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DTSG meeting

Note of the meeting held on 16th June 2025 Online via MS Teams

1. Welcome and Introduction

1.1. The Chair welcomed members to the second meeting of the Drugs and Toxicology Specialist Group (DTSG). The list of attendees can be found in Annex A.

1.2. The Chair noted that there would no longer be representation from the Royal Society of Chemistry on the group and as the National Police Chief Council representative has changed roles, a replacement representative for policing will be sought.

1.3. The Chair highlighted two recent documents of relevance to the group, the publishing of Version 2 of the Forensic Science Regulator's (FSR) Code of Practice and The Westminster Commission on Forensic Science.

2. Review of minutes of Meeting 1 and Status of Actions

2.1. The minutes from meeting 1 had been published following agreement from members and no further comments were received.

2.2. The Chair ran through the actions from the previous meeting and provided a status update for each. All actions had been completed and could be closed, except action 4 which is to remain open at the request of the Chair. A full list of actions from the first meeting can be found in Annex B.

3. Risk Register Introduction

3.1. A risk register is to be introduced to record and monitor potential or actual risks within the Drugs and Toxicology portfolio. This will be populated and updated by the group and will be discussed as a standing item at future meetings. The Chair noted the need for the group to develop accountability structures and scoring criteria for assessing risks and the need for risks on the register to be realistic and resolvable. The OFSR will develop a risk register in line with the OFSR template and circulate this in advance of the next meeting.

Action 1: OFSR to develop and circulate the DTSG risk register.

Action 2: OFSR to include risk as a standing item and DTSG to develop accountability structures, handling requirements and scoring criteria for the risk register at the next meeting.

4. Standing Items

a. Overview from Section 5A Working Group.

4.1. The Chair of the Section 5a Working Group (S5AWG) provided a summary of work completed in Phase 1 of the S5AWG and an introduction to Phase 2 of the S5AWG.

4.2. Phase 1 of the S5AWG covered as much content as possible in the timeframe available to develop FSA-specific requirements for incorporation into the FSR Code of Practice V2. The remaining topics will now be covered by Phase 2 of the working group, the first meeting is planned for June. The aim is to produce a technical guidance document from the discussions and decisions made by the S5AWG, which will accompany the FSA-specific requirements within Version 2 of the Code of Practice, which come into force in April 2026. The guidance will provide more prescription on issues such as managing contamination, matrix effects, measurement uncertainty and Internal Standard recovery.

4.3. The S5AWG Chair raised a concern on the emergence of privately prescribed cannabis and the potential impact to the Criminal Justice System (CJS), noting the difference in quantities allowed compared to NHS prescriptions for medicinal cannabis. This poses a risk to detection and prosecution under section 5A cases

as the source of the Tetrahydrocannabinol in a blood sample is not distinguishable. DTSG consider this issue to be within the remit of the Department for Transport's (DfT) and will also raise this with the Advisory Council on the Misuse of Drugs (ACMD).

Action 3: OFSR to engage with DfT and ACMD on this matter.

b. Overview from Drug Testing Kits Working Group

4.4. The chair of the Drug Testing Kits Working Group (DTKWG) provided an update on the progression of the DTKWG. The group are looking at options including drug testing kits (DTKs) forming a new forensic science activity (FSA) with specific requirements for incorporation into a future version of the FSR's Code of Practice.

4.5. The chair provided an overview of some of the challenges in this area including ongoing quality assurance, limitations in scope of drugs detectable, risk of human error, reporting requirements and software limitations and the need to balance operational requirements with the quality requirements and assurances required for varying evidential levels and scenarios. The British Mass Spectrometry Society representative suggested that work being completed at Surrey University might be able to assist with mobile DTKs. The next DTKWG group meeting is scheduled for July.

c. Drugs and Toxicology Interpretation Group Summary

4.6. The Chair of the Drugs and Toxicology Interpretation Working Group (INTWG-D&T) provided an introduction and update on the INTWG-D&T. The overarching Interpretation Specialist Group has drafted a general technical guidance document for interpretation and opinions in forensic evidence, the aim is for the subgroups to develop their own discipline-specific guidance to provide harmonisation in approaches to interpreting evidence across the forensic science community.

4.7. Since the group first met in October 2024, there has been a webinar in April, a workshop in May and the next meeting is planned for June. Other discipline-specific subgroups, such as DNA, can use probabilities and likelihood ratios derived from available data to interpret evidence in court, however the range of

equivalent data required is not available in drugs and toxicology. The INTWG-D&T intend to develop a verbal scale based on likelihood and are looking at the viability of this. Often there are no defence propositions which introduces challenges to implementing likelihood scales and developing guidance.

4.8. The group are developing a discipline specific draft guidance document template and have been attempting to address drugs and toxicology together.

4.9. The DTSG Chair drew attention to a new document EA-4-23/25: The Assessment and Accreditation of Opinions and Interpretations using ISO/IEC 17025:2017, which was circulated prior to the DTSG meeting. The DTSG were concerned that the document if implemented might pose a risk to the quality of interpretations presented to the courts, due to the conflict between accreditation being largely on an organisational basis yet opinion being a personal concept based on individual experience. The group agreed that the document has limited applicability for drugs and toxicology interpretations and opinions at this time.

Action 2: Chair and OFSR to collate views from DTSG regarding on document EA-4-23/25.

5. Definition of FSAs relevant to Drugs and Toxicology

5.1. The OFSR provided an overview of the Code of Practice and its structure. Version 2 of the FSR's Code of Practice has been published and will come into force in October 2025, with the exception of some FSAs that have delayed compliance. The FSAs in the Code are broken down into portfolios: the DTSG reviews and considers FSAs under the Drugs, Toxicology and Noxious Substances (DTN) portfolio. There are 13 FSAs under the DTN portfolio, 4 of which the Code does not currently apply to, but could come within scope on the advice of DTSG. The OFSR summarised each DTN FSA for the purposes of members who are not familiar with the Code.

6. Workplan Items Discussion and Prioritisation

6.1. Action 4 of Meeting 1 of the DTSG requested members to send suggested work areas to the Chair for consideration by the group, some of which were discussed in detail. The group agreed that for the remaining items, scores would be assigned based on frequency of occurrence, impact, and ease of resolving via

email or in person to allow efficient prioritisation. Some suggestions require further clarity from members who were unable to attend the meeting.

Measurement uncertainty

6.2. Approaches to calculating measurement uncertainty in Section 5a was suggested as a priority topic for discussion. It was agreed by the group that approaches to calculating measurement uncertainty in Section 5a is best addressed in the S5AWG, which will feedback into the DTSG.

Statistical monitoring of quality controls

6.3. Statistical monitoring of positive quality controls in Section 5a was another suggestion for consideration by the DTSG. Section 5a FSA-specific requirements in Version 2 of the Code references to Westgard rules in regulating positive quality control. It was raised that the DTSG should assess whether this is the best method to monitor Section 5a quality control data, or whether there are alternative methods that might reflect the data better. It was agreed that a review of statistical models to monitor Section 5a quality controls will be assessed by the S5AWG, to then feedback into the DTSG.

Accurate Mass Screening

6.4. Implementation of non-targeted accurate mass technology for casework toxicology was suggested as a workplan item for the DTSG. Accreditation for open screening is very difficult to achieve, the group is unclear on where this sits within the Code. Open screening methods could allow for greater detection of drugs in a laboratory setting.

6.5. Laboratories who are completing non targeted screening work are currently not accredited under the UKAS ‘Forensic Analysis/Forensic Testing’ criteria. Challenges to achieving accreditation include the requirement to calculate measurement uncertainty even where drugs are reported qualitatively, and identification of drugs in a sample where there are no reference standards available, so the only confirmation is a database hit. Gaining accreditation for confirmation work on the same technology is also difficult and can be restrictive. Results from alternative matrices, or any drugs where there is insufficient data to calculate measurement uncertainty cannot be reported as accredited. Guidance

could be developed by the DTSG to assist laboratories or UKAS in accreditation assessments. It was agreed this is an important item to be addressed by the group.

Alternative Matrices

6.6. Guidance on alternative matrices in casework toxicology was the final suggestion discussed in detail. In the FSR Code of Practice, DTN-100 applies to human biological material. However, alternative biological matrices (liver, muscle, vitreous humor) are less frequently analysed and there is a barrier to achieving accreditation for these. Some challenges include availability of appropriate proficiency testing schemes, availability of suitable blank matrices, and calculating measurement uncertainty for infrequently seen sample types. At the moment results for alternative matrices are reported as outside the scope of accreditation. It was suggested that the group should review whether accreditation is the appropriate format to regulate alternative matrices or whether there could be a guidance document informed by the DTSG to set out a minimum standard.

Other

6.7. Topics that require additional context or clarification prior to consideration by the group include research into levels of cocaine and BZE detected in long term users to inform toxicology reporting, health and safety implications in testing for nitazenes, fentanyls and vapes, and training requirements for drug scene attendance and how to assess ongoing competence.

Action 4: Members to elaborate on their suggestions for the workplan where required, via email.

Action 5: OFSR to distribute list of potential DTSG workplan topics to the group, members to score the topics based on criteria determined and return over email.

7. AOB

7.1. There was no AOB.

8. Date of next meeting

Action 6: OFSR and Chair to organise next in person meeting for 6-months' time.

Annex A

Representatives present:

Online

Chair

Association of Forensic Science Providers (AFSP)

British Mass Spectrometry Society (BMSS)

FSR's Section 5A Working Group

FSR's Drug Testing Kits Working Group

UK and Ireland Association of Forensic Toxicologists (UKIAFT)

Office of the Forensic Science Regulator (OFSR)

Apologies received from

Royal Statistical Society (RSS)

National Police Chief's Council (NPCC)

Chartered Society of Forensic Sciences (CSFS)

Annex B: Meeting 1 Status of Actions

Action 1: OFSR to update TOR following discussion. TOR otherwise approved. Complete.

Action 2: OFSR to publish TOR on FSR webpage. Complete.

Action 3: OFSR to circulate minutes to SG and following agreement, publish on FSR webpage. Complete.

Action 4: Members to write to Chair or OFSR with suggestions of work areas for DTSG to undertake. Members should provide an assessment of the frequency and impact of the work area so that DTSG can assess and prioritise the workplan. In progress.

Action 5: OFSR to circulate the draft guidance from the interpretation workshop in October (FSR GUI #### workshop draft). Complete.

Action 6: Chair and OFSR to circulate LGC Axio Proficiency Scheme newsletter which suggests human error is the key cause of failure of participants in PT schemes. Complete.

Action 7: UKIAFT representative to look into current landscape of relevant PT schemes, including internationally and feedback to DTSG. Complete.

Action 8: Chair to send RSS representative a publication on the statistical framework for the WADA PT scheme. Complete.