

## FIND Strategy Board

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## Open Minutes of Meeting

29<sup>th</sup> March 23 – Via Microsoft teams in person 2 Marsham Street  
10 – 12.30 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 (AT) 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)
Information Commissioner Office	Natasha Andrews (NA) Sally Prime (SP)

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### APPOINTED MEMBERS

ORGANISATION	MEMBER
NPCC – DNA	Emily Burton (EB)
NPCC – CT - Representative	Shazia Khan (SK)

### SECRETARIAT

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)
NCA	Paul Jolliff (PJ)
Devolved Administration – Northern Ireland	Stephen Campbell (SC)
Scottish Biometric Commissioner representative	Brian Plastow (BP)
Scottish government Head of Forensics Policy : Police Powers Unit	Ryan Paterson (RP)
Police Scotland – Data Governance Manager	Gillian Jones (GJ)
HO – Deputy Director, Strategy, commissioning and Forensic Information Services.	Jen Leech (JL)
Home Office Forensic Information Databases Service (FINDS)	Lisa Slack (LS)

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### APOLOGIES:

ORGANISATION	MEMBER
NPCC – Homicide Working Group	Martin Bottomley
Devolved Administration – Northern Ireland	Noel Rainey
Association of Police and Crime Commissioners	Darryl Preston
Devolved Administration – Scotland	Gary Holcroft
FCN	Vicki Burgin
Scottish government Head of Forensics Policy : Police Powers Unit	Elaine Hamilton
NCA	Andrew Clowes

#### 1.0 Welcome, Introduction and Strategic Developments

BS welcomed everyone to the meeting

#### 3.0 Previous Minutes (0323/01)

3.1 No comments– minutes agreed

#### 4.0 Action Review (0323/02)

4.1 CG took the meeting through the action register updates on the paper, she said that as some of the actions had a large amount of background information she has changed the format of the action list. She has condensed the previous updates and then provided a new update for this quarter.

**05/19 PW expressed his concern about the veracity of the data obtained from Fingerprints.** CG said that this is the oldest action, work is still ongoing. HOB and NFPO are drafting a product discovery document; compiling a problem statement and a series of user need statements. It was suggested that once the product

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discovery document has been compiled that this is shared with the Board and they can then ensure all of their requirements have been captured and then the action can then be closed and the ongoing work tracked through the HOB update section on the agenda. BS asked for the timelines on this. CG said that it is currently being drafted.

**04/22 FINDS to progress work on subject error data to enable subject error reduction strategies.** The first meeting of the expert network was held 13/03/23, there was a good representation of forces with about 35 people attending. An overview of top 5 errors that were recorded was discussed and possible reasoning behind them. It was agreed at the expert network to form smaller workshops to look at individual areas with further dates to be decided for future meetings.

**05/22 BS & FINDS Head of unit to share NPCC legal advice on the retaking of samples with key stakeholders.** Legal advice on FAQ's has been sought from the NPCC and provided. FINDS are now considering whether a PNC change request would be a better way to progress this work.

**11/22 FINDS & IB to discuss MOU's between law enforcement and the Home Office in the sharing of biometric data.** IB has met NPCC Data Protection Team and is drafting a data sharing agreement (DSA) using their template. IB will circulate to the working group that met in December for comment and review next month initially, with wider circulation and review following that.

**13/22 MB to work with Homicide Working Group to promote to police forces products and services available.** MB sent his apologies for the meeting but he updated that this action is still ongoing. CG raised that the work is looking at familial searching and asked is there are other DNA services that additional guidance should also be provided on? It was agreed by the Board that there could be, EB agreed to work on this with MB.

**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.** Work on this is continuing following the DNA Operations group workshop.

**15/22 NC, FINDS Head of unit & JJ to discuss where compliance to CPIA retention will sit following the functions of the Biometric Commissioner moving to IPCO.** This is not a BC statutory function and responsibility will not transfer to IPCO. At a meeting in December it was agreed that there is benefit in

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monitoring how frequently forces are applying this exception and their documentation of numbers. It was agreed at the meeting that FINDS will continue to collect the information and rather than passing to the Biometric Commissioners Office, will instead present it at the FIND Strategy Board for visibility and to take action if required. CG said that the suggestion is that it could be added to the FINDS scorecard. BS said that his concern was why it was coming to the Board and what action the Board are expected to take. He said the scorecard is already a large document so he suggested the data is brought to the next Board and then the Board can determine where it should be presented and what action should be taken on it.

JJ raised that the action says it is still in progress but that the work has now been done on it. BS partially agreed but said he would like it left open until the data has been brought to the Board at the next meeting and a way forward to present it has been agreed.

FS said that he thinks that there is more to it than described in the action and there is benefit in tracking this. This is the exemption in which a police force can retain not just biometric data but the sample itself indefinitely. He thinks that it is critical that it has a home that reflects that importance and has the ability to do something about it.

NA agreed and she said that if there are further discussions on this then she was willing to be involved from an ICO perspective. BS thanked her for the offer and said that after the Board had seen the data there would need to be further discussions.

CG said that FINDS are already collating this data so it can easily be brought to the next meeting, BS asked her to circulate it prior to the meeting so that board members can see it before coming to the meeting to discuss.

**17/22 FINDS to review the figures in the scorecard to ensure they show context and clarity.** CG said that FINDS have made some changes to the scorecard, they have added some additional information to the graphs, and the fingerprint graphs will be updated for the next meeting. She said that NND had requested more information on the context of the figures such as how many people or cases were affected by the errors but unfortunately FINDS are unable to provide this because they work at the sample level, they do not know how many cases they relate to, the outcomes of cases or numbers of peoples involved. CG asked Board members to feedback on the scorecard and indicate if they have anything further which they wish to be added.

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Strategy Board workshop actions.

CG took the Board through the outstanding actions from the last workshop.

**WS-04 Ensure work is progressed to address the specific known issue affecting biometrics with regards to Voluntary Attendee's.** A paper summarising feedback from the DNA Operations Group on the VA guidance and what additional guidance they require has been passed to the VA leads by EB. It was agreed that the action can be closed.

**WS-06 Annual report review to include enhanced trend analysis and database impact.** FINDS are in the process of publishing the 21/22 report and are planning the 22/23 report. The format of the report has remained the same for several years so it needs to be updated. The observations raised by NND at the previous meeting need to be considered. BP said that the report is difficult to understand for the lay person. He said that some wider context needs to be included in the report. Most crimes reported to the police do not have a forensic component. Therefore, reporting a 60% crime scene to CJ sample match rate is potentially misleading. He suggested that if the total number of crimes reported in the UK and then the number of crime scene matches were reported, the public would understand that DNA/Fingerprint matches are not a feature in 99% of all recorded crime.

NC raised that the Biometrics and Surveillance Camera Commissioner annual report 2022-2023 may well be his last one she said that she had been working through to look at where else the stats that he publishes in his annual report are also published and which are only published in his report. She said that it would be useful to feed into the FIND Strategy Board annual report review to ensure that any relevant stats from the Biometrics and Surveillance Camera Commissioner annual report can be picked up and published there if appropriate.

### 5.0 Operational Risks and performance

#### Risk & issues Register (0323/03)

5.1 JG took the group through the risk register there are 5 open risks, 2 closed and 2 new risks added.

STRAT 02 Sample or data-handling errors within the supply chain cause legal and other challenges to the databases and their use in criminal cases. Expert

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network has commenced to look at top 5 risks, no work progressed so no change to risk level.

- STRAT 16      HOB NDNAD2 release may lead to integrity and legislative compliance issues leading to quality failings within the criminal justice system – As this risk specifically relates to the release of NDNAD 2 they propose to close this risk and reopen as a new risk which is more generically related to routine NDNAD 2 releases and which can incorporate the escalation in relation to the regulators requirement for compliance to TickITplus.
- STRAT 19      Access to FSS Archive if hardware fails before transition to PSAP – Separate paper provided.
- STRAT 20      NDNAD2 Test/Dev databases are not PoFA compliant – Resource in place for work – reduce risk to High. BS asked how long it would be until this work is completed, LS said that it would be within six weeks – Board agreed to reduce.
- STRAT 21      Force destruction of paper fingerprint forms without effective digitalisation in force - Propose to close and accept risk as only one force is affected – Board agreed.
- New Risk 1:      Replacement for Strat 16 – Routine database applications releases may lead to integrity and legislative compliance issues leading to quality failings within the criminal justice system - ESC 082 can be discussed with the regulator and incorporated. Same level as STRAT 16.
- New Risk 2:      Failure to access the Confidential Working Area significantly impacts the delivery of NDNAD services and affects meeting KPI's – Paper for further information provided.

Issues Log Summary:      One issue remains open

SBIS05      Security culture and outstanding security enhancements – The report is due to be delivered in Release 10 – April so this escalation should be closed by the next Board meeting.

Escalations Summary: Two escalations remain open (propose close one) add a new one

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FINDS-ESC-082 Non-compliance to TickITplus for NDNAD environments: Propose to incorporate into New Risk 1 (see above).

FINDS-ESC-094 PNC Record deletions impacting NDNAD and IDENT1: 1 record outstanding which requires manual processing, once this has been completed the escalation will be closed.

FINDS-ESC-097 CED and DNAboost outage. Following the closure of this as an escalation at the last meeting it needs to be raised again due to these services becoming non-operational in February. Notification has been circulated to forces and FSP's that these services are not operational.

### Strategic Risk 19 Forensics Science Services (FSS) Archive (0323/04)

5.2 LS presented the paper, she said that it was a follow on from the paper which JV presented to the Board in December. The data set contains the electronic records from the Forensic Science Service that is currently held within the Home Office; it is managed by FINDS. They are working with Police Public Protection Technology (PPPT) to identify a discovery phase to move it but need funding to be agreed as well as who is going to take ownership of it, who is going to do the discovery work on it and who is going to support it moving forward.

**Action 01/03 – BS & JL to discuss escalation of risks around NDNAD 2 infrastructure.**

### Confidential Working Area (CWA) risk (0423/05)

5.3 LS presented the paper. She said the Confidential Working Area (CWA) is a tactical solution that was provided by the Home Office Biometrics (HOB) Programme as a secure area that enables FINDS daily activities. The solution was designed to be in operation for 6 months. The environment has now been running for 2 years.

**Action 02/03 – IB to clarify position around anti-virus software if there is a delay to HVD (HOB virtual desktop) and confirm to BS that the delivery timelines are on track.**

The Board agreed that the risk should be added to the risk register.



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**Action 03/03 CG to add Confidential Working Area (CWA) access to the risk register.**

### **Highlight report (1222/04)**

5.4 JG presented the scorecard. She said that FINDS are now including a summary sheet at the beginning of the scorecard, DNA has been included this quarter and fingerprints will be added next quarter. Following feedback from NND at the last meeting FINDS have added some extra information to some of the slides and additional axis on some of the graphs to provide further clarity and context. JG asked for Board members to feedback any comments on these and information on anything in addition they would like to see.

BP asked for more information on what the Scottish data deletions are for in the fingerprint errors section. JG said they are from where Scotland have asked FINDS to delete records from IDENT1.

**Action 04/23 – FINDs to send BP information on the reasons for the Scottish data deletions in the fingerprint errors section.**

### **International DNA and Fingerprint exchange.**

#### **Interpol DNA Exchange update 0323/07a and Fingerprint Prüm & Interpol Update 0323/07b**

5.5 BR apologised for the DNA update not being available, work is still ongoing on to review the data provided in the dashboards, and once this is completed there will be an updated consolidated DNA and fingerprint dashboard. She said that these should be available for the next board meeting. Discussions between the EU Commission, the EU Council and the European Parliament on Prüm II proposals have commenced. The proposals overhaul some of the DNA and fingerprint processes through Prüm and may introduce new data categories like face. BR stated that once they know more about proposals and have carried out some technical discovery work and some policy work she will bring a paper to the Board and share views. BS agreed.

#### **Action 05/23 – BR to bring a paper to the Board on Prüm II proposal**

SK said that until the dashboards are available she can provide raw figures if anyone requires them. She said that they have not made any further connections for DNA so they are static in terms of operations but that they have refreshed the whole IT and hardware infrastructure. They will now be looking at making further connections. SK said that she would like to thank colleagues in Scotland who have done a lot of work with her team in terms of reconciliation of data to ensure the systems are synched.

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### Closing down of the Police Elimination Database (0323/08)

5.6 JG said the Police Elimination Database (PED) was set up in 2001. Officers and staff were asked to provide voluntary DNA samples which would be held in a non-searchable format. The Contamination Elimination Database (CED) was set up in 2015 and since then FINDS have been trying to migrate appropriate records across to the CED. The Board is requested to agree to the closure of the PED. FINDS will issue a formal notification to all Forces on 01st June 2023 that the PED database will be decommissioned, and remaining records held will be deleted on 30th June 2023. LS confirmed that there are now 2400 records on the PED, these are from 6 forces.

GP said that he supports the recommendation and that he thinks it needs to be pointed out to the forces that there is an additional risk if relevant individuals are not on the database and they need to take active steps to manage the risk of contamination events, and in fact the statutory code will require them to do that. It's also important to put across that where there are contamination events these are treated in a sense as learning and not as discipline

JL said that in terms of the recommendation that there should be a staged approach with the communication project with forces happening first and the closure of the database following. BS agreed to the staged approach and said that he was happy to help with the communication if needed he said wording from GP to help underline the importance of it would also be helpful. He said the time line would move beyond June.

**Action 06/23 – BS & GP to provide wording to FINDS on the importance of moving records from the PED to the CED.**

### NDNAD Barcodes (0323/09)

5.7 JG said that all samples loaded to the NDNAD have an 8 digit unique barcode identifier, they are on track to run out of subject sample barcodes in approximately 2 years. FINDS can identify the new way which they want to go forward with the unique identification number. However, because these are subject reference samples, the impact isn't just on the FINDS business processes, they need to be able to change the configuration to put that format of the barcode numbers on PNC and will also affect force and FSP systems. Work needs to start immediately on this and a project needs to be set up as it affects so many stakeholders.

JG said that she intends to make it one of the FINDS priorities. LS said that FINDS have done some preliminary work and put together an options paper and have engaged to a lower extent the key stakeholders, one of them being the kit manufacturers as well to get the projected forecast for three series usage and the preferred option would be hexadecimal. They have provisionally looked at technical changes to the NDNAD but it potentially goes deeper into all forces and systems as well as internationally. The issue

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isn't just affecting PACE samples, it is also the eight series barcodes for crime scenes and then the seven series for the CED, the police vetting samples.

BS thanked JG and LS for raising it and noted the position.

### Update from Strategy Board workshop (0323/09)

5.8 BS said that Board members had been asked ahead of the meeting to consider what additional actions are needed to progress new work areas identified through the workshop activities. He said that it wasn't for the Strategy Board to be involved in all areas of the work but for it to identify where all those items identified in the short, medium and long term are being picked up in the forensic landscape. The new Chief Scientific Advisor for Policing is one key area for this, his office have recently ran their first Science, Technology and Innovation Conference. The Forensic Capability Network (FCN) is another key area.

FS said that public confidence is as important as the science, we need to ensure that there is good public engagement and there is also some internal work to be done on trust and confidence. Ethical considerations are also vital, it is something that should run through everything all the time. He said that NND is an expert in public engagement and citizen's science and this should be utilised. The level of confidence in new technology and what is going to be done with it needs to be increased.

GP said that he supports the summary table but that he thinks that there is a large stream of work around face and how that is drawn into FINDS and the infrastructure, so that has to be looked at separately. He said echoing FS's point their needs to be consideration for some of the challenges around facial imaging and the learning from the introduction of DNA profiling should be used. Following earlier discussion the database technology improvement work is urgent and important. He said the workshop was very useful but the board now need to identify the 3-5 things which are the highest priority that they will get behind.

BS agreed, he said it was important to identify those key things. He asked CG to reference the Chief Scientific Advisor for Policing's work in the summary and said that the updated FCN roadmap will also feed into it. He asked Board members to consider the red areas to see if there is anything happening in the wider forensic area on them that they are aware of and also to feedback on what they consider their top 3-5 priorities to be. Board members were asked to feed back by the 21st April.

**Action 7/23 – Board members to feedback on the red areas in paper 0323/09 to consider if/where they are being progressed in the forensic landscape and to identify what their top 3-5 priorities are.**

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### **Update from DNA Operations Group workshop (0323/10)**

5.9 EB said the DNA Operations Group held a workshop which had 2 main focuses. The first one was to look at their own road map from a DNA operational perspective and to make sure that they are aligning that to the work that was done through the Strategy Board workshop, and also to make sure that they are aligned with the FCN road map moving forwards. The second part was looking at the terms of reference for the Operations Group, focusing on making sure that they have got the right representation from stakeholders across that board and how to maximise the benefits that they can get out of those stakeholders and the communication throughout the various stakeholder groups. They have revised the terms of reference, these are attached to the paper for any comment from Board members. BS said that he welcomed the opportunity that they have taken to proactively refresh things and that he has read that the terms of reference and the linkages in there and agreed with them. No further comments from Board members.

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

#### **HOB update**

6.1 IB provided an update on HOB through a presentation. The strategic facial matching work is on-going, they are focusing on engagement whilst the technical work is progressing. He is working on pulling together data sharing agreements between the Home Office and the NPCC covering all of their biometric data sharing both now and for future projects. More details on this will be brought to the next meeting. They are going through a re-procurement phase for strategic matcher and they will be in the position to name the new supplier in May.

One of their delivery priorities is the move to product life cycle management. The teams are in place and they have a number of discoveries ongoing in the policing area which include DNA. One of the main focuses is work on the contamination elimination database. The role of their product managers is to build relationships with their customers, their lead product manager is hoping to attend the board in June to talk about where HOB have got to with the road maps, specific objectives for the team and how they hope to work with the FIND Strategy Board and policing moving forward. BS said that could be added to the agenda.

#### **Biometrics Governance & Legislative Update**

6.2 JJ provided an update in the Data Protection and Digital Information Bill, which includes a clause to add oversight of IDENT1 to the FIND Strategy Board remit and make it easier to add further biometric databases to the Board's scope in the future, is expected to have its second reading on the 17<sup>th</sup> April. The bill also includes abolition

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of the Biometric Commissioner and Surveillance Camera Commissioner posts – the Biometrics Commissioner's casework functions for NSDs and S63G retention will move to the Investigatory Powers Commissioner (IPCO). Following the second reading it will go into committee stages, which is the detailed discussion around the clauses, they think this will probably be in May and June and then the expectation is that this bill would then be rolled over into the next session of Parliament starting in the autumn. Royal Assent is expected to be in about a year.

FS said the bill has come back to parliament with changes that particularly affect his role. He has commissioned a piece of work from two academics who undertook a gap analysis of if the bill is to pass as currently drafted, what will be left unaddressed and it has shown that its quite a lot. He has asked them to pull together an analysis with possible destinations for the various bits that are left unaddressed and also identify some risk that would go with that. He has asked independent people to carry out the report so that it will be an evidence led risk based report. It will be put in the public domain as soon as it's finished and it may be available for committee stage.

### **Biometrics/forensics management**

- 6.3 BP said that he had laid two reports before the Scottish parliament that week. One is on biometrics and children, the second is on biometrics and vulnerable adults. In both reports he has made recommendations to Police Scotland about the need to improve the information that they give to subjects when fingerprints, DNA and images are captured in custody to uphold their information rights. He has also recommended that Police Scotland needs to improve the quality of its management information around biometrics and forensics and then to put better information in the public domain to sustain public confidence and trust.

### **DNA futures.**

- 6.4 JG said that they are realigning the DNA future programme with the various road maps. She gave an update on the YSTR project. The FCN and FINDS have been successful in securing STAR Funding to develop a UK YSTR Statistical Reference Database, which needs to accurately reflect the UK male population, across our majority ethnic groups. This database will enhance the capability of policing and the Criminal Justice System (CJS) to apply an evidence based statistical likelihood ratio to a YSTR match, for some of our most serious offences, including rape and serious sexual offences and violence and homicide. To achieve this they are aiming to collect 10,000 unrelated male YSTR samples over the next 12- 18 months. They have undertaken engagement and sought guidance, and approval from BFEG in the design and construction of the consent forms and a FAQ sheet. An external organisation, have been commissioned to assist in the promotion of a campaign to support communication and encourage participation in a programme of sampling activity

The project was formally launched at the Security and Policing Expo, in the NPCC Chief Scientific Advisors Innovation Hub.

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### **Genealogy pilot**

6.5 SK provided an update on the pilot.

### **Updates from Board Members.**

6.6 None

### **AOB**

6.7 JL said that they are currently running a recruitment campaign for a permanent head of unit for FINDS.

JL said that some work is being done to review the external profile of FINDS. She said that they will be reviewing the content of the FIND Strategy Board web pages and asked Board members to feedback if they have any suggestions for these.

JG asked if anyone knew about a commission on the miscarriage of justice being set up. NND confirmed that it's a Westminster All Party Commission based around the impact that forensic science has had on miscarriages of justice in England and Wales. It's being Co-chaired by Angela Gallop and Baroness Sue Black. It has already been set up and they are calling for evidence.