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Minutes

Title of meeting	Pathology Delivery Board		
Date	15 th May 2014	Time	14:00hrs
Venue	Conference Room 6, 2 Marsham Street, London, SW1P 4DF		
Chair	Dr Simon Bramble*	Secretary	Mr Dean Jones
		Copies to	Ms Sonya Baylis

*Head of Regulatory & Strategic Support Unit, on behalf of PDB Chair Mr Alan Pratt, Director of Science, Engineering and Technology

Attendees

Dr Jeff Adams (JA)	Home Office, Forensic Science Regulation Unit
Mr Martin Bottomley	National Police Homicide Working Group
Ms Caroline Browne (CB)	Head of Regulation, HTA
Det Supt Kevin Connolly (KC)	Dorset police
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
Dr James Grieve (JG)	President of the BAFM
Prof Peter Hutton (PH)	Chair of the Forensic Pathology Review
Mr Dean Jones (DJ)	Senior Forensic Pathology Manager, HO
Mr Colin Kettley (CK)	Forensic Pathology Development Manager
Dr Marjorie Turner (MT)	Chair of the Forensic Pathology Committee, Royal College of Pathologists (RCPath)
Mrs Rachel Webb (RW)	Minute-taker, Home Office
Dr Fiona Wilcox (FW)	H.M. Coroner representing the Coroner's Society

Apologies

Mr Martin Allix (MA)	Home Office Forensic Pathology Officer
Ms Judith Bernstein	MOJ, Head of Current Coroner Policy, Coroners and Burials Division
Ms Anne Harrison (AH)	Head of Specialist Operations, NCA
Mr James Parker	Head of the Chief Coroner's Office
CC Debbie Simpson (DS)	National Police Lead on Forensic Pathology

1. **Welcome and Apologies**

1.1 The temporary chair, Dr Simon Bramble introduced himself, commenting that many around the table would know him from the last time he chaired the Pathology Delivery Board, referred to herein as 'the Board' or PDB, whilst in the National Policing Improvement Agency (NPIA).

1.2 Members introduced themselves for the benefit of the new member Dr Fiona Wilcox, Her Majesty's Coroner for Inner West London. Dr Wilcox was welcomed and replaces Dr Roy Palmer in his capacity as Coroner's Society representative on the Board. It was noted that a letter of thanks had been written to Dr Palmer for his time on the Board.

1.3 Apologies were noted as detailed above.

1.1 **Eulogy in respect of Dr Harry Millward-Sadler: member of the PDB who sadly passed away in April 2014**

1.2 Before 2006 the responsibility for standards, audits and complaints fell to the Scientific Standards Committee (SSC), a sub-committee which sat under the PDB's predecessor the Policy Advisory Board for Forensic Pathology (PABFP). Harry was nominated to the SSC by the Royal College of Pathologists. When Dr Hunt resigned the chair of the SSC Harry was asked to accept the position. He was heavily involved in the development of the Code of Practice issued in 2004, the development and implementation of the audit process and the handling of all complaints against pathologists. The last of these, also required involvement in the disciplinary action related to forensic pathologists – not only the actual disciplinary action but the related legal challenges. By any measure this was a significant commitment to a field which was not his own.

1.3 When the structures were altered and the responsibility for quality transferred to the Forensic Science Regulator it is notable that both the Royal College and the British Association in Forensic Medicine (BAFM) strongly recommended Harry as the chair of the Regulator's Forensic Pathology Specialist Group (FPSG).

1.4 After his appointment as chair of the FPSG Harry worked consistently on behalf of the Group to improve the standards of forensic pathology. This has included not only the work which is seen by the members of the Group but also a large numbers of e-mails, documents to review and meetings.

1.5 While undertaking this work Harry was an example of professionalism and maintained the confidence of the forensic pathology community – a real achievement.

1.6 His death is a great loss to pathology. It is a far greater loss to his widow and children.

1.7 The Board noted that a letter was sent to Harry dated 28th March on his recent and unexpected retirement from membership of the PDB in February.

2. **Minutes and actions from the meeting on 19th September 2013**

2.1 The minutes of the last meeting of 19th September 2013 were agreed in correspondence and no amendments had been received.

- 2.2 All were content that the minutes reflected the discussions that took place in the meeting and were ratified by the Board.
- 2.3 Members were updated on the actions that had taken place during the intervening months.
- 2.4 **ACTION:** The Chair requested that a member of the Human Tissue Authority (HTA) be invited as a guest to the next PDB meeting with the recommendation that she sits as an observer at future meetings.
- 2.5 **ACTION:** PDB G2. Request a response from the Chief Coroner. It was noted that the Chief Coroner is including these issues in his plan of action.
- 2.6 PDB G6. – Completed (see item 8)
- 2.7 PDB G9. – Members discussed the need for a more robust process to ensure that the status of tissue held by the forensic pathologist is fed back to the forensic pathologist.
3. **Standing Items – Updates from:**
- 3.1 **The Registration & Training Committee**
- 3.1.1 Since the last meeting of the Board no new recruits had been admitted to the Home Office Register of Forensic Pathologists.
- 3.1.2 The remit of the Registration and Training Committee (RTC) has become obsolete over the course of time and the RTC no longer meets in person. The RTC now only review and recommend applications for inclusion on the Home Office Register. Therefore it was agreed that this standing agenda item could now be removed from the agenda and any new recruits would be reported within the standing agenda item 'Home Office Register'.
- 3.2 **Complaints**
- 3.2.1 No new complaints have been received and all existing complaints have been resolved.
- 3.3 **The Royal College of Pathologists**
- 3.3.1 No comments received on this item.
- 3.4 **Group Practices**
- 3.4.1 No comments received on this item.
- 3.5 **The Forensic Science Regulator's Forensic Pathology Specialist Group**
- 3.5.1 Oversight of Revalidation Processes – Since the PDB established processes to facilitate the revalidation of forensic pathologists on the Register, the Department of Health suggested any such system should be subjected to a degree of independent oversight. Therefore the PDB asked if the Regulator would be willing to provide such oversight. The Regulator agreed in principle but sought a model by which this would operate in practice. A model was developed and agreed by the FPSG. This has now been agreed by the Regulator.

- 3.5.2 Code of Practice – Histopathology - The FPSG has agreed codes of practice for the conduct of non forensic post-mortem examinations which are out for consultation with the college.
- 3.5.3 Taking of Samples at Post-Mortem Examinations - Guidance on sampling, based on a general document published by the Faculty of Forensic and Legal Medicine, has been drafted. A further meeting is planned for June after which, the document should be circulated for comment.
- 3.5.4 Documents - The following documents have been provided to the Royal College of Pathologists for review:
- Guidance on Inclusion of Histories in reports.
 - Mortuary Standards.
 - Guidance on Time of Death Estimation.
- 3.5.5 The document “Legal Issues in Forensic Pathology and Tissue Retention” has been reviewed to reflect changes to coroner’s legislation and a number of other issues. Views have been sought from a number of organisations and a final version provided to the Regulator for approval.
- 3.5.6 The guidance on the use of photographs has been subject to public consultation and is being redrafted to reflect those comments.
- 3.5.7 Audit - The approach to appointing auditors has been agreed. The audit for this year has been initiated.
- 3.5.8 Members commented on the ‘Guidance on Time of Death Estimation’, agreeing that models for giving time of death are useful but that it is not possible to give accurate times of death as there are too many variables. The ultimate position is evidence based.
- 3.6 **National Policing Homicide Working Group**
- 3.6.1 The representative for the Homicide Working Group wished to be canvassed for opinion in the Forensic Pathology Review.
- 3.7 **Forensic Pathology Management Information**
- 3.7.1 CK shared with the Board, the figures for the whole of 2013 and it was evident from the figures that the number of cases referred to a Home Office registered forensic pathologist per year over the last 3 years was on the decline.
- 3.7.2 A general discussion took place as to why this may have occurred, but it was concluded that there were far too many variables to hypothesize. The percentage of homicides against population figures was also discussed however the PDB do not look at the correlation between the population in police force areas and the number of homicides.
- 3.7.3 There was a general discussion about the police’s approach to the investigation of death in different parts of the country and it was noted that since the closure of the NPIA, the College of Policing has taken over the training of Senior Investigating Officers and therefore it might be appropriate for a representative from the College of Policing to sit on the PDB.
- 3.7.4 **ACTION:** SB to have a discussion with the PDB Chair to seek his views on a College of Policing representative on the Board.

3.8 Appraisal and Revalidation

- 3.8.1 The Home Office Forensic Pathology Unit provides administrative support to the Responsible Officer.
- 3.8.2 There were 2 of the 35 Home Office registered forensic pathologists (HORFP) revalidated in 2013 with a further 11 to be revalidated in 2014. Prof Crane would like all HORFP's to have 2 appraisals before revalidation and 2, 360° multi-source feedback exercises carried out in each 5 year cycle of revalidation.
- 3.8.3 The Appraisal and Revalidation Symposium which took place on 29th April was well received by all in attendance. The symposium looked at lessons learned in 2013 and set about to move the appraisal process forward with those changes in 2014.
- 3.8.4 The 360° multi-source feedback exercise was underway and it was anticipated that all HORFP's would have completed the exercise by their revalidation date, or by the end of the year, whichever is sooner.
- 3.8.5 Prof Crane and the Forensic Pathology Unit are looking into an Online Revalidation Management System to see whether it will streamline the process and ease the burden on the Unit's administration tasks.

3.9 Training Courses for Non Forensic Pathologists

- 3.9.1 The next criminal justice training course, which attracts 30 CPD points, is due to take place in the last week in October.
- 3.9.2 There has been a good response from around the country with 12 individuals signing up to the course. This is more than the capacity of the course so a waiting list has been drawn up for the overflow.
- 3.9.3 At the end of the course the individual is invited to sign up to the National Crime Agency's list of specialists who are willing engage in police cases.

3.10 Home Office Register

- 3.10.1 There was no further update to the Register save for the fact that Dr Hugh White retired on 28th February. A letter thanking Dr White for his service to the Criminal Justice System was sent by the PDB chair.

4. Review of Forensic Pathology Services in England and Wales

- 4.1 The chair of the Board invited Prof Peter Hutton to the meeting to observe the work of the Board across a wide range of topics.
- 4.2 Following the move of the unit from the NPIA to the Home Office, the Minister agreed that a review of forensic pathology services delivered in England and Wales should be carried out. Prof Hutton was approached and agreed to become the Chair of the independent review.
- 4.3 Prof Hutton introduced himself to the Board. His previous work included the Mid Staffordshire Review as well as Chairmanship of the DNA Ethics Board.

4.4 In Prof Hutton's address to the Board he welcomed the review but understood that reviews can be difficult. He said that he "doesn't want to boil the ocean" but wished to reach a sensible conclusion.

4.5 A member of the Board said that he could not speak for others but that there had been mixed opinions to the announcement of the forensic pathology review with some being more accepting of it than others.

5. **HTA Inspections of Human Tissue Holdings**

5.1 One recommendation of the human tissue audit report was for the Forensic Pathology Unit to engage with the HTA in their inspection of licensed premises. Officials do not go to HTA inspections unless it is known that tissue is held for investigative purposes. Officials are confident that any historical issues have been resolved and that the only tissue held is for ongoing investigative purposes.

5.2 The PDB fully endorsed HTA involvement and thanked CB for the HTA's help.

6. **Proposal for Paediatric Pathologists Inclusion onto the Home Office Register**

6.1 A renewed proposal for paediatric pathologists to be admitted to the Home Office Register or to form a secondary register was put to the Board.

6.2 A discussion ensued about the matter with members questioning what would be needed to establish a forensic paediatric pathology specialism. The issue was not only limited to paediatrics but to other specialisms such as ophthalmic pathologists.

6.3 Members asked whether there could be an annex to the register, but DJ pointed out that it would need to be policed in some way. The RCPATH representative agreed that paediatric pathologists did not have enough training to carry out a forensic case independently.

6.3.1 **ACTION:** The Chair agreed that the PDB should pass this question on to Prof Hutton to form part of the forensic pathology review.

7. **Secure Email for Transmission of OFFICIAL Files**

7.1 There are secure email systems for the safe transmission of Official files such as the CJSIM system, however they are cumbersome to set up and cumbersome to use.

7.2 CK asked the PDB if they wished to use such a system for circulating Official or sensitive files to members. All members said no.

8. **Chief Coroner Support for HORFP Use in Forensic Cases**

8.1 This item was put back pending the response from the Chief Coroner.

9. **Prof Crane to Act as 'Suitable Person'**

9.1 DJ brought to the Board a situation that had arisen following the new rules on doctor's revalidation. A retired neuro pathologist could no longer carry out examinations for the

police because he didn't have anyone to appraise and revalidate him. The situation also applied to many other doctors who would sooner or later seek a suitable person to revalidate them.

- 9.2 Prof Crane had been approached and was now going through the application process to become a GMC recognized 'Suitable Person' in order to act as Responsible Officer to those who did not have an employer.

10. **Case Fee 2014/15**

- 10.1 The new case fee for 2104/15 was ratified by the Board and is as follows:

- 10.2 £2,490 (two thousand four hundred and ninety) without pathologists storing material

- 10.3 £2,510 (two thousand five hundred and ten) including pathologists storing material

11. **AOB**

11.1 **Health and Safety Executive (HSE)**

- 11.1.1 The HSE published 2 documents about dealing with bodies. The HSE have since started to review the documents and amalgamate them. It is not expected that there will be many changes in the near future.

11.2 **Retirement of Dr James Grieve**

- 11.2.1 Dr Grieve announced that this would be his last PDB meeting as he was to retire as British Association of Forensic Medicine (BAFM) President and a forensic pathologist in Scotland. Dr Charlie Wilson will be the next BAFM Chair.

- 11.2.2 **ACTION:** RW to write letter of thanks to JG.

11.3 **Review of the Human Tissue Act 2004/Authority?**

- 11.3.1 CB had noted PDB interest in the review of the HTA by Justin McCracken so highlighted that the consultation was due out this summer.

- 11.4 **Criminal Procedure Rule 33** – to note: comes into effect in October/November.

12. **Future PDB Meetings:**

- 12.1 The next meeting of the Board was scheduled for 18th September, however due to the Scottish Referendum vote which was also due to take place on 18th September members agreed to reschedule this meeting.

- 12.2 **ACTION:** RW to look for alternative dates.

- 12.3 There being no further business the meeting closed at 15.33hrs.