

## Lessons Learnt

Issue 2/ 2019

### Lack of competence and/or integrity

**Key Words:** *children, digital, independent re-examination, streamlined forensic reporting.*

This concerns two referrals from separate forensic units that deal with digital media investigating cases involving indecent images of children. These unrelated cases have common features and have recently come under investigation.

**Forensic unit 1:** Indecent images of children identified during the examination of digital media were not mentioned in the Streamlined Forensic Report. This resulted in prosecutors not having the correct offence information to charge a suspect. Upon discovery, the forensic unit reviewed other cases that the individual had worked on and found other causes of concern.

**Forensic unit 2:** Anomalies were identified in reports prepared for court involving indecent images of children.

Many thousand images were found, with only a handful being reported to investigators/prosecutors. Upon investigation, other cases processed by the examiner concerned were found to have similar problems.

In both of these referrals, every case that the two examiners concerned have worked on in their entire time with their organisation are currently being independently re-examined at direct cost to their respective organisation. Both individuals are not currently involved in casework.

## Things to consider

1. Does your organisation perform competence assessment of all new starters?
2. There is no indication in either scenario that the examiners were new starters. How often are competence assessments performed?
3. Do competence assessments cover purely the technical element or do they include an assessment of the report against the technical findings?
4. How does your organisation monitor the accuracy of reports issued?
5. Is your peer review process:
  - a. an independent 'blind' check;
  - b. an informal consistency check;or
  - c. a purely proofreading exercise?
6. Do the same individuals check each other's work? Are the checks recorded?
7. Is there a resolution process when the peer reviewer disagrees with the report? Are these recorded?
8. What supervisory process is in place? Is it followed and is it sufficiently detailed?

## Relevant FSR documents

- *Codes of Practice and Conduct* (Issue 4)  
[www.gov.uk/government/publications/forensic-science-providers-codes-of-practice-and-conduct-2017](http://www.gov.uk/government/publications/forensic-science-providers-codes-of-practice-and-conduct-2017)
- *Digital Forensic Services: Codes of Practice for Forensic Science Providers* (Issue 1)  
[www.gov.uk/government/publications/digital-forensic-services-codes-of-practice-for-forensic-service-provider](http://www.gov.uk/government/publications/digital-forensic-services-codes-of-practice-for-forensic-service-provider)
- *Guidance on Legal Obligations* (Issue 6)  
[www.gov.uk/government/collections/fsr-legal-guidance](http://www.gov.uk/government/collections/fsr-legal-guidance)
- *Expert Report Content* (Issue 1)  
[www.gov.uk/government/publications/expert-report-content](http://www.gov.uk/government/publications/expert-report-content)
- *FSR Newsletter* (Issue 30)  
[www.gov.uk/government/publications/forensic-science-regulator-newsletter-number-30](http://www.gov.uk/government/publications/forensic-science-regulator-newsletter-number-30)

You may also wish to visit The Chartered Society of Forensic Sciences website:  
[www.csofs.org/](http://www.csofs.org/)