



Forensic Science Regulator

Interpretation Specialist Group (SG)

Note of the meeting held on 13 November 2023 in Birmingham and online via videoconference

1. Welcome and introductions

- 1.1. The chair welcomed the members to the second meeting of the Interpretation Specialist Group. A list of attendees by organisation is available at annex A.

2. Actions from previous meeting

- 2.1. The chair introduced the minutes from the previous meeting, which were circulated to the Interpretation SG ahead of the meeting.
- 2.2. The Chair asked the members if the minutes were all agreed upon. The representative from the Firearms Specialist Group, the representative from the Chartered Society of Forensic Science (CSoFS), the Legal Professor and a representative of the Association of Forensic Service Providers (AFSP) all raised amendments to the minutes of the last meeting. The Chair agreed with the corrections and subject to the corrections being incorporated, the minutes of the previous meeting were agreed and would be published by the secretariat.

ACTION 14: Secretariat to update and publish the September 2023 minutes.

- 2.3. A copy of the actions log for the Interpretation Specialist Group was shared with the members as paper 02 ahead of the meeting. The Chair, the representative of the Office of the Forensic Science Regulator (OFSR) and two representatives of the AFSP all gave updates with their actions.

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- 3.1. The chair introduced the revised draft guidance which was circulated to the group ahead of the meeting.
- 3.2. The chair stated that as a starting point to develop the guidance the focus was to try and define the five different categories of interpretation and their higher levels of principles. The five categories of interpretation were identified as:
 - Evaluative
 - Investigative
 - Analytical
 - Factual
 - Categorical
- 3.3. The Chair stated that the first category for the group to focus on would be the 'evaluative' interpretation as this category is seen to represent the biggest challenge to the wider community.
- 3.4. The legal academic led the discussion and raised wording and grammatical issues within the draft guidance which the meeting addressed.
- 3.5. The group discussed the concept of propositions at length, and highlighted key issues faced when there is no alternative proposition to form the development of an evaluative opinion. The group agreed that there still needed to be a clear methodology to approach this key issue as it may blur the boundary between evaluative and investigative interpretations.
- 3.6. The group then discussed the Streamlined Forensic Reporting (SFR) process. The group agreed that there should be clarification of when the use of an SFR would be appropriate and the criteria to define that. The main points raised were:
 - The difficulties when no alternative proposition given, particularly when inferring the hypothesis that naturally presents itself which could be biased. It was highlighted that this could be questioned in court and then in turn causes more work at a later stage.

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- SFR could be used to relay interim results depending on the work, and that SFR1 isn't intended for court use.
- Activity level cannot be addressed when only one proposition is given but leaving at source level could be unhelpful to the court.
- SFR1s that are presented at court, should only be done if all agree with everything within the report. Even if everything is not agreed with it could cause more issues with the production of another report, if the defence have not provided an alternative hypothesis.
- Does an SFR allow addressing of all issues?

- 3.7. The chair pointed out that the Interpretation SG could not directly address problems with the SFR process, however, the group could consider the creation of guidance that could alleviate issues faced currently within the SFR process.
- 3.8. The group then discussed calibration of expertise and it was agreed that there needs to be a clear definition of what it is and how it would be assessed. The following points around calibration of expertise were highlighted:
- What does it mean?
 - Clarity over how it would be applied.
 - Influences on decision making such as bias and experience.
 - How to assess consistency if different approaches were taken.
 - How calibration of expertise would be reviewed
 - How would calibration of expertise be presented e.g., in court report.
- 3.9. The Chair highlighted to the group that the purpose of this document was in the first instance to produce high level guidance which can be further contextualised for various groupings of FSAs.
- 3.10. The representative of the Fingerprint Quality Standards Specialist Group (FQSSG) highlighted to the group that the current use of the likelihood ratio does not apply to all FSAs and used fingerprints as an example of this. The group discussed and agreed that there needs to be clarification on approaches regarding use of verbal scales of support as well as likelihood ratios.

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4.1. The chair thanked the members for their feedback so far and highlighted to the group that the placeholders within the document will need filling in, which would be relatively easy to do. The chair also noted two focal points for the members to consider, when continuing to draft this guidance document, which were:

- How the SG would make progress with the draft so that discipline specific subgroups could start to work with the document in the future.
- What other SGs are needed and how Interpretation SG would merge the guidance into those groups.

4.2. The Chair recapped the areas that were key topics of discussion within the meeting which were:

- How the guidance would be developed so that it would line up the with Criminal Procedure rules and the SFR process
- How would the issue with no defence proposition be dealt with.
- How the boundary between evaluative and investigative work would be defined.

4.3. The chair summarised the next steps. These are identified in the actions below:

ACTION 15: Chair to look at identifying a representative from the judiciary.

ACTION 16: AFSP representatives, CSoFS representative and Firearms SG representative to have a meeting regarding framing a section in the document explaining how each part within the process correlates with each other.

ACTION 17: Digital Forensics SG representative, CSoFS representative, Bio SG Chair, Chair, two AFSP representatives, OFSR representative and Firearms SG representative to look at addressing the issues when there is no defence proposition.

ACTION 18: Secretariat to facilitate the small sub group meetings

ACTION 19: OFSR representative and the chair to review document with the feedback provided at the meeting

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ACTION 20: Chair to look at what types of interpretation are carried out in taggant analysis

ACTION 21: OFSR representative to look at getting a marks and footwear sub group formed

ACTION 22: OFSR representative to look at getting a document sub-group formed.

ACTION 23: OFSR representative to speak to OFSR Digital lead to look at forming a digital working group/sub group

ACTION 24: OFSR representative and the chair to talk to regulator and other chairs of the specialist groups to have groups ready to be formed by February 2024

ACTION 25: OFSR representative to talk to OFSR tox lead regarding the progression status of toxicology and drugs specialist groups

ACTION 26: OFSR representative and chair to speak to regulator about the access of database data across different constituents.

ACTION 27: Secretariat to write minutes and share with the specialist group

ACTION 28: Secretariat to facilitate January meeting for the Interpretation SG

5. Any other business

- 5.1. The FQSSG representative questioned whether it was the responsibility of the Interpretation SG to determine the specific methodological approach to take, using LR as an example of defining what models in each area to do so, or if that's down to specific discipline subgroups to define what to use. The chair advised that that is not the role of the group to do so.
- 5.2. The FQSSG representative also highlighted to the group the issue of the gap within the communicating and reporting of results both verbal and documented, where what has been presented has often been paraphrased incorrectly and presented in court. The group agreed that this issue needed to be highlighted to the Regulator.

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- 5.3. The representative from the Digital Forensics Specialist Group mentioned that within the guidance there should be reference a CPD summary page, as there are still issues within the judiciary not understanding issues e.g., the prosecutor's fallacy and likelihood ratios. The chair highlighted that this will be a long standing issue and illustrated the need for a judicial representative within the Interpretation SG.
- 5.4. The chair thanked all for coming and closed the meeting.
- 5.5. The date for the next in person meeting was to be determined.

Annex A – Meeting Attendees

Representatives present:

In person

Chair

Two representatives from Association of Forensic Service Providers (ASFP)

Chartered Society of Forensic Science (CSoFS)

Royal Statistical Society (RSS)

Digital Forensics Specialist Group

Firearms Specialist Group

Office of the Forensic Science Regulator (OFSR)

Home Office Science (secretariat)

Fingerprint Quality Standards Specialist Group (FQSSG)

Online

Bar Council

United Kingdom Accreditation Service (UKAS)

Chartered Society of Forensic Science (CSoFS)

Biology Specialist Group

Medical Forensics Specialist Group

A legal academic

Incident Examination Specialist Group (scenes)

Apologies received

Incident Examination Specialist Group (collision investigation)

Incident Examination Specialist Group (fire investigation)

Royal Statistical Society (RSS)

Digital Forensics (policing)

Minutes – Minutes – Minutes – Minutes – Minutes – Minutes – Minutes – Minutes**Annex B – Summary of Actions**

ACTION 14: Secretariat to amend and publish September 2023 meeting minutes.

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