



**Forensic Science
Regulator**

Terms of reference: Interpretation Specialist Group

FSR-TOR-INT-0001

Draft 0.1

1. Introduction

1.1 Purpose

1.1.1 This document sets out the terms of reference for the Forensic Science Regulator’s Interpretation Specialist Group.

2. Implementation

2.1.1 This issue of the terms of reference became effective on ###.

3. Modification

3.1.1 This is the first issue.

4. Terms of Reference

4.1 Status

4.1.1 The Interpretation Specialist Group (hereafter referred to as the “Specialist Group”) is a specialist group established to advise the Forensic Science Regulator (“the Regulator”) on matters within its remit.

4.2 Remit

4.2.1 The Specialist Group will support the Regulator by providing advice on all matters related to the preparation, implementation and monitoring of forensic interpretation quality standards and related issues ¹ within the remit of the Regulator. This includes investigative as well as evaluative interpretation. The Specialist Group will:

- a. Review the standards in place (and the factors influencing those standards) as they apply to the interpretation of the outcomes of forensic science activities. The review will consider, but not be limited to, the following.

¹ An issue will be considered to be related to interpretation of evidence if that issue could have an impact on the question at hand and the perception of the evidence by the CJS and triers of fact..

- i. Legal provisions (including common law, statute and subsidiary legislation) in as much as they impact on the requisite quality standards;
 - ii. ISO Standards and European Union (EU) standards;
 - iii. Existing quality standards;
 - iv. Standards employed in other jurisdictions;
 - v. Standards set out in published literature; and
 - vi. Other norms and values (including those inculcated by education and training, and membership of professional bodies).
- b. Report to the Regulator on the scope, suitability and effectiveness of the existing standards and their application.
 - c. Report to the Regulator on the effectiveness of quality monitoring processes;
 - d. Propose means of remedying any shortcomings, distinguishing between measures which fall within the remit of the Regulator and those which do not;
 - e. Develop and publish guidance on issues related to, or influencing, quality standards or the quality of the interpretation of the outcomes of forensic science activities to the Criminal Justice System (CJS);
 - f. Consider approaches to ongoing competence assessment including appraisal to provide recommendations; and
 - g. Make such other recommendations as appear appropriate.

4.2.2 The Specialist Group will, following a request from the Regulator develop standards, processes or policies for consideration by the Regulator.

4.3 Composition

4.3.1 The Specialist Group will be chaired by an individual appointed by the Regulator.

4.3.2 Membership of the Specialist Group will comprise persons in each of the following categories. Where stated, the relevant organisation will normally be invited to nominate a suitable person to the post.

- a. Chair

- i. An individual with appropriate experience in the interpretation of the outcomes of forensic science activities.
- b. Interpretation expertise.
 - i. Academic interpretation expertise. (Chartered Society of Forensic Sciences)
 - ii. Statistician (Royal Statistical Society)
 - iii. Legal-Academic (University of Nottingham).
 - iv. AFSP representation from current practitioner (x3)
 - v. Representation from disciplines not covered by specialist group representation.
- c. Criminal Justice System
 - i. Judiciary
 - ii. Bar Council
 - iii. Law Society
- d. Quality Standards
 - i. Representatives from the Regulator's Specialist Groups for each FSA or group of FSAs.
 - ii. A representative of UKAS.

4.3.3 The organisations invited to nominate representatives to the Specialist Group may, from time to time, be amended by the Regulator following consultation with the Specialist Group.

4.3.4 Each organisation shall submit its proposed nomination for approval by the Regulator before appointment is confirmed.

4.3.5 If a member regularly fails to attend Specialist Group meetings, the Regulator may terminate his/her appointment and request a new appointee from the nominating body.

4.3.6 The Regulator may, following consultation with the Specialist Group, add to the membership of the Specialist Group or invite other individuals to serve on the Specialist Group for limited periods of time where additional skills, knowledge or experience are required.

5. Operation

5.1 General

- 5.1.1 The Specialist Group will operate in accordance with a detailed plan presented by the Chair and approved by the Regulator.
- 5.1.2 The Specialist Group will conduct its business out of committee as far as possible, but will meet as and when required in order to discharge its remit.
- 5.1.3 In the interests of public accountability, the Specialist Group will carry out its work as openly as possible, subject to any necessary confidentiality requirements and any conditions agreed by the Regulator.
- 5.1.4 No budget is delegated to the Specialist Group but such assistance as is reasonably required to enable the Specialist Group to undertake its duties will be provided, within available resources.
- 5.1.5 Membership of the Specialist Group is unremunerated. The Regulator may approve repayment of travel and subsistence costs necessarily incurred on Specialist Group business by any members who are unable to obtain reimbursement from their employers. Repayment will only be made where the Regulator has agreed, to entertain claims from a named individual under this provision.
- 5.1.6 Where the business of the Specialist Group gives rise to the need for expenditure from the Regulator’s budget, the Regulator’s written approval must be obtained in advance of any commitment to the expenditure.
- 5.1.7 The Chair of the Specialist Group may establish such other procedures as they considers appropriate for the operation of the Specialist Group, providing that these are not inconsistent with the above.

5.2 Working Groups

- 5.2.1 The Specialist Group may, with the approval of the Regulator, establish such working groups as it considers necessary for the efficient and effective conduct of its business. Such working groups will be constituted with clear written terms of reference and will report to the Specialist Group.

6. Conduct

- 6.1.1 Members of the Specialist Group are required to observe the Seven Principles of Public Life endorsed by the Nolan Committee on Standards in Public Life. Each member must at all times act in good faith and observe the highest standards of impartiality, integrity and objectivity in relation to the conduct of the Specialist Group’s business.
- 6.1.2 Any Specialist Group member has the right to bring to the attention of the Regulator any matter, which he or she believes raises important issues relating to his or her duties as a member. In such cases the member should, before approaching the Regulator, raise their concerns with the Specialist Group Chair to establish whether they might be resolved within the Specialist Group.

7. Data Protection

- 7.1.1 The contact details that members provide will be used by the Regulator, or the Regulator’s representatives, and shared amongst the membership of the Specialist Group to facilitate member’s involvement in the activities of the Specialist Group as the Regulator deems appropriate.
- 7.1.2 Typically, this would mean that a member’s email address would be visible to the Specialist Group, and those supporting its work, to allow for debate within the Specialist Group. It would also allow for members to receive other communication as the Regulator sees fit.
- 7.1.3 A Group member’s contact details will not be shared beyond the Specialist group and supporting staff² without their express permission.
- 7.1.4 Details of how the Regulator uses a member’s personal information can be found in the Regulator’s personal information charter which can be found at:

[Personal information charter - Forensic Science Regulator - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/620212/Personal-information-charter-Forensic-Science-Regulator-2020.pdf)
www.gov.uk

² Supporting staff include the Home Office Science Secretariat, members of the Forensic Science Regulation Unit and Home Office (or Home Office contracted) staff involved in administrative matters such as payment of expenses, issuing visitors passes etc.

8. Confidentiality

8.1.1 In accepting appointment to the Specialist Group, members are required to accept that there will be some information or documents presented to the Group that should not be disclosed without the approval of the Regulator; this will be indicated when raised in committee, in handling information on documents or covering emails. This includes any documents marked with any Government Protective Marking Scheme security classification (including ‘Official-Sensitive’) and the content of any discussions relating to such information. Members undertake not to make copies of any such documents, and to follow the advice provided by the Regulator and Forensic Science Regulation Unit about the handling of such documents.

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