Home Office

Forensic Information Databases Service (FINDS):

Process for Release from the Forensic Information Databases and the National Footwear System for Research Purposes

Authorised by: Head of FINDS

Date: 31st October 2022

Job Title: Head of FINDS

Shaded areas denote changes from previous version.

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Identification

Policy Reference Number and Policy Title: FINDS-S-023 - Process for Release from the Forensic Information Databases and the National Footwear System for Research Purposes

Ownership

Organisation and Department Responsible: FINDS Biometrics Assurance

Distribution

Forensic Service Providers, Law Enforcement Agencies, and Gov.uk website

Recent Revision History

Issue Number	Issue Date	Summary of changes
3	31/10/2022	DCR896 – Changes of the wording from NFD to NFS.

The full revision history can be viewed at the end of this document

Objective and Scope

This document sets out the procedure for requesting information held on Forensic Information Databases (FIND)[1] and the National Footwear System, for research purposes.

Requests will be raised to the FIND Strategy Board (for DNA and fingerprints) or the National Police Chiefs Council (NPCC) Fingerprint and Footwear Strategic Board (for footwear) to seek approval.

All requests for research purposes for access to DNA Samples, DNA Profiles, Fingerprint Images, Footwear Images, and Associated Data (whether held on the databases or by Forensic Units)[2].

References and Definitions can be viewed at the end of this document.

Responsibilities

It is the responsibility of the Forensic Information Databases Service (FINDS) on behalf of the Forensic Information Databases (FIND) Strategy Board, to maintain integrity of the data held on the NDNAD and IDENT1 and public confidence in the use of the Forensic Information Databases

[1] The NDNAD, subsidiary DNA Databases, and IDENT1

[2] It does not cover the requirements for Accredited Forensic DNA Units to access material to maintain accreditation/validate changes to their DNA processing system.

Forensic Units have a responsibility to comply with the policies of the FIND Strategy Board and the Forensic Science Regulator's Codes of Practice and Conduct, which supports maintaining the integrity of forensic information databases.

It is the responsibility of FINDS on behalf of the NPCC Fingerprint and Footwear Strategic Board to maintain the integrity of the data held on the NFS, as well as ensuring the public confidence of the database.

1. Policy

The Police and Criminal Evidence Act (PACE) 1984, as amended by Criminal Justice and Police Act (CJPA) 2001 and the Serious Organised Crime and Police Act (SOCPA) 2005, allows DNA samples, images of fingerprints and footwear, and data derived from them, taken from persons arrested or detained for recordable offences and from volunteers (who have given consent for the retention of the sample and loading of profile/image onto the NDNAD, IDENT1 and NFS) to be used for the following purposes:

- The prevention or detection of crime,
- The investigation of an offence,
- The conduct of a prosecution, and
- The identification of a deceased person or from whom a body part came.

DNA, Fingerprint, and Footwear Data, including law enforcement data retained on the NDNAD, IDENT1, and NFS and related records held by the Forensic Units and LEAs, must be managed in accordance with Data Protection legislative requirements and the accuracy of the records must be maintained.

The overall 'Forensic Information Databases Strategy Board Policy for Access and Use of DNA Samples, DNA Profiles, Fingerprint Images, and Associated Data' (document reference 'FINDS-SB-P-002' is available on the Gov.uk website.

The FIND Strategy Board policy with respect to the use of Fingerprint images, DNA samples, profiles and data for research purposes is as follows:

1. The proposed research must have a significant benefit to the Criminal Justice System in terms of increased detection rates, more efficient and effective investigation or prosecution of offences, improved efficiency of the databases or forensic processes, prevention of crime etc.

2. Use of current or retained samples, profiles or data (demographics, search results etc.) will only be authorised if it complies with the requirements of current legislation, such as, PACE 1984, DPA 2018 and Human Rights Act 1998 and the Protection of Freedoms Act 2012.

3. Applications to the FIND Strategy Board for the use of images, samples, profiles or data must indicate which of the criteria as set out in the requirements of Section 64 of PACE, the application falls under (see above) and provide assurance that the requirements under the relevant legislation, such as PACE and Protection of Freedoms Act will be maintained.

2. Process for the authorisation of use of samples, profiles and data for research

2.1. All requests for access to DNA samples (current or retained), DNA profiles, demographics information, Fingerprint/Footwear images and data for research purposes should be submitted to the FINDS via the email address: FINDS_Quality_Management@homeoffice.pnn.police.uk

2.2. Such requests must be submitted on the completed form FINDS-F-067 'Proposal to Conduct Research and Development using Fingerprint and Footwear Images, DNA Samples, Profiles and or NDNAD, IDENT1 or NFS Data' with appropriate supporting documentation including, either a list of the samples access is being sought.

2.3. The supporting documentation should provide details of the following:

- A brief explanation of the purpose of the proposed research
- The perceived value of the outcome of the research to the Criminal Justice System
- The timescales for completion of the research and any significant milestones by which progress can be monitored
- A description of the methodology/scientific technique(s) to be used
- The proposed security arrangements governing access to and use of the samples, profiles or data
- Details of the designated individuals who will be involved in the research
- Any limitations relating to the methodology/scientific technique to be used in the research
- Any issues relating to validation, standardisation and acceptance of the methodology/scientific technique by the forensic community
- Ownership of the technique/methodology and any information derived from the research using the data provided.
- Provision of access to the technique/methodology/information derived from the research to other forensic science organisations.
- Roles of the FINDS and any other organisation for provision of the service
- Any changes that may be required to the databases to facilitate the new service
- Publication of the research
- The Requestor must address, as far as possible, the following key issues which will need to be taken into account when making an assessment of the proposal by the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board:

  - Whether the research would be lawful, ethical and beneficial to the Criminal Justice System;

  - Any Data Protection Act 2018 issues or potential conflict against the Protection of Freedoms Act[3] and whether the required samples/data can be anonymised without

[3] No research will be agreed on samples that are covered under the Protection of Freedoms Act. Any data that is, or may become affected by the requirements of the Protection of Freedoms Act will not be agreed for use.

prejudicing the research; - The impact of the research on the public perception of the database(s) and the associated processes in general;

- Any impact there might be on the efficient and effective operation of the databases, paying particular attention to whether the release of samples would prejudice their availability for future use for evidential, quality assurance and upgrading purposes.

2.4. The FINDS will acknowledge receipt of the request, and advise the person making the request if the forms have not been completed correctly or there is insufficient supporting information.

2.5. The FINDS will provide a copy of the request and if required make or commission an assessment as soon as practicable for consideration by the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board and notify the Requestor of the date that the request will be considered by the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board. Only under exceptional circumstances will the FINDS consider referring the request to the Chair of the FIND Strategy Board or the Chair of the NPCC Fingerprint and Footwear Strategic Board outside of these meetings.

2.6. The Requestor will be informed by FINDS of the FIND Strategy Board's or the NPCC Fingerprint and Footwear Strategic Board decision and comments. If the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board has rejected the proposal it will indicate the reasons why and whether any modification of the request or provision of further information might result in the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board reviewing its decision. If agreeing to the request, the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board may specify any conditions it feels appropriate and the reasons for these conditions.

2.7. If the research request has been approved, FINDS will identify which organisation holds any relevant information, facilitate communications with the organisation for the person carrying out the research to have access to these samples/data and provide any relevant data on a CD, disc or transmit via secure e-mail as appropriate to the classification of the data being provided, together with a reminder of the due date for its use and return, as specified on the completed form and the conditions of the agreement for the use and return of samples and/or data. Depending on the complexity of the information required this may be chargeable and the requestor will be informed of this upfront.

2.8. The Requestor must co-operate with the FINDS in monitoring progress of the research and the identification and investigation of any issues of concern that need to be raised with the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board. The FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board will consider whether any further requirements or constraints are appropriate and relay these to the person/organisation carrying out the research via FINDS. A prerequisite for approval will be that there is appropriate peer review of the research and that the output of the research is presented to the FIND Strategy Board or the NPCC Fingerprint and Footwear Strategic Board.

2.9. Any Requestor may be asked to provide evidence of destruction or return of any samples or removal of any data provided for the research from any paper based and IT systems. This may be carried out by the FINDS or any other Party as nominated to act on behalf of FINDS, for example UKAS.

3. Use of casework material for validation

This process does not cover the use of casework material for the purposes of validation. The Forensic Science Regulator has a protocol (FSR-P-300) 'Validation – Use of Casework Material' which should be referred to for this type of use.

References

Title	Reference / Link
The Forensic Information Databases Strategy Board Policy for Access and Use of DNA Samples, DNA Profiles, Fingerprint Images, and Associated Data	FINDS-SB-P-002
Proposal to Conduct Research and Development using Fingerprint and Footwear Images, DNA Samples, Profiles and or NDNAD, IDENT1 or NFS Data	FINDS-F-067

Definitions

Term	Definition
Associated Data	Any information recorded on the Forensic Information Databases or the National Footwear System in relation to the records held on the respective database. This information identifies the specific offence for which the sampling event was taken in relation to and/or the individual to whom the sample or image and its corresponding data relate.
Demographic Data	The information that identifies an individual or case investigation – not the actual sample or image
DNA	Deoxyribonucleic Acid
DNA Profile	The resulting numerical (and wild card) values allocated to the areas of DNA targeted by a DNA test.
DNA Profiling	The scientific methods applied to a DNA sample to generate a DNA profile
DNA Sample	A sample of biological material that contains DNA
DNA Test	A set of chemicals that, when applied with scientific processes to a DNA sample, will produce a DNA profile (of the target areas of DNA for the test)
FIND Strategy Board	Forensic Information Databases Strategy Board (previously known as the National DNA Database Strategy Board). The Strategy Board comprises representatives of the National Police Chiefs' Council, the Home Office, the Biometrics and Forensics Ethics Group, the Association of Police and Crime Commissioners, the Forensic Science Regulator (or representative), the Information Commissioner's Office, the Biometrics Commissioner (or representative), representatives from the police and devolved administrations of Scotland and Northern Ireland

	and such other members who may be invited. Governance rules available in link: Forensic Information Databases strategy board: revised governance rules - GOV.UK (www.gov.uk)
FINDS	The Forensic Information Databases Service, Home Office
Fingerprint Data	Refers to the fingerprint and palmar images, feature extraction data derived from those images, and associated data that would allow an individual to be identified from that data, including any copies of that data.
Footwear Data	Refers to the footwear images and associated data that would allow an individual to be identified from that data, including any copies of that data.
Forensic Unit	The term 'forensic unit' was coined in the international guidance document (ILAC-G19[4]) on accreditation. It is defined as "a legal entity or a defined part of a legal entity that performs any part of the forensic science process".
IDENT1	Is the UK's National Automated Fingerprint Recognition system. IDENT1 comprises the UK National Tenprint Collection, which consists of fingerprint images obtained from people who have been arrested for a recordable offence within any UK jurisdiction, and unidentified finger marks obtained from scenes of crime. Police Elimination fingerprints, fingerprints from Volunteers and Vulnerable persons, and fingerprints relating to Schengen Information System Alerts and Counter Terrorism measures are also stored and searched on IDENT1.
NPCC Fingerprint and Footwear Strategic Board	The NPCC Fingerprint and Footwear Strategic Board (NFFSB) provides governance and oversight for issues relating to fingerprints and footwear in law enforcement and national security, including ensuring the proportional, ethical and transparent use of fingerprints and footwear in a way that balances public safety with the rights of UK citizens.
NDNAD	The NDNAD is comprised of DNA profiles derived from DNA samples taken from crime scenes and DNA profiles derived from DNA samples taken from people who have been arrested for a recordable offence or who have volunteered to have their profile held on the NDNAD; and the Associated Data.
NFS	The National Footwear System (NFS) consists of two databases the National Footwear Reference Collection (NFRC) and The National Footwear Database (NFD). The NFRC is essentially a catalogue consisting of patterns which are assigned a unique pattern code from crime scenes and those who have been arrested for a recordable offence within any UK jurisdiction. The NFD is an intelligence tool and contains records with patterns from the NFRC and is used for intel purposes to create intel records to compare crime scenes to identify possible crime series.

[4] available at ILAC G19:06/2022 Modules in a Forensic Science Process

PACE	Police and Criminal Evidence Act 1984 (as amended)
UKAS	United Kingdom Accreditation Service

Full Revision History

Issue Number	Issue Date	Summary of changes
1	06/07/17	Document supersedes CUSTP-GS-025
2	21/01/21	DCR479 – Full review