introduced. AT said that he did not, BS asked for these to be included in the action update for the next meeting.

5.0 Operational Risks and performance

Risk & issues Register (0622/03)

5.1 AT took the Board through the points of note for the risk register. There are currently 6 open risks and the majority have remained static.

STRAT02 - Sample or data-handling errors within the supply chain. Now we have greater visibility on Fingerprint errors and the % is low, impact reduced from very high to high. There is ongoing work with DNA too, mapping out the supply chain with error impact points in order that error reduction strategies can then be considered.

STRAT 19 - Access to FSS Archive - This is on the agenda later, it describes the impact relating to transactions from the data set.

FIND Strategy Board

Issues Log- two issues remain open –

SBIS04 – compliance to CPIA – data has been compiled and a meeting to discuss with OBC and FINDS will be held.

For the 2 escalations:-

FINDS-ESC-082 - Non-compliance to TickITplus for NDNAD environments - following discussions with the Forensic Science Regulator's Unit, FINDS are currently considering which standards over and above ISO 9001 may be applicable.

BS welcomed any challenge from board members on these risks and escalations, he said that NPIRMT is no longer in existence and that those responsibilities have been taken on by the Police Digital Service (PDS). BS had a useful meeting with FINDS and PDS before the Strategy Board.

Highlight report (0622/04)

5.2 CG presented the scorecard which now includes error data.

FINDS Delivery against 2022-23 Business Plan has been added to the first slide of the highlight report. There was an increase of just 1% of the loading of fingerprints to IDENT1 in Q4 when compared to Q3. When compared to the same period in Q4 20/21 it is an increase of 22%.

Fingerprint deletions to IDENT1 are also shown on this slide. Deletions from the IDENT1 Unified Collection are mainly driven by the PNC deletion messages sent to IDENT1 via the PNC-IDENT1 interface.

Slide 7 shows the information relating to the CED (the contamination elimination database). These have been included fairly recently, there were 40 new matches generated in the quarter and 21 investigations closed by forces. In total there are 234 investigations open with forces. As with previous matches the majority of contamination events were due to primary transfer – person to item.

The first set of error graphs for DNA look solely at errors identified on the NDNAD through FINDS activities.

The following graph covers all errors in subject sampling through the supply chain so includes those errors identified by FINDS on the NDNAD and the errors identified by FSPs and forces. FINDS now have a full year's data for this and the blocks are remaining fairly static. We saw an increase in wrong form used errors last quarter because there was an issue with PACE kit supply and one force used elimination forms

FIND Strategy Board

instead of PACE forms. Once the work with FCN progresses on subject error mitigation we will see some reductions in this.

The final set of error graphs looks at the percentage there is an error rate for those errors compared to those which are being loaded. Then it is the lost samples data, the lost samples fluctuates quite a lot every month and that's the area that forces quite often report a backlog in being able to provide data on. FINDS have had quite inconsistent data on lost samples during COVID, but since then that's now levelled out and there's just two forces which are unable to provide the data.

BS asked what the kind of assurance they have at this board around those forces that do this well, those forces which do it less well and if there is anything that the board need to do to support FINDS. He asked how the standards are set when they say they want that recorded in a certain way. CG said it is up to FINDS to define what we want them to report, but how they get that information varies between forces as different forces have different systems for how they record their samples. BS said that he was very keen to try and drive some consistency. CG said that this would hopefully be done through the error reduction work with FCN.

GP said that there are two positive points here i) that FINDS are able to report these errors and understand them and ii) looking at the percentages, these are low. But he is interested in the impact of these errors, for those hundred red errors, do we get any insight on what even the potential impact might be. It would help to keep the pressure on keeping the errors down to a manageable level if we had some insight into what the consequences could be of those red errors. He said that he didn't want to generate a lot of work but asked if people could give thought to impact when they're looking at errors.

BS asked that FINDS make sure that they are trying to dig into the detail not only of the numbers but also the impact when carrying out the error work. CG said that they do have a summary which says for each of these red errors what the different types are and what the impact of each of the errors is, what they don't have is any feedback from forces on the impacts caused by specific instances of the errors. She suggested that this work could be incorporated into the error reduction work.

GP said that some examples would suffice, he thinks then the Board would understand what it means in reality. SK suggested an appendix at the end to categorise what the impact is for the errors.

Action 06/22 FINDS to add an appendix to the FINDS highlight report to show the impact of the red errors.

CG said the final slide relates to fingerprint errors. The force fingerprint errors are a count of the high and medium risk errors on the PNC and IDENT1 corrected at the

FIND Strategy Board

National Fingerprint Office (NFPO). They are a count of both the PNC only and fingerprint data errors.

International DNA and Fingerprint exchange.

Prüm Update 0622/05 a&b and Interpol Biometrics Exchange update 0622/06

- 5.4 SK & SC provided an update on the fingerprint Prüm dashboard 0622/05a. Latvia had sent an additional 30,000 reference DNA profiles for searching via Prüm so the number of Latvian matches in this month's figures has increased. As a result of the evaluation as well as discussions with other Member States they are going to take to the delivery board the removal of quality four matches so that they don't have to look at them with the exception of serious crime and homicides by ad hoc basis, this is what other Member States do.

Page 5 which shows the number of Prüm DNA Matches reported to UK Police Forces/Law Enforcement and the number followed up is showing a better picture. There is an outstanding action to produce trends lines for each force – SK will circulate this outside of the meeting. SC updated that for outbound requests they are getting a 93% return rate on actual nominal or crime scene investigations that are linked to offenders in the UK.

MPS are to carry on administering this on behalf of the Home Office for another 3 years but they are having to upgrade the system due to the size of the database.

BR provided a policy update. They have started to make new fingerprint connections and have recently connected with Belgium and Austria. They are looking at the MI reporting and are looking to revamp the DNA dashboard and also integrate the fingerprint information. They are still in the evaluation cycle and haven't been given the green light to stay in Prüm yet but are expecting that decision soon. They are starting to scope next generation Prüm, it will introduce new data categories. She asked Board members to feedback if they have any MI they would like to see added to the datapack.

BS said it was really good to see the data and to see those mechanisms working so effectively for police forces.

SC presented the Prüm fingerprint dashboard 0622/05b. They connected to Germany in 2019 and have now connected to Belgium and Austria. UK bureaus now have access to the gatekeeper tool. The gatekeeper tool is managing the automatic quota allocation associated with each EU member state, they can actually obtain the quota and then conduct their own searches of IDENT 1.

SC presented paper 0622/06 on Interpol Biometrics Exchange update.

FIND Strategy Board

FSS archive update (0622/08)

- 5.5 AT presented the paper, he said the timelines for we re-platforming of the FSS electronic archive has moved out to March 23. This is a static data set, all the matches identified against FSS DNA profiles on the NDNAD, on average 159 per month (2021 data) require a data integrity check before the match report can be produced and issued to policing. Approximately 17% of these matches relate to EU matches identified through Prum.

6.0 Strategic change and delivery to Strategy Board timeline.

HOB update

- 6.1 IB provided an update on HOB through a presentation. HOB supported Transforming Forensics in the delivery of the new service now being used by the National Crime Agency (NCA) which enables them to request a digital set of fingerprints (a tenprint set) to undertake fingerprint comparison work, thus avoiding the need to work with the more cumbersome process of printing hardcopies. HOB has completed the analysis of the Self Enrolment Feasibility Trials conducted last December in support of the Migration and Borders Identity Strategy, to look at biometric remote self-enrolment technology. A report is to be published soon.

HOB continues to work with policing and HO policy on the future Strategic Facial Matching (SFM) requirements to create a gallery of searchable custody images, taken from PND, which will be stored within the HOB infrastructure on IDENT1, and available for Retrospective Facial Recognition searches by police forces. The supplier have advised a 4 month slip of the Matcher go live date to May 2. The delay is due to activity needed to burndown defects prior to the commencement of System Integration Testing (SIT)

Work has commenced on the HOB Programme Business Case (PBC8) which will be submitted to the HO Financial Investment Committee in September. IB said that he thought the September workshop would be a good opportunity for HOB to have an item to talk about what's in their business case and perhaps do a longer update than the usual meeting one. It would be a good opportunity for them to show that there's more to HOB than just matcher.

BS agreed that it would be a good item to discuss at the workshop.

SK said that she was also going to raise this, she thinks the workshop would be a good way of unpicking what the HOB work packages are and a kind of timeline for it. It would be useful to see what is in their road map, but it might be useful to bring to the Strategy Board as well because there is stakeholders there that might have a view in terms of if

FIND Strategy Board

you're making an adjustment on your system or to prioritise work, there might be views that this group have.

IB said that he agreed and that as an organization as they move towards a product way of working and what that means they are doing quite a lot of work on their demand pipeline and demand management.

AT provided the final HOB update FINDS are working with HOB on migration of custody images from PND to IDENT1 to be the Unified Collection of Custody Images. They are defining the quality and integrity activities that will need to be undertaken when it migrates across. They have also been working with HOB on management information that they would like to be available for the monitoring of a custody image database and its usage, and at this point they are looking to apply the DNA model for this.

Biometrics Governance & Legislative Update (Paper 0622/10)

6.2 LC provided an update. The data reform consultation included broader recommendations around changes to the Data Protection Act. There were specific Home Office proposals and the response is due to be published very soon. The Queen speech in May included the government's intention to introduce the data reform bill in the next session, this will include proposals that the Home Office have got in that consultation, there was an area within the bill, which is very specific to the FINDS board to update the scope of the legislation to include oversight of IDENT1 in line with the governance rules. They have also been considering a new delegated power to improve the sort of flexibility by which in future, if they needed to change the scope and name of the FINDS board, this would be able to be done via secondary legislation rather than primary.

They are working with policing as they develop their thinking around retention of custody images. The strategic objective there is to improve the consistency with DNA and fingerprints.

The Health and Care Act 2022 has introduced a new qualifying offence to Section 65A of PACE 1984 they relate to virginity testing and hymenoplasty. They are working with technical colleagues to ensure these are updated on PNC.

The Police, Crime, Sentencing and Courts Bill received Royal Assent on 28 April, The Act includes a section which will make it easier for the police to recall people to have their biometrics taken, when this was not done following the initial arrest. These changes introduce a recall power to take photographs aligned with the one for DNA and fingerprints, and allow the police to stipulate attendance at a station on a specific date to take biometrics.

They are continuing to work towards commencement of the statutory powers in the Forensic Science Regulator Act, working closely with the Regulator's office, and the UK Accreditation Service to achieve this as soon as possible. The Regulator will soon

FIND Strategy Board

be in a position to launch a formal consultation on his draft statutory Code which should last for about twelve weeks.

GP provided an update, they have been conducting an informal consultation on sections of the statutory code as they developed it. He thanked people for all their engagement. They have had over 1000 comments, which has allowed them to refine the codes and they are nearing completion of that draft codes. The next step will be formal statutory consultation as required by the act.

In order to become a statutory regulator a commencement order needs to be laid so that he can statutory consult; they are close to that happening. There will then be a three months period of formal consultation which needs to be lawful and meaningful. He is working with colleagues in the Home Office with the aim of the commencement of all the provisions arriving in the autumn. He currently has still got the same team he started with. He thanked policy colleagues in the Home Office, who have been supporting him, it isn't for him to commence the act, and it is for the Secretary of State.

DNA futures.

6.3 AT said that there had been a FINDS and FCN workshop which had a really useful recap on activities and set up. It worked through the themes, the steps and the phased approach to take from the earlier stages such as ensuring a robust IT platform and efficient processes being in place for longer term developments such as massive parallel sequencing (MPS). FINDS have now accepted MPS onto the missing persons DNA database as has been reported in the board previously. But there are no National DNA Database changes planned in to accept MPS.

For the project to establish a YSTR database, after discussions with academia, the DNA sampling exercise element of it is going to be re-tendered this week, after which they hope to have a successful bid. Then some collections can commence, the DNA processing element tender has already been awarded to an FSP.

CL agreed that it was a useful to revisit the DNA futures work. She said that FCN have got some research projects that sit underneath some of the DNA futures themes they are engaged with some of their partners at universities to try and get some of the fundamentals underway. She said that the YSTR project had been challenging to get started, there have been challenges from an academic perspective around the sample collection but hopefully those are now rectified so they will receive some bids for the tender.

Genealogy pilot

6.4 A summary of the IGG pilot update was provided by SK. Further work and consultation is required to develop process, governance and ethical considerations. Detailed

FIND Strategy Board

workshops would further inform this and this would be brought forward to the next meeting. SK is looking to hold a distinct workshop on picking up some of the ethical issues with relevant stakeholders, so that it is done as effectively and appropriately as possible.

SK said that she thought it would be useful to have an agenda item on this at the strategy board workshop in September. BS agreed.

Transforming Forensics and Forensic Capability Network

6.5 CL gave an update; they are currently developing the fingerprint and footwear roadmaps. They want to try to put some things in the pipeline now to say what they are going to deliver and make sure that they are going to meet some of those deadlines and requirements. CL said that it would be useful to bring their road maps and more detailed information on their projects to the workshop. BS agreed, CL said that there are quite a few things that's been mentioned today that FCN have got crossover or engagement with so we need to prevent duplication.

Ground Truth Database approach (paper 0622/11)

6.6 CL presented the paper; she said that the paper had been brought to the Board previously and her Information Assurance colleague has been engaged with the ICO. The document itself is going to move to Police Digital Services (PDS). It's not going to be information that's going to be owned by the FCN going forward. They are looking to seek a decision from the board on the request to retire the consent process around the ground truth database.

They are seeking to retire the consent process for ground truth data in favour of reduced personal information. But continuing to ensure the individuals are provided with the details required to make an informed decision whether to volunteer using a privacy notice instead.

In addition, they are asking the Strategy Board to consider recommending one of the following as a favoured viewpoint so they can apply consistently across the community.

- a) The FP images alone, without any other identifying data, removes the ability for unique identification as the donor who provided the fingerprint image cannot be re-identified by taking reasonable steps.
- b) Because of the nature of fingerprints as inherent to an individual it is reasonable to expect identification to that individual.

FIND Strategy Board

BS said that as a board they can make a decision on this and then recommend agree or disagree or a further recommendation but he would only ever want to do that when all of the key stakeholders have had the opportunity to provide feedback.

SW said that he was representing the ICO in place of other colleagues but he could provide initial comments. He said that he recommend that a full DPIA protection impact assessment is completed and that a decision cannot be made without it.

BS said the content of the privacy notice needs to be correct if that's ultimately adopted as the approach. There needs to be a legal analysis of the privacy notice and the efficacy and effect considered.

The board agreed they had have considered and discussed the various aspects of the approach but are not taking a view at this point around either agreeing or disagreeing the recommendations.

CL thanked the Board for their views she said that she will take it back and that they will consider the way forward FCN are keen to get it right for when it transfers into PDS.

Updates from Board Members.

6.7 None

AOB

6.8 BS said he wanted to consider the September workshop, some areas to be discussed have come up though the meeting, the work of HOB and the links to the DNA futures work and an update on IG. The workshop needs to consider all the things that are going on in the forensic landscape, partly it's about board members' situational awareness. The purpose of the board is about the statutory governance oversight of the databases. We need to consider what would help board members to enable us, particularly himself, the APCC and Home Office colleagues, as the the formal Members, to discharge those functions.

It will be about predominantly looking forward and trying to see how we can identify what we need to know so that we can shape our decision making and our governance effectively for the for the couple of years ahead.

DP said we need to consider the wider biometrics sphere, the whole forensic landscape is complex when it comes to governance with at least 15 Boards. BS agreed and said it would be good from a Strategy Board perspective to make some recommendations to the NPCC Lead and other colleagues how, from a policing perspective, as well as the APCC and the Home Office we could streamline some of them.

FIND Strategy Board

BS said it would be useful to start with a scene setter on the terms of reference and governance rules of the Board.

BS said that it will be ran as an in person meeting only with no hybrid elements, he asked that if people are unable to attend in person that they tender their apologies.