

FIND Strategy Board

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Open Minutes of Meeting

15th December 22 – Via Microsoft teams
10 – 12.30 pm

Present:

CORE MEMBERS

ORGANISATION	MEMBER
NPCC	CC Ben Snuggs (BS)
Home Office, representing the Home Secretary	Jeremy Jones (JJ)
Association of Police and Crime Commissioners	Georgie Cossey (GC)

APPOINTED MEMBERS (as set out in the Governance Rules)

ORGANISATION	MEMBER
Commissioner of the Retention & Use of Biometric material representative	Fraser Sampson (FS) Nikki Cowley (NC)
Forensic Science Regulator representative	Gary Pugh (GP)
Biometric and Forensic Ethics Group Chair	Niamh Nic Daeid (NND)

APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – DNA	Emily Burton (EB)

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NPCC – CT - Representative	Julie-Ann Hori (J-AH)
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SECRETARIAT

Home Office Forensic Information Databases Service (FINDS)	Juliet Verdejo (JV)
Home Office Forensic Information Databases Service (FINDS)	June Guinness (JG)
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	Paul Jolliff (PJ)
Devolved Administration – Northern Ireland	Noel Rainey (NR)
Scottish Biometric Commissioner representative	Brian Plastow (BP)
HO – Deputy Director, Strategy, commissioning and Forensic Information Services.	Jen Leech (JL)
Information Commissioner Office	Natasha Andrews (NA)
Scottish government Head of Forensics Policy : Police Powers Unit	Elaine Hamilton (EH)

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APOLOGIES:

ORGANISATION	MEMBER
NPCC – Homicide Working Group	Martin Bottomley
NPCC – CT	Shazia Khan
Devolved Administration – Northern Ireland	Stephen Campbell
Association of Police and Crime Commissioners	Darryl Preston Alexandra Campbell
Devolved Administration – Scotland	Gary Holcroft
FCN	Vicki Burgin

1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting. JV announced that she would be leaving FINDS and the Home Office on 23rd January. BS said that it had been a pleasure to work with her and thanked her for all she had done. JL said that she would also like to take the opportunity to publicly thank JV for everything she has done for FINDS. She said that JG will be the interim head of FINDS whilst a recruitment campaign is run externally for the permanent replacement.

3.0 Previous Minutes (1222/01)

3.1 No comments– minutes agreed

4.0 Action Review (1222/02)

4.1 CG led the Board through the action register updates on the paper, she said that as some of the actions have a large amount of back ground information from previous updates, the intention is to condense this for the next meeting.

05/19 PW expressed his concern about the veracity of the data obtained from FP. CG said the demand form has been passed to Supplier (Leidos) by HOB. An Impact Assessment should be completed that will give an idea of costs. MI paper is still in progress due to resource constraints within the NFPO.

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08/19 EB/MB to present the operational approach to be taken to develop near matching information to be provided to investigating officers. This action has now been taken off hold. FINDS now have the resource to rerun the familiar pilot on data from 2019 to 2020, it will be a larger pilot than previously and it will give an indication of the benefits and the work involved. JV said that they could rerun it with up to date data, since the introduction of NDNAD, but that would have a cost implication, approximately £50,000. MB provided some background on the initial pilot which was ran by GMP was very small. But it was very fruitful in terms of further lines of investigation, the ruling out of suspects and identifying a suspect. From a NPCC Homicide working group perspective, it is a very useful tool. JV suggested that the pilot is rerun with the larger data set from 2019 to 2020 to see if it shows key benefits, then if further work on a newer data set is needed the costings can be revisited and looked at in line with other priorities. BS agreed that this is a sensible approach. CG asked what the approach should be in terms of the action. JV said that it should be closed and a new action opened to show the new pilot. Board agreed.

New action 16/22 FINDS to implement a pilot on near matching information to be provided to investigating officers. This will involve n-1 familial data from 2019 – 2020 to indicate the benefits and work involved.

03/21 JV to review the near matching business case to see where it fits into FINDS priorities. Board agreed to close.

01/22 SK to provide metrics on force trends in requesting further information for Prüm matches. CG said that she had circulated the data the previous day – close action.

04/22 FINDS to progress work on subject error data to enable subject error reduction strategies. CG said that FINDS and FCN have identified the top 5 risk of errors in the subject supply chain along with root cause and potential mitigation solutions. DS added that the next stage was to set up a working group to look at the root cause of what of some of these errors is. She said that they are looking to have representatives from across the supply chain, people who understand PNC, people understand the custody system as well as the quality assurance process that goes on in forces and then FSP'S as well to understand that that side of it. BS said that that sounded sensible but how would they set the group up. CG suggested that they would ask for volunteer's at the DNA Operations group but also target specific people that would be useful.

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05/22 BS & JV to share NPCC legal advice on the retaking of samples with key stakeholders. A business process change is required within FINDS NDNAD to enable PNC and NDNAD to accept PACE DNA samples retaken due to human error. This will be piloted with EMSOU to determine if it is feasible nationally. FAQs are being prepared which will be sent to NPCC for further legal advice. DS said that the DNA good practice manual currently does not reflect that advice, it is due for review should it be updated accordingly or should they wait for the process issue to be sorted out. JV said that her and BS were going to write out to forces to advise that they could retake, but they are holding off until the business processes are in place so the DNA good Practice manual shouldn't be updated yet.

07/22 GP and BR to provide update on the retained law. BR provided an update. There is a political push to remove EU law from our statute books where it's not required. The piece that affects this group is on accreditation of forensic service providers regulations. They have put advice to ministers suggesting that we should retain that set of regulations with a view to using powers that are already in the bill to change them, should they want to change them down the line. So hopefully as long as ministers agree there will be no change. GP reiterated that the regulations are entirely separate from the forensic Science Regulator Act, the code and how that applies. BS agreed that the action can be closed and that if there is any further update BR will update through the international update.

11/22 JV & IB to discuss MOU's between law enforcement and the Home Office in the sharing of biometric data. This was raised at the workshop by NJ. JV said that this had been started. BS asked how long this review will take. JV said it will take a fair amount of time. They also have NPCC representation within the review as well and they are looking at the various data sharing agreements that are in place so it could take a few months. IB said that they had already had a good meeting between the Home Office and FINDS. The next step is to contact the NPCC Data Protection Office team to look at developing a controller processor information sharing agreement specifically around the use of biometrics. There is an umbrella MOU in place currently, but the information sharing agreement will get down more into the granularity of sharing biometric data.

13/22 MB to work with homicide working group to promote to police forces products and services available. CG said that this was another action from the workshop, Noel McHugh who holds the fDNA Portfolio within NCA is producing guidance on familial searching.

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14/22 VB to revisit the DNA futures roadmap to look at the next 5 years in line with discussions at the workshop and discuss it with the community. DS said that now the output from the workshop had been circulated this review can commence.

Strategy Board workshop actions.

CG led the Board through those outstanding actions from the last workshop.

WS-06 Annual report review to include enhanced trend analysis and database impact. Due to FINDS resourcing these enhancements are not included in the latest report but are to be included from 22/23 report. In the enhancements the streamlining of reporting will be considered with profile partiality aligning to 'straight to SFR1' for single source and eligible DNA Mixture profiles, breaking down further by offence type too. A replacement for the current 'A+n' measure used for partiality in the FIND SB dashboard will be sought, with there being potential to utilise the Likelihood Ratio present for crime stain records in the NDNAD2. BS said that once the draft of the annual report had been circulated he was happy to close this action.

NND queried whether there was a way in which the annual report could be made more accessible to members of the public as there is a lot of numbers particularly percentages. Given that it will be read by policymakers and equally potentially read by members of the public, was there some way we can make that a bit more real? That is more accessible in terms of what do those percentages actually mean in terms of real numbers of real people or real numbers of real cases? It would benefit us greatly in terms of being able to make what we're putting in the annual report more accessible to people who need to know the facts and figures in order to make decisions. BS said that was a very useful challenge, he said he wasn't sure how much they could incorporate for this time but definitely for consideration for the next report. He asked CG what she thought could be included.

CG said they could definitely look at the language used and the acronyms, she said that the impact of the numbers would need to be included in the next report. She said it was very useful to have different people feedback their views on the report and the language used. NND offered to carry out a review of the report. JJ suggested that they could just put something in the executive summary or a new highlight section at the start of the report specifically aimed at the more lay reader.

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5.0 Operational Risks and performance

Risk & issues Register (1222/03)

5.1 JV led the Board through the risk register there are 7 open risks, 3 reduced in likelihood/severity and no new risks added.

STRAT03 - The lack of strategic direction / development roadmap (with intrinsic linkage to funding): FINDS and NFC DNA Roadmaps aligned and FINDS now working with HOB NDNAD product manager. Enhancements to Vulnerable Persons DNA database to be funded by FINDS and HOB. CED re-platforming development continues. Remains a risk we start to see items on the roadmaps funded going forward but suggest impact reduces very high to High given current progress. – Board agreed.

STRAT 16 - The HOB NDNAD2 release may lead to integrity and legislative compliance issues
– JV passed QSA audit report and HOB evidence provided for closure of actions to Gary Pugh. Suggest that as issues highlighted by QSA have been resolved, reduce impact from very high to High. Currently discussing what is needed to fully mitigate risk - such as ISO 27001 accreditation or regular QSA audits. Board agreed.

STRAT 19 - Access to FSS Archive - PSAP solution determined not to be a viable replacement for CWA NDNAD2 environment. HOB Application development and Environment services (HADES) now looking at alternative solutions.

STRAT 21 - Force destruction of paper fingerprint forms without effective digitalisation in force. NFPO have established that only one force has destroyed their pre-2012 paper collection without digitising and consequently do not have copies of pre-2012 fingerprint forms. The likelihood is very low - it is unlikely they will be required due to the age of the forms. The impact is medium - it may result in an exhibit not available for court proceedings. Risk will remain open until IRM have agreed to updated the guidance.

Issues Log- two issues remain open –

SBIS05 - Security culture and outstanding security enhancements - FINDS are working with HADES Head of Portfolio on security and access reports requirements.

For the 3 escalations:-

FINDS-ESC-096 - CED & DNABoost services unavailable – this can be closed as the systems are now available. The issue which caused it has been identified and steps put in place to mitigate against this happening again.

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FINDS-ESC-082 - Non-compliance to TickITplus for NDNAD environments - JV passed QSA audit report and HOB evidence provided for closure of actions to Gary Pugh. Standards required for FSA Forensic Databases is still under discussion.

FINDS-ESC-094 - PNC Weeding scripts re-instated. Less than 150 FP records left to re-insert into IDENT1

Highlight report (1222/04)

5.2 JV presented the scorecard.

Subject DNA loads have increased this quarter and there has also been a significant decrease in crime scene deletions, these deletions are force driven. They have continued to see an increase in fingerprint loads to ident one with a 5% rise over the last quarter and a 16% increase compared to the same period in the last financial year. The overall number of DNA errors has increased slightly, however, because of the increased loads, the rate has actually stayed steady over the last quarter.

BS asked if forces are generally good and proactive in engaging with FINDS and give them the heads up when issues have arisen before they send the figures in. CG said that they do not normally give FINDS the heads up but if FINDS identify a trend or spike they will approach the individual force who are usually responsive and provide an explanation.

NND said that she appreciated that the rates are very low, but do FINDS have any idea of what those error rates mean in terms of number of people. JV said that there are checks, balances and data integrity work that we are in place both within forces, forensic science providers and FINDS which are all geared towards this QA process of identifying errors and as such ensuring that they can't impact the criminal justice system. She also said that some of the data includes percentages. NND said that from the outside though it is difficult to know what that percentage means. There needs to be more clarity on what the figures actually mean and more context. JV said that FINDS will review.

Action 17/22 FINDS to review the figures in the scorecard to ensure they show context and clarity

Data assurance (1222/05)

5.3 JV said that FINDS have amalgamated the Data Assurance Strategies for both fingerprints and DNA and put that into their quality management system, which means

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that it is now a controlled document and it will come up for review on a yearly basis. The paper highlights a couple of the key updates that FINDS have included as part of this amalgamation. They have added in a section for assurance measures for devolved administrations who've got direct access to FINDS and PNC, noticeably the Scottish Police Authority, they also have an action plan which gives a forward view for further developments that they have got over the next financial year. She asked for feedback from Board members by 13th of January to give people time to read some of the more detailed papers. BS said that if no significant feedback is received it would be taken as approval.

International DNA and Fingerprint exchange.

Prüm Update 1222/06 a&b and Interpol Biometrics Exchange update 1222/07

- 5.4 BR said that the figures in the dashboard which have been circulated are quite out of date, this is because they are in the process of making one dashboard that covers DNA and fingerprints and looks also at outcomes and what these things mean for criminality. Hopefully this new product will be available in the New Year for the next Board meeting to look at.

The main update for Prüm DNA is that they are now connected to Finland, the team are now going through the matches from this initial connection, there were a higher number of matches than anticipated. For fingerprints they have recently connected with Slovakia.

Step 3 outcomes, which look at the force take up of Prüm and how they are using Prüm hits, shows that forces are starting to engage with Prüm and reporting back on those hits. The ICCS are also undertaking a separate but linked piece of work to look at hits which haven't been taken forward because the individual is perhaps already in prison, or they're already linked to the crime and drawing out the information that we can get from Member States on that. There is also a piece of work underway on the Interpol biometrics Hub which Home Office biometrics are leading on with the international (Interpol) policy team. BR said that it's in the discovery phase but she could bring outcomes and updates on that to the Board. BS said that would be useful.

PJ updated on the interpol DNA exchange (paper 1222/07).

DNA Operations Group Voluntary Attendee (VA) feedback (1222/08)

- 5.5 JV informed the Board that this subject was being brought to their attention by the DNA Operations group, but it has also been an ongoing concern for the Board. The feedback from forces via the NPCC and Operations Group indicated that the voluntary attendance, national policy and guidance that was originally issued in 2018 could be clearer.

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Further feedback on the VA process from within the DNA Operations Group was obtained, four regional forces returned feedback on what the policy states and what clarification would be helpful. The paper summarised the feedback and highlighted the updates to the policy that they suggested would be helpful to reduce the number of missed opportunities. They have also suggested that it would be really useful to have a national group reconvened. DCC Nev Kemp the NPCC custody lead has appointed 2 voluntary attendee leads who will be setting up a voluntary attendee working group. JV stated that the proposal in the paper was to take the feedback to the NPCC VA working group chairs with a request for that group to discuss the issues identified and hopefully agree to update the policy and guidance to provide further clarity.

JJ said that since the guidance was first issued they have had the Police, Crime Sentencing and Courts Act 2022 on the recall powers to take biometrics, which is relevant here. We should emphasise that the power to recall exists and also the powers have been extended to custody images as well as to DNA fingerprints. BS agreed.

BS asked SW to obtain the details of the VA leads who have been appointed. He said the recommendation in the paper was agreed and asked for any further comments on the paper to be provided by January 13th. CG said that this should also enable the outstanding action from the workshop to be closed once this work is completed.

Storing of data from relatives of victims of the war in Ukraine (1222/09)

5.6 JV said that the paper proposed to temporarily retain personal data from individuals with relatives believed to have died in the war in Ukraine and to retain that data within the Missing Persons DNA Database until the organisation(s) tasked with undertaking Disaster Victim Identification (DVI) have been identified.

Update from Strategy Board workshop (1222/10)

5.7 CG presented the paper, she said that they have categorised the outputs from the workshop and have split them into short, medium and long term and have identified those which are in progress on the FINDS roadmap and those Items that need actions determined to enable progress. She said they would like Board members to review this to check if the outcomes of the workshop have been captured correctly and then for the Board to consider how to take these forward.

BS said in terms of the Board's remit, this is not always going to be for the Board to lead or to work through. It is about identifying where within the wider forensic or policing community this is being addressed. If it isn't being addressed, scoped or thought about then consideration as to where can it be and how can it be implemented. It was to work out how we could do that, better as a community, not necessarily for the Board to do that. He asked for comments back by 13th Jan.

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JV advised they have highlighted in green the ongoing work, should any Board members who put those items forward feel that what is currently in place isn't sufficient then please also highlight that in the feedback also.

6.0 Strategic change and delivery to Strategy Board timeline.

HOB update

6.1 IB provided an update on HOB through a presentation. The contract negotiations with the two bidders for the strategic matcher contract have been completed and they have moved onto the invitation to submit for tender. They are looking to get those by mid-January following which an evaluation will occur and they are still on course to announce an award to the new supplier in time for February. IB provided a time line of the delays in strategic matcher to close action 12/22 from the previous meeting.

He provided an updated on Strategic Facial Matching (SFM) including clarification of what is being searched to meet action 08/22 from the previous meeting. They are looking to SFM to be ready in early 2024 and are currently working on the data acquisition stage.

Biometrics Governance & Legislative Update

6.2 JJ provided an update. Data Protection and Digital Information Bill which includes a clause on adding governance of fingerprints to the FIND Strategy Board remit and adding further biometrics to the Boards scope in the future is still awaiting its second reading. The bill also included abolition of the Biometric Commissioner and Surveillance Camera Commissioner posts – the statutory functions of these posts will move to the Investigatory Powers Commissioner (IPCO).

DNA futures.

6.3 JV said FCN and FINDS continue to ensure that road maps are aligned. They have met and looked at the various different workshops and components of DNA futures and have identified what they believe the next steps are. The next part is to take that to the DNA futures oversight Board to see if they support those next steps and also highlight where they are and what they have achieved on the DNA futures road map. DS added that it was frustrating because they have had lots of workshops with the community. They understand what they need, what they need now, what they want for the future, but it's all dependent on funding. As we may be approaching period of austerity, where there might not be a focus around priorities for the future and research and development etc. There is a risk around implementation of the road map.

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She said that FCN have started some anti contamination work. Looking at how we can have some reassurance about our environmental monitoring procedures in a more effective way. Having a kit in environments such as the custody suite where at the minute they are having to do DNA swabbing, send it into a forensic service provider and obtaining DNA profiles two or three weeks later. This is then difficult to investigate if you've got a contamination event because they reflect something that happened over three weeks ago. They are looking at more real time equipment that may be able to provide us with some quicker, cheaper reassurance around the environment.

DS said that we need to start looking forward to 2024/25, she is having discussions on what the community actually wants around rapid DNA. Do they want something quicker or is it that they want something that's closer to the point of need? We are in a unique position in the in the UK that we've got established DNA laboratories that are scattered, certainly around England. You are never that far away from a very established automated DNA facility with all the specialisms that that brings. Though we've got rapid DNA technology that is improving all the time and is available to us doesn't mean it's what we need.

NND suggested that useful practitioners in this area are the Association of Forensic Science Practitioners body fluid forum. She said Forensic Service Providers are here to provide a service to the criminal justice system, not just policing so we need to ensure we take a broad view. It is about efficiency and effectiveness for the justice system, not just the prosecutorial side.

EB suggested that it could be something which is discussed at the next DNA Operations Group workshop.

JV said that the NDNAD is set up to accept profiles that have been processed using rapid devices. If the organisation or police force is fully accredited and partaking in the proficiency testing scheme then they have a business process in place to allow them to load to the NDNAD.

JV provided an update on the YSTR project, she said that she thought a written update for the next Board would be useful. They have obtained funding for sampling and processing 10,000 YSTR samples. FCN and FINDS are currently putting together a sample collection plan. They didn't have any organisations bid for the sampling exercise, and so they are looking to see how they can undertake that with resourcing within FINDS and FCN. They are hoping to start that sampling in February. By the next Board they will be able to share the sampling plan and provide an update on progress and also talk through some of the latter stages of the projects that are still in development.

BS asked CG to add it to the agenda for the March meeting.

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Genealogy pilot

- 6.4 JG provided an update on the pilot. The case identification work has been completed and are recommencing the scientific part of the pilot.

Transforming Forensics and Forensic Capability Network

- 6.5 DS gave an update; they have finished the implementation of the recommendations of the FCN organisational review, they are now operating in two directorate's Forensic Science Development and Quality and Performance, unfortunately, that has meant the loss of a couple of key members.

They are working on the Forensic Strategic Threat and Risk assessment, they have a lot of engagement with forces to establish what are the immediate threats and risks. The aim is to have some documentation to take to the Forensic Community Reference Group in the New Year. Once that has been signed off, that will then impact on their business case moving forwards as that will be what they will need to focus on to mitigate those risks.

Annual report 1222/11

- 6.6 CG said that the paper highlights the additions and changes to the report, it is broadly in the same format as previous years. She asked for Board members to feedback by 13th January and asked NND if she could do the important language review mentioned previously, NND confirmed that she would.

Updates from Board Members.

- 6.7 None

AOB

- 6.8 JV raised the Police Elimination Database (PED) that was discussed at the DNA Operations Group as there was support for the proposal to close it down. There are around 4000 profiles still on the PED. FINDS are working closely and with forces to get those profiles transferred over to the CED or ascertain if they are from individuals who have retired or left force etc. FINDS intend to bring a paper to the next Board that provides information on data held along with a proposed date to close the PED, potentially within in a six months window thereafter.

PJ raised the Data Protection Impact assessment for the concurrent international exchange of DNA & fingerprints records with demographic information for police intelligence purposes. This DPIA was initially drafted by the Home Office but the NCA and the NPCC data protection officers suggested that it was moved over to the NCA'S

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because as they would be the data controller. PJ has incorporated the information into the NCA template that goes into much more depth and is currently going through the approvals process. He said he anticipated being able to bring this to the next Board meeting in March.

BS thanked JV for her contribution to the Board again, he said the next meeting will be in London on the 29th March and will be face to face.