



Forensic Science Regulator

Firearms Specialist Group

Note of the meeting held on 26 February 2024 held in Birmingham and online via videoconference.

1. Welcome, introductions, review of actions and minutes

1.1 The Chair welcomed all to the sixth meeting of the Firearms Specialist Group (FSG). Members introduced themselves, outlining their backgrounds and expertise.

1.2 A full list of the attendee organisations and apologies is provided at Annex A.

1.3 The minutes of the July meeting, the last meeting of the FSG, had been circulated, no objections were raised, and the minutes were agreed.

ACTION 1: Secretariat to publish the minutes of the July Firearms Specialist Group (FSG) meeting on GOV.UK.

1.4 The actions from the last meeting were reviewed. The following points of discussion were raised. All other actions were marked as completed.

1.4.1 Action 3, July 2023 - Members of the FSG to share existing documents relevant to the consideration of setting competency standards.

Update: Action Carried forward.

1.4.2 Action 7, July 2023 - Chair to draft a letter to CPS requesting the guidance is circulated to CPS officers for their awareness and understanding.

Update: Action Carried forward.

2. Workplan update

2.1 Ahead of the meeting, an updated workplan was circulated to members of the FSG. There were no formal updates had been made to the workplan, however the topics on the workplan below were to be discussed during the meeting:

- Interpretative approach
- Interpretation specialist group
- Firearms Evidence Evaluation
- Standards of Competence and,
- Databases

3. Update from the Office of the Forensic Science Regulator (OFSR)

3.1 The representative from the OFSR verbally provided an update to the members of the FSG. The main points were:

3.2 A second survey which had been modified from the first survey distributed to the police services regarding urgent firearms classification in Spring 2023 had been circulated in September 2023. The initial survey was unintentionally anonymous whereas this second survey respondents are intentionally remaining anonymous.

- There were 18 responses to the survey. Of those 18, only 6 claim to have undertaken firearms triage since the previous provisions were introduced in 2020.
- Of those 6, all claim to have done so in compliance with the previous provisions.
- Of those 6, all except 1 are sending firearms triage work directly to an FSP.
- The forensic unit that isn't sending their work directly to an FSP, has applied for accreditation.

3.3 The Regulator has reviewed the results of the survey and is happy that there is minimal residual risk and that no further investigation is necessary.

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- 3.4 Guidance has been set out regarding application to use the urgent firearms classification outside the requirements of accreditation. To date, five forces have made applications to the Regulator; none of these forces were listed as respondents to the survey. One other force has made enquiries with a view to applying.
- 3.5 All five applicants have been successful. They are:
- Nottinghamshire Police
 - Greater Manchester Police*
 - Lincolnshire Police
 - Metropolitan Police Service*
 - Devon and Cornwall Police
- 3.6 Group held a discussion led by the UKAS representative. The main points of the discussion were:
- Achieving accreditation and the next steps for the forces who have yet to achieve accreditation.
 - Data received from forces regarding the amount of work that is being done by Police forces.
 - Concern for the lack of training and experience across police forces regarding the examination of firearms and firearm classification.
- 3.7 Version 2 of the Code out for consultation and the deadline for feedback 10th March 2024, minor amendment to firearms classification to cover the operational aspect, which the Regulator has deemed out of his remit.
- 3.8 OFSR representative shared with the members the provisional date for the FSR's conference, which has been planned to be held on 13th June 2024.

4. Firearms classification guidance

- 4.1 Paper 5 had been circulated to members ahead of the meeting, which focussed on a non-accredited force submitting urgent initial firearms classification work to another non-accredited force who are working in line with the codes to be carried out on their behalf.

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- 4.2 The chair posed to the group their views whether this urgent classification work would be reasonable or if there would be any issues with this route.
- 4.3 The NaBIS representative raised to the group that if the process, safeguards, and competence of the staff all apply to the codes and has been signed off by the Regulator, then there should not be an issue. This viewpoint was shared and agreed with the members.
- 4.4 The UKAS representative brought up an issue with the ‘subcontracting of work’, highlighting to the group that this route is reasonable as a temporary measure, but it cannot be a permanent arrangement. The UKAS representative also highlighted to the group, that this relates to a previously highlighted point in the meeting regarding forces eventually ‘achieving accreditation’.
- 4.5 The OFSR representative, highlighted to the members, that the Regulator has said that with this approach it would require at least both Senior Accountable Individuals (SAIs) to agree to this as it would require the SAIs to determine where responsibility falls throughout the process.
- 4.6 The OFSR representative highlighted that the timeframe of 72 hours could be an issue, it was agreed that the 72 hours begins when the force has submitted the work, not when the work has been received by the force carrying out the work.
- 4.7 The topic was discussed at length and the chair summarised the outcomes to the discussion as the group being comfortable with this pathway, with two caveats being addressed which are:
- The time scales exist from the original submitting force.
 - A six-month review should take place to ensure that the work is being carried out correctly and to a good standard.
- 4.8 The chair asked the group to whether the regulator would need to set requirements to make firearms classifications from digital imaging. This was discussed at length, the group agreed that making a firearms classification from digital imaging could cause an array of issues, which were as follows:
- Difficult to use in complex firearms cases.

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- Would have to be an overlapping FSA with digital
- Difficulty to take accurate measurements from an image
- Accreditation issues
- Caveat would be necessary

Standards of competence

- 4.9 The chair raised to the group whether firearms need a FSA specific requirements which sets out standards for practitioners to demonstrate competency in the legal classification of firearms.
- 4.10 The group discussed this topic at length, the key issues raised were:
- The issue of there not being a standardised national standard that all practitioners could use to assess competence.
 - The difficulty of assessing competency, when nationally different methods are used to test the competency of practitioners.
 - What is used currently is sufficient for assessing competence, so an FSA specific requirement would not be necessary.
 - Despite there being many different ways to assess competence, there is a lot of linking up between commercial labs and police labs.
- 4.11 After the discussion the group agreed that there would not be a way to agree on this topic. The chair highlighted that ideally there would be a national standard for all practitioners to use to assess competence.
- 4.12 The representative from Key highlighted that competence is only one aspect, they further noted that validation, peer reviews are looked at by UKAS when assessing practitioners.
- 4.13 The OFSR representative also reiterated that looking at the aspect of competency for an FSA specific requirement, there would be other issues that would need to be addressing and would be a difficult task for the group. All the members agreed with that and noted that if in future an issue arises then they can revisit this point.

Databases

4.14 The group then discussed databases at length. The main points of the discussion were as follows:

5. Firearms evidence evaluation

5.1 The group discussed the potential use of the evaluative approach to evidence in firearms investigation.

5.2 The representative from Key Forensics highlighted that after the previous Firearms SG meeting a working group was set up and tasked to pick three different case types where the evidential evaluation approach could be useful. The three case types chosen were:

- Image comparison, which is not for classification purposes.
- Firing marks comparison
- A case where you have an unfired cartridge and gun found at a scene where a firearm has been dispensed.

5.3 The tasked group found that some forces are doing the image comparison work but are using the non-compliance caveat as stated within the FSR's declarations guidance. This made case evaluations difficult as there was no evidential strength given as there seemed to be a heavy reliance on the non-compliance caveat rather than the findings from the practitioners.

5.4 Another approach used by the Metropolitan Police was highlighted to the group was the MC five-point scale, which allows practitioners to use this to draw a conclusion for their findings easier.

5.5 The issues with reports where neighbouring police have access to frequency data was highlighted to the members of the Firearms SG. As although this data may be useful there is a risk of over-estimating the significance of the evidence, so relevant datasets should be used in particular with 'domestic' cases.

5.6 The group discussed at length how to address this issue with databases to ensure there is clarity within the firearms community when reporting the interpretation of the evidence. The chair concluded that there was a proactive

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shift within the community to address this issue and see how it will ‘tie in’ with the FSR’s Code.

6. Chairs Update

6.1 The chair verbally provided an update to members of the Firearms SG. The update covered the following:

- The Firearms Act 2023, Section 2 deals with miniature rifle ranges and Section 1 deals with the intention to produce ammunition. The chair believed that the Act poses no major implication for examinations, but the members should be aware that practitioners may be required to determine what components make up ammunition as stated within the Act.
- The firearms legislation consultation. The chair updated the members that the government has not followed the advice or suggestions previously put forward to them by the coroner and have stated that ‘judges did not need training to decide on appeals whether someone should or should not have a firearms certificate’.
- By the end of the year there won’t be the need for practitioners to examine flash eliminators.

7. AOB

7.1 The paper regarding recording of data for forensic firearms was circulated to the group prior to the meeting. The chair highlighted to the group that this data would be useful for making decisions, however, there are already big gaps within the data captured. The chair asked members to take a look at the paper as it would be discussed within the next Firearms SG meeting.

7.2 The representative from the OFSR made the members aware that the Regulator was planning their annual conference, and the proposed time it would occur would be June 2024.

7.3 The chair thanked all members for attending and closed the meeting.

7.4 The next meeting of the FSG was to be determined.

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Annex A

Representatives present in person:

Chair

Key Forensics

United Kingdom Accreditation Service (UKAS)

The National Ballistics Intelligence Service (NaBIS)

Office of the Forensic Science Regulator (OFSR)

Scottish Police Association (SPA)

Representatives present online:

Principal Forensic Services

The National Ballistics Intelligence Service (NaBIS)

Office of the Forensic Science Regulator (OFSR)

Nottingham Trent University

United Kingdom Accreditation Service (UKAS)

Metropolitan Police Service Forensic Firearms Unit (MPSFFU)

Crown Prosecution Service (CPS)

Apologies received from:

Merseyside Police