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Minutes

Title of meeting	Pathology Delivery Board		
Date	20th May 2015	Time	13:45hrs
Venue	Conference Room 3b, 2 Marsham Street, London, SW1P 4DF		
Chair	Mr Alan Pratt	Secretary	Mr Dean Jones
		Copies to	Ms Sonya Baylis

Attendees

Dr Jeff Adams (JA)	Home Office, Forensic Science Regulation Unit
Mr Martin Allix (MA)	Home Office Forensic Pathology Officer
Ms Caroline Browne (CB)	Head of Regulation, Human Tissue Authority
Mr Martin Bottomley (MB)	National Police Homicide Working Group
Dr Nathaniel Cary (NC)	Chair of the Forensic Pathology Specialist Advisory Committee, Royal College of Pathologists
Prof Jack Crane (JC)	The Board's Independent Responsible Officer
Dr Russell Delaney (RD)	Forensic Pathologist, Group Practice Representative
Mr Ian Elkins (IE)	Crown Prosecution Service
Ms Helen Hopwood (HH)	On behalf of Ms Jo Taylor, representing the College of Policing
Ms Brenda Jones (BJ)	Representing the Chief Coroner's Office
Mr Russell Jackson (RJ)	Representing the Homicide Working Group
Mr Dean Jones (DJ)	Senior Forensic Pathology Manager, Home Office
Mr Colin Kettley (CK)	Forensic Pathology Development Manager
CC Debbie Simpson (DS)	National Police Lead on Forensic Pathology
Mrs Rachel Webb (RW)	Minute-taker, Home Office
Dr Fiona Wilcox (FW)	H.M Senior Coroner for London (Inner West), representing the Coroners' Society
Dr Charlie Wilson (CW)	President of the British Association in Forensic Medicine

Apologies

Ms Judith Bernstein (JB)	Ministry of Justice, Head of Current Coroner Policy, Coroners and Burials Division
Det Supt Kevin Connolly (KC)	Dorset Police, representing Chief Constable Simpson
Ms Jo Taylor (JT)	Representing the College of Policing

1. **Welcome and Apologies**

- 1.1 The Chair welcomed everyone to the meeting and noted apologies from Detective Superintendent Kevin Connolly, Ms Judith Bernstein and Jo Taylor.
- 1.2 AP apologised that 2 substantial agenda items: 33 cases and the Hutton review, would not be discussed in great detail because there was no Ministerial authority at present to circulate the reports. The reports were submitted to Ministers during the last coalition government, however because the period of purdah was about to commence, Ministers didn't want to be seen to be influencing future government and so deferred to the new administration.
- 1.3 New Ministerial portfolios are now being drawn up, at which time; the report will be presented to the new Minister.

2. **Minutes and actions from the meeting on 13th November 2014**

- 2.2 The minutes were agreed in correspondence and no further amendments were put forward by members. The minutes were therefore confirmed as being a true and accurate account of the discussions within the meeting.

3. **Standing Items – Updates from:**

3.1 **Complaints**

- 3.1.1 The Chair was happy that the system of complaint handling was robust.

3.2 **The Royal College of Pathologists**

- 3.2.1 NC submitted an update to the Board in relation to the matters discussed within the Royal College of Pathologists' Forensic Pathology Specialist Advisory Committee.
- 3.2.2 NC voiced the concerns of the SAC that there was a lack of reform following the McCracken review in 2013.

3.3 **Group Practices**

- 3.3.1 Any issues for this item are discussed within the main agenda.

3.4 **The Forensic Science Regulator's Forensic Pathology Specialist Group**

- 3.4.1 A meeting of the FPSG took place on Wednesday 20th May. JA submitted a paper for this item, detailing the agenda of the meeting. He was content that the paper accurately reflected the discussions that took place within the FPSG meeting that morning.

3.5 **National Policing Homicide Working Group**

- 3.5.1 The HWG was looking forward to seeing the report on 33 cases as they were concerned about the falling number of both attendances at scenes and forensic post-mortem examinations. RJ wondered whether the initial training of officers would be influenced by the report.
- 3.5.2 DJ made assurances that the report would be submitted to the new Minister at the first

opportunity to ensure the Minister was made aware of the subject matter. The Chair gave his approval for the routine business recommendations of the report to be implemented with particular reference to officer training.

3.6 Forensic Pathology Management Information

- 3.6.1 CK submitted a report on the number of forensic post-mortem examinations in 2014, which showed a decline in the number of cases since 2013.
- 3.6.2 Board members discussed the many possible reasons for the decline in the number of post-mortem examinations being conducted in suspicious deaths cases.

3.7 Appraisal and Revalidation

- 3.7.1 This is now the 3rd year of the appraisal process for Home Office registered forensic pathologists with all appraisals being completed in 2013 and 2014.
- 3.7.2 Appraisers are invited to take part in annual appraisal training which attracts CPD points.
- 3.7.3 The process has changed slightly with 2 consecutive appraisals being with the same appraiser for the purpose of continuity.
- 3.7.4 The Board Independent Responsible Officer has so far made 21 recommendations to the GMC for revalidation with 4 deferrals and another 4 recommendations taking place within the next 2 – 3 months.
- 3.7.5 The Multi-source feedback exercise has also been a success and members were encouraged to see that there was full engagement in the process.

3.8 Training Courses for Pathologists

- 3.8.1 The 6th Criminal Justice Course for forensic and non-forensic pathologists will take place at Harperley Hall in July 2015. MA stated that the feedback from previous courses was excellent and that 4 FP trainees were to attend the July course. He explained that the format had changed for the training of the trainees as they now attended this course plus the 2nd week 'practical' element of the Crime Scene Managers Course.

3.9 Home Office Register

- 3.9.1 There was no further update to the Register which is available at: <https://www.gov.uk/government/publications/home-office-register-of-forensic-pathologists-february-2013#history>

3.10 Forensic Pathology Trainees Update

- 3.10.1 6 trainees are undergoing training to become a forensic pathologist and funding by the Home Office for the trainees and their group practice in 2015/16 is within budget.
- 3.10.2 A meeting is to be scheduled within the next couple of months with all Group practices to discuss how we accommodate fully qualified trainees onto the Home Office Register, in light of the reducing number of forensic pathology cases.

4. Review of Forensic Pathology Services in England and Wales

4.1 Due to the embargoed nature of the Hutton report DJ suggested an extra-ordinary PDB meeting is organised in July 2015 following release of the report.

4.2 The Chair agreed for the suggestion to be taken forward.

5. **Human Tissue Audit**

5.1 DJ submitted a position paper in relation to the current status of recommendations following the Human Tissue Audit of 2010-12.

5.2 The recommendation for a HMIC audit to take place has not materialized as it was not included in the current round of audit. The FPU will continue to put this forward as an audit topic in future years.

5.3 The Chair confirmed closure of these actions.

6. **Forensic Pathology Research into 33 Cases**

6.1 Due to the embargoed nature of the report, this item cannot be discussed, however DJ agreed to speak to HH to deal with the operating procedure and carry out the actions of the report. One of the actions will be progressed, namely a training package for newly appointed police officers.

6.2 The data which formed the basis of the report is now routinely collected by the Home Office Forensic Pathology Unit.

7. **The Role of FME's in Confirming/certifying Death**

7.1 MA submitted a paper to the Board which highlights an issue brought to his attention by a Force Medical Officer (FME) from the West of England concerning the use of FME's in confirming death at the scene.

7.2 The Board discussed the difference between the confirmation of life extinct and the point of law which requires all deaths to be certificated.

7.3 AP pointed out that the remit of the Board was restricted to the implications of such practices on a Home Office registered forensic pathologist.

7.4 DS stated that the Department of Health has tendered for the services, but the mandate is owned by individual forces.

7.5 **ACTION:** MA/DJ to produce a consultation document on confirmation of death and use it to consult the forensic pathology practice advice (see item 9).

8. **Status of Pathologists on the Emeritus List**

8.1 The original concept of the Emeritus list was to recognise the expertise and experience of retired or semi retired forensic pathologists and to ensure they are not entirely lost to the service of forensic pathology. JC put forward the view that pathologists who appear on the list should be registered with the GMC and have a licence to practice.

8.2 The Chair saw merit in the list, with defined criteria and agreed that if you wanted to be on the list you should be registered with the GMC and have a licence to practice.

- 8.3 There was further discussion as to the requirements of pathologists on the emeritus list and it was requested that (a) be removed.
- 8.4 **ACTION:** CK/DJ to review the terms of reference for the emeritus list for discussion at the next scheduled meeting.
9. **Forensic Pathology Practice Advice**
- 9.1 The ACPO HWG Forensic Pathology Practice Advice was published in a draft format as an interim product due to the development of Authorised Professional Practice (APP). It replaces Chapter 11 Pathology in ACPO (2006) Murder Investigation Manual.
- 9.2 **ACTION:** DJ/MA to update the Practice Advice.
10. **The Wales Institute of Forensic Medicine (WIFM)**
- 10.1 DJ received a telephone call from Dr Stephen Leadbeatter a few weeks ago to inform him that Cardiff University was currently reviewing the status of the South Wales Pathology Unit and one option was to 'disinvest'. The Wales Institute of Forensic Medicine was in danger of closure.
- 10.2 DJ has contacted the University Dean and project manager to arrange a meeting to see a way forward.
- 10.3 The chair asked what options there were, should we be faced with the worst case scenario. There are a number of options, such as the setting up of a private practice; seeking employment elsewhere or another group practice taking over the geographical area: Dyfed-Powys, Gloucestershire, Gwent and South Wales police forces.
- 10.4 DJ also shared with the Board, the issues that the State Pathologist's Department in Northern Ireland was facing.
- 10.5 The Chair thanked DJ for sharing the vulnerabilities of the Mid and South Wales and Gloucestershire group practice and that of the Northern Ireland situation.
- 10.6 **ACTION:** DJ to produce a position paper on the situation with the WIFM following the meeting with the University.
11. **Future Pathology Delivery Board Meetings**
- 11.1 3rd November 2015 – 11.00 – 13.30hrs – Conference Rm 6, Home Office, 2 Marsham St.
- 11.2 **ACTION:** Dates for an extraordinary PDB meeting in July will be circulated after the meeting by RW.
12. **AOB**
- 12.1 **Update on the McCracken Review**
- 12.1.1 CB updated the group on progress in meeting Justin McCracken's recommendation that the Human Tissue Act be reviewed. Following the McCracken report, the Government proposed two options: one, a consultation amongst stakeholders about non-contentious

issues such as the removal of tissue for research, the second to be a more wide ranging public consultation, considering issues such as the scope of the definition of relevant material. The first more informal consultation took place in March 2014 and although well received it was thought the changes proposed did not go far enough and some further changes were proposed. Unfortunately, pressures on Parliamentary time prevented further progression on these.

12.1.2 It is hoped that, following the election, Ministers will reconsider the approach and timing on these consultations. However, the HTA is to be the subject of a triennial review between July and October, which provides a new opportunity for stakeholders to comment on HTA regulation and associated matters, such as the appropriateness of the legislation. The HTA will contact stakeholders to give them notice of the evidence gathering stage of the review and information about how to contribute.

12.1.3 **ACTION:** CB to ensure that DJ and JA are alerted to when comments on the HTA consultation can be taken.

12.2 **Interpol Standing Committee on DVI – meeting report from Professor Rutty**

12.2.1 The members noted Prof Rutty's report on his attendance at the 26th meeting of the Interpol Standing Committee on Disaster Victim Identification.

12.3 **Cross Sectional Scanning**

12.3.1 A private company wished to make the police aware of what they have to offer in respect of cross sectional scanning of bodies.

12.3.2 It was agreed to pass the information on to RJ for discussion within the HWG.

12.4 **CPD Compulsory Training**

12.4.1 JC alerted the Board to the difficulty of some pathologists obtaining credits due to the lack of professional development opportunities.

12.4.2 AP welcomed opportunities for pathologists to gain credits by sharing conference and seminar event information.

12.5 **Retirement of Colin Kettley**

12.5.1 Colin Kettley has been part of the Forensic Pathology Unit since 2009, when it was housed within the National Policing Improvement Agency (NPIA). The unit subsequently moved to the Home Office in October 2012. Colin will be retiring in September 2015.

12.5.2 The Chair wished to formally express gratification for Colin's work over the last 6 years.

12.6.3 There being no further business the meeting was closed at 16.30hrs