

**FORENSIC SERVICES COMMITTEE
2 FEBRUARY 2022**

**Minute of the Scottish Police Authority Forensic Services
Committee held by MS Teams on Wednesday 2 February 2022.**

Authority Members Present: Tom Halpin (Chair)
Paul Edie
Jane Ryder
Caroline Stuart

In attendance: Scottish Police Authority (SPA)
Fiona Douglas, Director of Forensic Services
Vicki Morton, Scientific Head of Function
Alastair Patience, Operations Manager
Gary Holcroft, Scientific Head of Function
Craig Donnachie, Head of Quality
Vicki Morton, Scientific Head of Function
Helen Haworth, Scientific Head of Function
Ivan Cunningham, Operations Manager
Howard Kennett, Programme Manager
Kenny Laing, Operations Manager
Jennifer Muir, Head of Strategy and Business Performance
Derek Scrimger, Scientific Head of Function
Kevin O'Hare, Communications and Engagement
Specialist

Colette Craig, Governance Support Officer
Graham Stickle, Audit and Risk Lead
Kathryn Campbell, Finance Officer
Chris Johnstone, Finance Lead

Police Scotland (PS)
Deputy Chief Constable Malcolm Graham
Chief Superintendent Gordon McCreadie
Detective Chief Superintendent Laura McLuckie
T/Detective Chief Inspector Richy Taylor
Chief Digital Information Officer Andrew Hendry

COPFS
Kenny Donnelly

1.1 Welcome and Apologies

The Chair welcomed attendees to the meeting.

There were no apologies.

1.2 Declarations of Interest

There were no declarations of interest.

1.3 Forensics Services Committee minute of meeting held 25 October 2021 for approval

Members **AGREED** the Minute from the Forensics Services Committee on 25 October 2021 was an accurate record of the meeting.

1.4 Action Log and Matters Arising

Members reviewed the action log and noted and agreed the written updates provided.

There were no matters arising.

1.5 Decision on taking business in private (items 10 - 18)

Members agreed, in accordance with paragraph 20 of the SPA Standing Orders, to consider items 10 – 18 on the agenda in private for the reasons set out in the agenda.

2. Forensic Services Director's Report – Fiona Douglas

Members considered the report that had been submitted to update the Committee on the recent key activities across Forensic Services. Fiona Douglas (FDouglas) highlighted some key areas within the report;

- Q3 had been challenging for Forensic Services through staff absences due to the Omicron variant, however, despite that the work within the organisation has been delivered within required timescales.
- A full staff consultation had commenced in November 2021 around the new proposed operating model for Forensic Services. This full consultation period is estimated to last 6 months.
- Good progress is being made in relation to the transfer of Post Mortem Toxicology Services (Project Weaver), with strong partnership working with Police Scotland and Glasgow University.

- Forensic Services have been working closely with Police Scotland to prioritise cases involving potential drugs spiking along with providing ongoing advice around sample collection and analysis. FDouglas advised that cases are being dealt with on receipt and depending on complexity, analysis is taking up to 4 months to complete. FDouglas added that scientific results are carefully considered before being returned to colleagues in Police Scotland to support any investigations. An initial action plan has been developed following the results of the Your Voice Matters Survey and engagement would be taking place with staff in order to discuss their feedback.

In addition to the submitted report the following points were raised and discussed;

- Members referred to the delivery of remote evidence for High Court Proceedings and sought clarity on whether there were plans to continue this process in the future. FDouglas advised that it was a more efficient method for the provision of evidence, and it is hoped that there will be some elements of remote evidence provision in the future. Kenny Donnelly (KDonnelly) advised that there are a number of provisions that allowed for witnesses to provide evidence remotely pre-covid, therefore it is something that is hoped will continue. KDonnelly advised that there is a working group in place to look at the matter going forward in the hope to make best use of remote evidence where appropriate.
- Members sought clarity on whether there was enough capacity within Forensic Services to deal with the spiking incidents. FDouglas advised that Forensic Services were working closely with Police Scotland to ensure that there is a prioritisation of those cases for analysis. Due to the complexity of analysis, it can take some time. Although the nature of complex cases are taking up to 4 months to complete, many cases are more straightforward and dealt with quicker. DDC Malcolm Graham (DDCMGraham) added that this work was being lead through Police Scotland's Partnership, Prevention and Community wellbeing group and although the level of spiking cases was relatively small, each case is important and investigations are complex. Detective Chief Superintendent Laura McLuckie (DCSLMcLuckie) advised that she had attended the Gold Group with Alastair Patience (Forensic Services) and noted that updates provided to the group around the forensic analysis has been helpful in understanding what stage each case was at and praised the level of service being by Forensic Services in relation to drugs spiking. The Chair noted the importance to being alert to demand in this area, particularly when there is demand pressures already in place in areas such a drug driving.

- The Chair referred to the staff consultation in relation to the change programme and noted that it was the early stages of consultation with a range of views coming from that, therefore reiterated that the committee were not near a position of receiving recommendations in terms of the way ahead, however, the committee were very alert to the matter. The Chair asked for further reassurance around the consultation programme. FDouglas noted that a lot of work was ongoing in terms of the formal process, however, there were informal engagements taking place to allow staff to understand the new operating model and how it will deliver benefits. This also gives staff opportunity to provide alternatives that they would like to be given consideration through the consultation period. FDouglas added that there was a strong level of support being provided through the change team to manage this process and any queries staff have.
- The Chair referred to environmental plans for Forensic Services and sought clarity on what work being done in that area. FDouglas advised that Forensic Services had been engaging in Police Scotland and SPA's broader Environmental Strategy and a picture of Forensic Services contribution was being pulled together. The overall plan was currently being looked at within an established green network with environmental objectives being developed along with a delivery plan which will be reported to a future committee.

Members **noted** the report

3. Forensic Services Performance Report – Q3 – Fiona Douglas

Members considered the Forensic Services Performance Report, Q3 2021/2022. FDouglas highlighted key areas within the report;

- FDouglas referred to Laboratory Casework and noted that the average age of case work in relation to Toxicology was 3.8 months. In terms of Laboratory Capacity, with the exception of toxicology, all the work that has been ongoing through the delivery of Forensics 2026 Strategy capacity is far more in balance, it is therefore expected in Q4 and into the next financial year a reduction in high caseloads. FDouglas highlighted some of the complexities around the casework in delivering toxicology and highlighted a spike in November in relation to the Section 5A, drugs driving cases and noted that it was an administrative adjustment in recording cases and highlighted the needs for better visibility of cases that have just come into the organisation but not yet placed onto the case management system. DFouglas added that capacity is still significantly below the overall demand for toxicology services.
- FDouglas also provided members with a further overview in relation to Scene Examination, Accreditation, Complaints and Staff Absence.

In addition to the submitted report the following points were raised and discussed;

- The Chair noted concerns in relation Scene Examination and the attendance to house break-ins and sought assurance that the figure would improve going forward. FDouglas advised that the area had been impacted in an increased level of absence over that period, there is also training of staff being undertaken which will support recovery of that area. Derek Scriminger (DScriminger) advised that 5 new level one scene examiners would be joining the organisation and they would be targeted specifically at crimes of dishonestly and lower level crime.
- Members sought clarity if working from home had reduced the number of house break-ins and with the change of restrictions, was it anticipated that there would be a rise in that area and if so, is there sufficient capacity to keep performance up. DScriminger advised that there had been a decrease in house break-ins although an emerging increase had now been identified. The trends are being addressed, however, the trend in general over the past 3-4 years has reduced and proportional between the serious and volume crime. DCCMGraham advised that generally the level of performance is good and improving in terms of challenges both faced by Police Scotland and Forensic Services. Specifically in relation to volume crime, there is a clear aspiration to improve that and investment in Forensic Services is one way to bring people more quickly to account, therefore it is important to keep conversations going around what future demand looks like and remain as flexible as possible to respond to that. DCSLMcLuckie added that Police Scotland have an inquisitive crime lead who chairs a regular meeting of which Forensic Services are a key part of. Scrutiny is applied to areas such as house break-ins and highlights that these crimes highly impact people and it is important for Police Scotland to prioritise these crimes.

Members **noted** the report and agreed the following actions.

4. Forensic Services 2026 Update – Vicki Morton

The Chair advised that this item would work into a wider update in relation to the Change Programme, although part of the discussions will be taken in private due to commercial sensitivity, however, the overall transformation change within Forensic Services is open to public awareness.

Vicki Morton (VMorton) added that the emphasis in reporting would change going forward, which would show linkages between the new refresh Forensic Services Strategy and show the collaboration with Police Scotland, COPFS and other partners. VMorton advised that the Change Function within Forensic Services is a significantly improved picture since the last committee report. Along with the additional capacity there are also strong links with other areas of Police Scotland in ICT, Portfolio Assurance, People and Development and the functions within Forensic Services. VMorton welcomed the new members of the team and Howard Kennett (on the call) as new Programme Manager within Forensic Services.

Members considered the paper which had been submitted to provide the committee with an update on the Forensic Services 2026 Programme. In addition to the submitted report the following points were raised and discussed;

- Members welcomed the supported being provided by Police Scotland and noted the importance of progressing the tripartite Memorandum of Understanding (MoU) and required sight of that at the next meeting.

Members **noted** the report.

5. Update on HMICS Thematic Inspection of the Scottish Police Authority Forensic Services – Vicki Morton

Members considered the report which had been submitted to Forensic Services Committee members with an update on work to implement the improvements set out in the HMICS Thematic Inspection of the Scottish Police Authority Forensic Services. During discussion and in addition to the report the following points were raised and noted;

- VMorton advised that there had been good movement in terms of the closure of recommendations, and that was a result of beneficial discussions with Police Scotland and HMICS to understand the outstanding requirements.
- The 3 outstanding recommendations relate to the MoU which is anticipated to be in place by April 2022.

Members **noted** the report.

6. Digital Forensics – DCI Richy Taylor

The committee considered a report which provided an update on Police Scotland's progress towards obtaining ISO 17025 within Digital Forensics. During discussion and in addition to the report the following points were raised and noted;

- Members welcomed the report and the timelines detailed which provided a sense of the intended pathway and sought clarity on the gap analysis and the staging of that. DCI Richy Taylor (DCIRTaylor) advised that there are 20 recommendations on the back of the gap analysis and 10 in respect of forensic science regulator specifically.
- Members sought clarity that direct support was being received from Craig Donnachie at Forensic Services in terms of UKAS Accreditation. DCIRTaylor advised that Craig Donnachie has been engaging on a weekly basis to assist with the understanding of Scope and to provide assistance on the recruitment of dedicated roles in order to obtain and maintain accreditation.
- Members sought clarity on whether or not there was any benchmarking available in relation to digital from other policing services within the UK. DCIRTaylor advised that all other forces have gone for ISO 17025 with the recognition that it was not initially designed for a digital forensics arena, however, when the International Organisational Standards deem it the most appropriate within the UK with other forces aligning to ISO 17025.
- The Chair sought clarity on whether action 20210419-FS-004 could be considered for closure following the committee's consideration of this report. ACCMGraham thanked DCIRTaylor and team for the work in moving this forward and noted that although Police Scotland are a little behind other forces in terms of formal accreditation, Police Scotland are very much advanced in terms of opportunities. ACCMGraham advised this area was critical in protecting vulnerable victims and preventing crime and there is a need for forensics to grow and adapt quickly, with accreditation being the foundation of that happening. ACCMGraham added that the support from Forensic Services has been critical and it has been a great example of collaborative working. ACCMGraham advised that he believed action 20210419-FS-004 could be considered at another forum to allow time to explore the broader issues in relation to Digital Forensics. Members agreed that the action is a joint action between Police Scotland and Forensic Services and that it should remain open for further consideration at the next committee.

- The Chair noted the committee's appreciation to both Police Scotland and Forensic Services for the work being done in relation to this piece of work and noted that the committee would expect regular updates outlining the timeline and progress to achieving accreditation.

Members **noted** the report and agreed the following actions;

20220202-FS-001: DCC Malcolm Graham to ensure that regular updates are provided to the committee, outlining a timeline and progress to achieving accreditation.

20220202-FS-002: DCC Malcolm Graham and Fiona Douglas to provide the committee with an update on current considerations relating to where Digital Forensics sits within the policing family and options for this should be considered going forward.

7. Demonstrating Value – Fiona Douglas

FDouglas provided the committee with a verbal update in relation to Demonstrating Value and the key points were noted by members;

Since the last committee progress had been made around how the structure and prioritisation of work around demonstrating the value of Forensic Services provision would be taken forward. FDouglas advised that it was a challenging area to understand and quantify, however, three key phases have been identified;

- Phase 1 - Consideration of Value Judgements in regards to triage and prioritisation of forensic work, which will deliver some immediate benefits in terms of making sure capacity within forensic science is utilised in order to add value.
- Phase 2 - How can value be demonstrated to the justice system and beyond and how that can be qualified and in turn have a model that translates forensic value into how communities in Scotland are kept safe and protected.
- Phase 3 - The contribution and value of forensic science being delivered from a public sector perspective. There is an intention to build on some work being done in Northern Ireland with regards to the value delivered in the public sector.

FDouglas advised that work has been done to finalise the Terms of Reference to establish a working group and thanked Jane Ryder for her contribution in reaching that point. FDouglas added that the intention was

to now get the working group established and for that group to look at the second and third phase of forensic science value. The intention was then to create a prioritised plan around how Forensic Services can dig into this complex area and feed back to the committee how they intend to define the contribution and value of forensic science within the justice sector and communities in Scotland.

Members welcomed the progress to date, however, noted that it would not be a simple or single methodology as this would be a framework of several strands. Members noted the need for acceleration in this area with realistic timelines and milestones to be put in place along the way. The Chair advised that it was hoped that the update in April would provide the committee with more detail around this area of work.

Members **noted** the verbal update.

8. Drug Driving Update – Alastair Patience

The Chair advised that Forensic Services were providing the scientific service within this area, however had not been given the justice policy or enforcement actions as yet, therefore the capacity at the start was designed around what was available in the assessment of a service that was being stood up and the reality now is that capacity needs to be built up to known actual demand.

Alastair Patience (APatience) provided members with an update on progress on the Drug Driving Toxicology Service and were asked to note the following:

- The current position where marginal gains have been made / are being identified / are being taken forward, however, there is still a fundamental imbalance between demand and capacity.
- Further funding for outsourcing has been approved by the Scottish Government and is being utilised.
- A tri-partite position paper is in the process of being submitted to the Scottish Government regarding options which could be considered for the provision of a longer-term, sustainable, model for Drug Driving Toxicology service.
- The recognition that this is a partnership challenge requiring a strategic partnership solution.

APatience noted the support and collaborative effort provided by Police Scotland and COPFS and provided thanks in relation to that. During discussion and in addition to the report the following points were raised and noted;

- Members sought clarity on whether or not the level of drug use had become worse, or was capacity always below what was anticipated. APatience advised that when the service was set up it was developed based on the information available at that point. As time has progressed a higher level of demand has come about, and capacity is significantly higher than what was originally anticipated. KDonnelly added that prior to this, there was no data therefore it was about operating in a vacuum and using the best available information. There was a look at experiences within other jurisdictions and the projection of demand was based on that. Since then the numbers within those jurisdictions have increased due to enhanced rollout and deployment. DCCMGraham advised that when the new legislation came in, Police Scotland took a measured approach to ensure capability was directed in a very intelligence led way, with only road policing officers being trained and equipped to perform these tests. DCCMGraham added that there are a significant number of people driving on the roads under the influence of drugs which previously Police Scotland were unable to detect, therefore it is critical to put as much effort in as possible to get this right for the purpose of public safety.

The Chair advised that the committee utterly condemns people who drive on the roads in Scotland whilst under the influence of drugs and will continue to work hard to provide a service to support law enforcement and prosecution of such offenders in Scotland. The committee further recognised that matching capacity with demand is important and there is a need for investment going forward. The Chair added that the committee look forward to hearing the outcome of the tri-partite position paper submitted to the Scottish Government regarding options which could be considered for the provision of a longer-term, sustainable, model for Drug Driving Toxicology service.

Members **noted** the report.

9. Forensic Services Committee Workplan

The Chair noted that the workplan has been circulated to SMT for population of items for 2022/23 and asked that items are returned to Board Services by 1st March 2023 for consideration before going to the

committee in April 2023.

Members noted the report

APPROVED

**FORENSIC SERVICES COMMITTEE
25 APRIL 2022**

**Minute of the Scottish Police Authority Forensic Services
Committee held by MS Teams on Monday 25 April 2022.**

Authority Members Present: Tom Halpin (Chair)
Jane Ryder
Caroline Stuart

In attendance: Scottish Police Authority (SPA)
Fiona Douglas, Director of Forensic Services
Vicki Morton, Scientific Head of Function
Alastair Patience, Operations Manager
Gary Holcroft, Scientific Head of Function
Craig Donnachie, Head of Quality
Vicki Morton, Scientific Head of Function
Howard Kennett, Programme Manager
Jennifer Muir, Head of Strategy and Business
Performance
Derek Scrimger, Scientific Head of Function
Kevin O'Hare, Communications and Engagement
Specialist

Colette Craig, Governance Support Officer
Graham Stickle, Audit and Risk Lead
Chris Johnstone, Finance Lead

Police Scotland (PS)
Detective Chief Superintendent Laura McLuckie
T/Detective Chief Inspector Richy Taylor
Chief Digital Information Officer Andrew Hendry

COPFS
Ruth McQuaid

1.1 Welcome and Apologies

The Chair welcomed attendees and Ruth McQuaid from Crown Office to her first meeting of the Forensic Services Committee.

Apologies were noted from the following;
SPA Board Member Paul Edie and Chief Superintendent Stevie Dolan

1.2 Declarations of Interest

There were no declarations of interest.

1.3 Forensics Services Committee minute of meeting held 2 February 2022 for approval

Members **AGREED** the Minute from the Forensics Services Committee on 2 February 2022 was an accurate record of the meeting.

1.4 Action Log and Matters Arising

Members reviewed the action log and sought clarity around when the MoU mentioned at action 20200302– FS-004 would be provided to the committee as a final document. Fiona Douglas (FDouglas) advised that she was hopeful to have it with members at the next Forensic Services Committee (August 2022). Members noted and agreed the written updates provided.

There were no matters arising.

1.5 Decision on taking business in private (items 10 - 18)

Members agreed, in accordance with paragraph 20 of the SPA Standing Orders, to consider items 10 – 18 on the agenda in private for the reasons set out in the agenda.

2. Forensic Services Director's Report – Fiona Douglas

Members considered the report that had been submitted to update the Committee on the recent key activities across Forensic Services. Fiona Douglas (FDouglas) highlighted some key areas within the report;

- The large number of Covid-19 cases continues to impact on staff absences and provide challenges to the services provided by Forensic Services, particularly with Scene Examination. Collaborative working with Police Scotland has assisted in the management of instances where there has been interruption within the service with any impact associated with that mitigated.
- Forensic Services continue to go through consultation around the introduction of the new Operating Model and the Restructure of the Senior Management Team. The recruitment for vacant posts within the management structure has now started with consultation concluding before going to Trade Unions at the JNCC.
- Performance continues to be strong with a good position now reached in terms of demand for Forensic Services against capacity, with the exception of toxicology casework.

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- Spiking cases continue to be prioritised along with Police Scotland.
- The Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (FMS Act) came into force on 1 April 2022, it is hoped this will improve the service provided to the victims of sexual crime, along with ensuring the preservation and integrity of any forensic evidence collected in those cases.

In addition to the submitted report the following points were raised and discussed;

- Members sought clarity on whether Covid-19 absences was impacting on backlog. FDouglas advised that there was some impact on the Responsive Service Provision, as there is a need for sufficient staff to respond, particularly to a scenes of crime. However, due to hybrid working practices in place that allows staff to work from home providing they are not suffering from Covid-19 as an acute illness, therefore, performance was being maintained.
- Members sought clarity on the number of samples being received and types of drugs identified with spiking. Alasdair Patience (APatience) advised that most of the drugs being identified are typical for the environment and relatively stable numbers with updates being provided weekly to Police Scotland on the progression of samples.
- The Chair referred to the public concern around the timing of the process of analysis in relation to spiking and asked for further explanation in order to provide some public reassurance. FDouglas advised that the cases being dealt with when spiking is involved are very complex, with a number of different analysis that need to be undertaken to look for different substances. FDouglas added that this was a complex and analytical process that needed to be followed which takes time. The results are the most complicated that will be looked at from a toxicology perspective due to the number of different substances along with the need to take into account any prescribed medication that a potential victim is taking.
- The Chair sought clarity on whether the committee could influence investment or business process in this area to assist. FDouglas advised that they always welcome ways to improve and speed up the services that they offer. With regards to instrumentation, they have the best quality in place, however, there is a need to consider investment for toxicology more broadly, particularly in relation to spiking cases. FDouglas assured the committee that in the meantime spiking cases will continue to be prioritised, however, investment in that area would not change that complicated process.
- The Chair asked for a more detailed report in due course to come to the committee highlighting the prevalence of spiking in society, the types of drugs being identified through analysis and the time and process involved within the process of analysis.

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Members **noted** the report and agreed the following action.

20222404 – FSC – 001: Alasdair Patience to provide the committee with a detailed report which highlights the prevalence of spiking in society, the types of drugs being identified through analysis along with the time and process involved.

3. Forensic Services Performance Report – Q4 – Fiona Douglas

Members considered the Forensic Services Performance Report, Q4 2021/2022. FDouglas highlighted key areas within the report;

- FDouglas took members through the laboratory casework demand and advised that overall demand had reduced for Q4, however, there has been an increase in demand for services in March and that is a result of initiatives within Police Scotland. Overall there are some reductions being identified, however, there is a slight increase on the aging of cases within the organisation in regards to drugs analysis and work being undertaken within the mark enhancement laboratory.
- Members were provided with a detail view of toxicology demand, showing a reduction in demand over the past 3 months and an increase on output. Although moving to a favourable position, significant challenges remain within the latter part of Q4 and into Q1 for 2022/23 for the toxicology provision.
- In relation to scene examination, 85% of scenes are being attended within 24 hours against the target of 90%, with some variation across the country in relation to that provision.
- Members were advised that a substantial amount of activity had taken place in relation to addressing recommendations through the annual assessment visits that were undertaken by UKAS at the end of the calendar year, with all the evidence associated with that now returned to UKAS. Forensic Services now await confirmation of their reassessment following that visit. Conversations are now underway with UKAS in relation to the year ahead.
- Absences are running significantly higher compared to the previous year, however, it is hoped that will reduce as the rates of Covid-19 reduce as per the national tracking.

In addition to the submitted report the following points were raised and discussed;

- Members referred to accreditation and a 13% increase in the reassessment and asked what action was being taken to address that. FDouglas advised that there was no logical explanation at this stage for the increase, however, the accreditation scope is continuously increasing to ensure that as many activities as possible are accredited, therefore it is not directly comparable year on year.

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Craig Donnachie (CDonnachie) advised that there is always a certain amount of negotiation and in the past there has been success in reducing that figure and it is anticipated that there will be a reduction in that 13% to something more acceptable. Members asked for further clarification and reassurance in relation to this matter.

- Members sought clarity on whether outsourcing had been considered for Mark Enhancement. FDouglas advised that as Mark Enhancement was part of a process rather than delivering a result itself, and although it is an area that is under pressure, there is a plan in place to address that and deliver an improvement in time. FDouglas added that when the new Operating Model is in place there will be the ability to flex resource far more across the organisation, therefore there is no requirement for outsourcing.
- The Chair sought reassurance that the introduction of Project Weaver would not worsen the position around toxicology. In addition, the Chair asked how benchmarking of the timelines in Scotland were being handled compared to other parts of the UK to assist members with interpreting the report. FDouglas advised that Project Weaver has a dedicated resources associated with managing the transfer of the service and although there is support required from toxicology staff to assist with the transfer, additional capacity has been recruited for that. FDouglas added that the challenges faced by toxicology will continue to be monitored carefully. With regards to benchmarking, FDouglas noted that Scotland was a different environment compared to England and Wales due to the commercial marketplace for forensic science provision, therefore a like for like analysis is not possible. The work being done within the Performance Framework will establish the context of the performance that is being reported and how that impacts on community safety in Scotland along with how that looks in comparison with other similar forensic science organisations to allow the committee to consider.
- The Chair acknowledged the commitment from staff to deliver the report and maintain the service and provided thanks from the committee.

Members **noted** the report and agreed the following actions.

20222404 – FSC – 002: Craig Donnachie to provide the committee with an update in relation to the 13% increase on the re-assessment following discussions with UKAS.

20222404 – FSC – 003: Fiona Douglas to ensure that benchmarking is part of the work being done within the Performance Framework in order to provide the committee with a

comparison with other similar forensic science organisations in the UK.

4. Annual Assurance Report – Fiona Douglas/Jennifer Muir

Members were provided with an overview of the Forensic Services submission to the SPA Annual Governance Statement. FDouglas advised that there were no issues that were required to be brought to the attention of the committee and was satisfied that appropriate controls were in place in regards to the work of Forensic Services. Jennifer Muir (JMuir) added that the report would also be report to the SPA Audit, Risk and Assurance Committee (ARAC) for visibility. JMuir advised that it was a comprehensive assessment containing a large amount of information and a very worthwhile exercise. In addition to the submitted report the following points were raised and discussed;

- Jane Ryder as Chair of ARAC advised that it was the most comprehensive assurance report she had seen and paid tribute team for the work that had gone into the report.
- The Chair referred to Equality and Diversity (E&D) and asked if there was ongoing discussions with staff associations in relation to E&D. FDouglas advised that Forensic Services have an E&D and Inclusion subgroup of their People Board along with a Forensic Services E&D Inclusion Strategy. A range of stakeholders attend those meetings, with representation from across staff association's good dialogue around improvements that can be made. The Chair asked if that information could be included as part of the Assurance Report. JMuir advised that she would link in with colleagues at SPA Corporate in order to provide some additions into that section.
- Members asked that future iterations of the Assurance Report include Environmental and Social Governance (ESG)

Members **noted** the report and agreed the following actions.

20222404 – FSC – 004: Jennifer Muir to engage with SPA Corporate to ensure there is more detail in relation to E&D within the Assurance Report. In addition, ensure that future Assurance Reports detail in relation to Environmental and Social Governance (ESG).

4. Forensic Services Change Programme Update – Vicki Morton

The committee considered a report which provided an update in relation to the Fornesic Services Change Programme. Vicki Morton (VMorton) provided members with an overview of the report and highlighted progress in

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relation to the various areas within the Change Programme. In addition to the submitted report the following points were raised and discussed;

- Members referred to Data Migration and Governance and noted that the scope was yet to be finalised and sought assurance that all data dimensions were being sufficiently addressed. VMorton advised that work had been done to understand the landscape in relation to current Police Scotland systems and the wider programmes around Digital Evidence Sharing Capability (DESC). In addition work in relation to GDPR compliance was ongoing to ensure the correct processes are in place which will be built into future core operating systems. Members asked for further assurance and further reporting that the processes were interdependent. FDouglas assured members that the complexity of the landscape was recognised and noted the importance of all colleagues agreeing what the scope looks like, what sits within data migration and what sits within the core operating system. Howard Kennett (HKennett) provided further assurance that discussions have been had with DESC to ensure they are away of what Forensic Services are proposing for different areas. DESC are now aware of what is required and the discussions around funding are now being taken forward. HKennett noted the need to look at GDPR compliance and the critical systems in place with Police Scotland ICT to allow the process to move on. JRyder advised that ARAC were having a Deep Dive into DESC and asked that HKennett engage with SPA colleague to ensure this update is included within that Deep Dive.
- Members sought assurance that Police Scotland's Chief Digital Information Officer was clear on the required architecture and storage capacity and that costs had been considered. HKennett advised that the discussion have begun around these areas but agreement of where it will all sit have still to be agreed. VMorton added that engagement was ongoing with Police Scotland in relation to the DESC project itself. VMorton further advised that there was a very detailed scope around the Core Operating System/ Data migration and governance and this is continuously being refreshed.
- Members sought assurance that resource for the project was being addressed. Members also sought clarity on why there was no longer joint governance with Police Scotland in place for Project Weaver. HKennett referred to resource and advised that there is one missing Project Manager from the team who is currently going through vetting, however, the rest of the team are coming up to speed quickly. In relation to Project Weaver governance and the transition to the Forensic Services Change Team, with no detriment aligned to resource but it allows it to be more aligned to other projects ongoing within Forensic Services and being clear on interdependencies. VMorton added that updated will be provided to

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the committee along with the Programme Board which has all partners involved.

Members **noted** the report and agreed the following actions.

20222404 – FSC – 005: Vicki Morton to provide the committee with further reporting in relation to Data Migration.

20222404 – FSC – 006: Howard Kennett to engage with SPA colleagues to ensure required information is fed into the Digital Evidence Sharing Capability (DESC) Deep Dive on 4th May 2022.

5. Update on HMICS Thematic Inspection of the Scottish Police Authority Forensic Services – Vicki Morton

Members considered the report which had been submitted to Forensic Services Committee members with an update on work to implement the improvements set out in the HMICS Thematic Inspection of the Scottish Police Authority Forensic Services. During discussion and in addition to the report the following points were raised and noted;

- VMorton advised that all 23 recommendations have now been closed off. VMorton thanked colleagues within Forensic Services, Police Scotland and COPFS for their work which had enabled the closure of the recommendations. VMorton thanked Gill Imery from HMICS for her ongoing support and scrutiny.
- The Chair noted thanks to Vicki Morton, her team and HMICS for their work in relation to the close of the recommendations. The Chair advised that this item would now be removed as a standing item for future committees.

Members **noted** the report.

6. Demonstrating Value – Fiona Douglas

FDouglas provided the committee with a verbal update in relation to Demonstrating Value and the following was noted by members;

- A meeting was now scheduled for the first Short Life Working Group (25th May 2022) to look at how the value that Forensic Services can be demonstrated within the justice system and more broadly. It is thought that membership of the group will be extended following initial discussions. The first meeting will determine areas of focus to ensure that meaningful outputs are brought forward.

Members **noted** the verbal update.

8. Drug Driving Update – Alastair Patience

Alastair Patience (APatience) provided members with an update on progress on the Drug Driving Toxicology Service and were asked to note the recommendations within the report.

The Chair welcomed the public report, particularly due to the public interest on this subject, however, due to operational reasons advised that further discussions would take place in private session.

Members **noted** the report.

9. Forensic Services Committee Workplan

Members **noted** the report.

**FORENSIC SERVICES COMMITTEE
8 AUG 2022**

**Minute of the Scottish Police Authority Forensic Services
Committee held by MS Teams on Monday 8 Aug 2022.**

Authority Members Present: Paul Edie (Chair)
Jane Ryder
Caroline Stuart
Katharina Kasper
Fiona McQueen

In attendance: Scottish Police Authority (SPA)
Fiona Douglas, Director of Forensic Services
Vicki Morton, Scientific Head of Function
Alastair Patience, Scientific Head of Function
Gary Holcroft, Scientific Head of Function
Craig Donnachie, Head of Quality
Howard Kennett, Programme Manager
Jennifer Muir, Head of Strategy and Business Performance
Derek Scrimger, Scientific Head of Function
Kevin O'Hare, Communications and Engagement
Specialist
Alan Connell, Head of Forensic Infrastructure and Support
Colette Craig, Governance Support Officer
Graham Stickle, Audit and Risk Lead
Eleanor Gaw, Governance and External Relations Lead
Chris Johnstone, Finance Lead
Scott Ross, Head of Change and Operational Scrutiny

Police Scotland (PS)
Assistant Chief Constable Bex Smith
Gordon McCreadie
Chief Digital Information Officer Andrew Hendry

COPFS
Ruth McQuaid

1.1 Welcome and Apologies

The Chair noted this as his first meeting as Chair of the committee and also welcomed Katharina Kasper and Fiona McQueen as new members to the Forensic Services Committee. The Chair noted that Item 21 Forensic Toxicology Oversight Group – Update from Meeting Held 4th August 2022 was a late addition to the agenda.

Apologies were noted from;
DCC Malcolm Graham

1.2 Declarations of Interest

There were no declarations of interest.

1.3 Forensics Services Committee minute of meeting held 25 April 2022 for approval

Members **AGREED** the Minute from the Forensics Services Committee on 25 April 2022 was an accurate record of the meeting.

1.4 Action Log and Matters Arising

Members noted and agreed the written updates provided.

There were no matters arising.

1.5 Decision on taking business in private (items 12 - 21)

Members agreed, in accordance with paragraph 20 of the SPA Standing Orders, to consider items 12 – 21 on the agenda in private for the reasons set out in the agenda.

2. Forensic Services Director's Report – Fiona Douglas

Members considered the report that had been submitted to update the Committee on the recent key activities across Forensic Services. Fiona Douglas highlighted some key areas within the report;

- Much time has been invested by the Senior Management Team (SMT) with regards to drugs driving and toxicology casework and the issues that surround that following the announcement that 386 drugs driving toxicology cases were unable to progress to prosecution as they had succeeded the statutory time limit.

- The SMT restructure within Forensic Services is now complete following a period of consultation. FDouglas congratulated those within new posts.
- Following approval at the JNCC in June 2022, Forensic Services are now in the process of advertising a number of posts as part of the implementation of the new operating model.
- FDouglas welcomed the Cabinet Secretary for Justice to Junction 24, Post Mortem Toxicology Laboratory which allowed for some discussion around the processes and equipment in place.
- Members were advised that a draft of the Equality, Diversity and Inclusion (EDI) Strategy had been discussed extensively with staff association groups, EDI staff groups and staff within Forensic Services. FDouglas advised that she would be seeking views of committee members to progress this through to a paper at the next committee meeting in order to approve the strategy for implementation.

In addition to the submitted report the following points were raised and discussed;

- The Chair congratulated SMT on their new promoted posts.
- Members asked for a breakdown of the 41 new posts as part of the implementation of the change programme. FDouglas advised that none of the posts related to change noting that they were all scientific or support posts, some being temporary although a majority permanent. The posts are new in the context of the operating model with redesigned roles with different activities in comparison to some existing roles. It is hoped that many of the posts will be filled internally, however, none of them relate to professional change roles.
- The Chair sought clarity on whether or not the 41 posts were over and above the current establishment. Vicki Morton (VMorton) confirmed they were 41 additional support and scientific roles which are budgeted for. FDouglas added that she was very cognisant of the risks around flat cash and noted that discussions are ongoing with the Accountable Officer with a workshop taking place later in month to discuss the impact on the new operating model project. FDouglas added the need for her to understand the broader picture across Police Scotland and SPA as a corporate body to understand where Forensic Services sits within that as part of the wider policing budget. To date approximately half of the 41 posts have been advertised and prior to making any appointments there is a need to be clear that any decisions made in relation to recruitment this financial year does not create pressure on next year's budget.
- Members referred to the EDI Strategy and sought clarity on where it linked across Police Scotland and SPA Corporate. In addition members

were keen to be more aware of what the protected characteristics were within forensic services and what key areas they would be looking to make more visible. FDouglas advised that the EDI Strategy was an action through the sub-group of the People Board who are active in ensuring progress in this area. FDouglas advised that she keen to have feedback from members to incorporate ahead of the next committee meetings. It is hoped that there will be clear indicators of areas that forensic services seek improvement in and how progress will be tracked against those indicators. Members noted the importance of knowing that the actions being taken would achieve the desired results.

- The Chair asked if the EDI Strategy was linked into the Police Scotland EDI Strategy and whether or not there had been any engagement with Stakeholders. Alastair Patience (APatience) advised that they had linked in heavily with the Police Scotland Strategy and Innovation Team in relation to the development with the strategy. All feedback that was provided by them has been incorporated and although there had been no sight of the PS Strategy, APatience believed there would be good linkage based on the feedback provided by the team.

Members **noted** the report.

3. Forensic Services Performance Report – Q1 – Fiona Douglas

Members considered the Forensic Services Performance Report, Q1 2022/2023. FDouglas highlighted key areas within the report;

- With the exception of biology and the volume crime unit and drugs, there has been a reduction in demand across many areas of forensic services.
- The caseload within drugs, mark enhancement and toxicology are still higher than they should be, however, there are specific actions in place to reduce these caseloads over coming months.
- Toxicology continues to be a cause for concern with many actions in place to address the backlog of work in this area. Toxicology performance continues to be discussed in a number of forums.
- A subgroup of the People Board are placing focus on the reasons behind the absence rates and looking at opportunities to provide increased support in the right areas to reduce levels of absence within the organisation.

In addition to the submitted report the following points were raised and discussed;

- Members asked for future reports to include more narrative to support the data to allow a better understanding of trends. FDouglas

advised that there is an ambition to develop the performance report quarter on quarter and noted that there was work to be done to ensure the report was fit for purpose and ensuring that it fits with the performance framework discussions.

- Members sought clarity on whether there should be any concerns around accreditation not being continued within labs. FDouglas advised that there was a routine schedule of work associated with maintenance of accreditation which works on a 4 year cycle. UKAS are involved in different parts of the accreditation and it is a large scale exercise with no cause of concern within the annual accreditation services. Work is ongoing with UKAS with regards to challenges within toxicology and around the Section 4 and Section 5a analysis. A further additional review within toxicology will take place on Thursday 11th August with regards to accreditation to that area. There are a number of challenges following the recent publication of additional guidance and the application of the international standard to toxicology analysis, with the need for additional work to be done in order to demonstrate compliance.
- Members sought clarity around scene examination and the expected percentage standard. FDouglas advised that they endeavour to attend 90% of scene within 24 hours of incidents being reported which is what they endeavour to achieve, however, there are a number of reason that stop that from happening and it is hoped that this information will become available within scene deployment evidence management system in due course.
- Members sought clarity over the absence rate reported and the physiological support being offered to staff. FDouglas advised that a lot of focus had been given to physiological support with formal diagnoses of PTSD and other mental health issues as a result of work. Forensic Services are in the process of setting up a pilot in order to have proactive physiological supervision built into professional practise. It is hoped that this will help staff not to break, rather than having to step in once they have broken. The pilot will be run on front line scene examination staff to begin with, however, there are other areas of mental health that will require to be addressed.
- Brian Johnston, HMICS (BJohnston) sought clarity on whether there were any plans in place if UKAS were to remove accreditation. FDouglas advised that they have detailed plans around what is expected by UKAS within the laboratory. FDouglas are keen to see the plan in respect of the age of the backlog of cases for analysis within toxicology and there are concerns around the timeliness of cases ensuring that there are no further cases that will fail to progress to prosecution. FDouglas has written to both Police Scotland and Crown Office with regards to the risk of suspension to

accreditation in this area and work will take place with partners around what the impact of that could be. If accreditation is suspended it is hoped that it would be for a short period of time to allow forensic services to address any gaps which are highlighted by the new guidance. If accreditation was paused, there would need to work with partners, particularly Crown Office to address the matter.

- Members sought clarity on when the new regulation came into place and whether or not if further guidance publications were expected. Craig Donnachie (CDonnachie) advised that the Lab51 document came out in May 2021 and UKAS had a short timeframe where they were looking for compliance. Following discussions with UKAS on the gap analysis an assessment was undertaken in October 2021 with a reply expected within 3 months which included evidence. Due to some of the complexities of the analysis a further extension was requested and UKAS agreed. Evidence was then submitted to UKAS on 1st April 2022 and they have subsequently come back looking for further clarification and a request to meet with a forensic scientist to discuss some of the analytical detail. This has taken longer than anticipated due to resource, however, a lot of work has been undertaken to provide the assurance to UKAS. UKAS have a suite of supporting documents the forensic services are required to comply with and these documents are circulated on a regular basis to ensure full sight. CDonnachie advised that Lab51 is one of the most detailed documents published by UKAS in some time, with the analytical work required being unique in its nature making it slightly different from all other documents. FDouglas assured members that forensic services were not aware of any further guidance that would require significant work or have impact on any other areas of business. FDouglas added that the next area of focus will be around the new Forensic Science Regulators Code of Practice which will be discussed at the October Committee Meeting.
- The Chair sought clarity around the increase on turnaround time relating to violent crime. FDouglas advised that this sat with Biology Volume Crime Unit that deal with crime scenes and they have a key performance indicator to turnaround a majority of the work within 21 days. Police Scotland have had a number of operations in place that has increased the demand which has had an impact of routine work done in that area. Helen Haworth (HHaworth) provided members with some further background to the increase and advised the Police Scotland operations require to be turned around between 7-14 days. HHaworth have done an excellent job and have managed to return to the previous standard of approximately 21 days.
- The Chair asked for more information in relation to mark enhancement improvement work and FDouglas advised that an improvement plan has been put in place. HHaworth provided some

background around the increase of cases along with the increase in drugs work, therefore the team have had a discussion with partners in order to triage cases and reduce the number of samples required to be analysed. HHaworth added that there had been additional work to look at the number of cases and remove the ones with smaller amount of work to reduce those cases.

- Members sought clarity around the strategic intent around the amount of capacity that forensic services run with. FDouglas advised that work has been done around the strategic workforce planning and at the moment there is no headroom within capacity as it is fully utilised. Forensic Science is an area with a lot of specialisms and it is difficult to move resource between areas. In addition, the current operating model puts in place some unnecessary structural boundaries with other areas of the organisation unable to offer resource and this is one of the key points within the new operating model which will allow staff to become multi skilled and more flexible and response to peaks in demand. Further work is also required with partners in relation to demand forecasting in order to identify a more sophisticated way to project demand. FDouglas added that there was no backlogs in relation to instrument capacity at this time.

Members **noted** the report and agreed the following action;

20220808 – FSC – 001: Fiona Douglas to ensure that future performance reports include more narrative to support the data and assist members with identifying future trends.

4. Performance Framework Development – Fiona Douglas *(Verbal)*

FDouglas advised that there is a recognised need for forensic services to report performance in a more meaningful way and link that to outcomes and also link in with Police Scotland Performance Framework. This is a piece of work that forensic services intend to deliver by the end of this financial year. FDouglas added that she was keen to have committee members involved in the development of that to ensure that therefore future workshops will be planned to take this forward.

Members **noted** the verbal update.

5. Forensic Services Change Programme Update – Vicki Morton

The committee considered a report which provided an update in relation to the Forensic Services Change Programme. Vicki Morton (VMorton) provided

members with an overview of the report and highlighted progress in relation to the various areas within the Change Programme. In addition to the submitted report the following points were raised and discussed;

- Members referred to the current pressure on resource and sought clarity on what contingency thinking had been placed to the risk of there being no resource available. VMorton advised that it was important to note that 4 of the key projects are very much in flight in terms of the operating mode, access to labs, scenes deployment project weaver. Access to labs and scene deployment are almost at the phase in terms of implementation with recruitment ongoing. VMorton added that there is programme manager and project manager and a business change analyst are the types of staff in place to monitor progress and ensure that projects are running efficiently and effectively and delivering what they should be. VMorton agreed that consideration needed to be given to the wider in relation to Police Scotland projects also. Howard Kennett (HKennett) added that it would be difficult to have complete assurance at this stage within Police Scotland and their resources, however, back in December 2021 there were 4 members of Police Scotland supporting the programmes and since then there are approximately 14 staff members. HKennett advised that Police Scotland were very cognisant of the volume of work being carried out and the need for it to continue. HKennett noted that Police Scotland also have their own projects underway and have a need to prioritise, however, HKennett believes that forensic services remain in a reasonable position. Members welcomed this reassurance.
- Katharina Kasper (KKasper) advised that she is mindful that the full business case would have perhaps had some assumptions around all elements of the change programme progressing at a certain pace, however, 2 projects have now been delayed, therefore sought clarity on what the dependencies were on those 2 projects particularly in relation to the delay with IT. FDouglas advised that to some extent it was benefit that the core operating project is running behind the operating model as it allows them to ensure that the requirements for the new operating system are fit for purpose. The main issue with regards to the delay within the core operating system is the efficiencies that would bring. If demand continues to increase like it has done over the past 5 years there will be a need for the new core operating system in place to offset the efficiencies that it will deliver. FDouglas agreed that it was a key project that needed to be progressed and it is hoped that the initial business case for that will come to the next forensic services committee meeting. KKasper asked for an indication of the new timeline. FDouglas advised that it was a

lengthy project with the need for a broader discussion around capital and funding with regards to the core operating system.

- Chief Digital Information Officer Andrew Hendry (CDIOAHendry) advised that Police Scotland were very aware of the position within forensic services and are supportive of the resourcing models, however, ongoing prioritisation work is going to have implications for everyone. CDIOAHendry advised that the future cost of operating the organisation will shape the ambition with regards to transformation. CDIOAHendry assured members that the prioritisation work that is currently ongoing includes forensics.
- The Chair referred to data migration and governance and asked why they were assessed in red. HKennett advised that the work had only started therefore was assessed in red and there is a need to identify what the benefits will be.

Members **noted** the report.

6. Demonstrating Value – Fiona Douglas

FDouglas provided the committee report which provided an update demonstrating the work to assess the value of forensic science. In addition to the submitted report the following points were raised and discussed;

- Members welcomed the update and agreed with the approach to progress and report around the autumn 2023. Members further noted the importance of identification of different lenses ensuring that forensics are not just looking internally.
- Members referred to added value for Scottish society and advised that there would be benefit, when progressing the EDI Strategy there was a look at what could be done around attracting woman and girls into science and engineering. In addition, there is also a need to consider if the drug driving work could also contribute to this piece of work. FDouglas agreed there was a large amount of drugs intelligence information within forensic services, knowing that the power of intelligence is greater when it is fresh. FDouglas advised that there was opportunity to make a positive contribution in terms of particular drugs that come into the market. Once the Post Mortem Toxicology Service was in place and full picture in terms of toxicology analysis in place there would be opportunity to feed into a range of different areas, particularly public health. FDouglas advised that Forensic Services has a predominately female workforce with some initiatives in place to encourage boys and men into biology. FDouglas added that she was keen to improve the diversity of forensic science in general and a key avenue into doing that would be looking at apprenticeships and sponsored and partnership degrees.

Members **noted** the report and **AGREED** the following action;

20220808 – FSC – 002: Fiona Douglas to ensure when progressing the EDI Strategy there is a look at what can be done around attracting woman and girls into science and engineering in order to improve the diversity of Forensic Science.

7. Biometrics Landscape and Governance Update – Fiona Douglas

Members were provided with a report which set out the current position to consolidate the SPA FS Biometrics Strategy. The current primary focus relates to Fingerprints and DNA -biometric samples with which SPA FS has direct engagement. The report covered the following key areas;

- Key principles of our SPA FS Biometric Strategy
- Police Scotland Approach – SPA FS Integration
- Home Office – SPA FS Collaboration
- SPA FS Biometrics Working Group

In addition to the submitted report the following points were raised and discussed;

- The Chair sought clarity on whether or not the Biometrics commissioner had provided guidance or feedback. FDouglas advised that forensic services had worked with the new Biometrics Commissioner to develop some of the initial documentation, however, no further feedback as yet and would be expected following the publication of the code of practise being published. The Chair sought clarity on whether there had been any external audit and assurance activity on this. FDouglas advised that the external audit is carried out by UKAS as part of the ISO17025 accreditation includes inspection in relation to these matters.
- The Chair referred to there being no reference to a data ethics framework within the report and sought clarity on whether there would opportunity for further integration with the data ethics framework. ACC Bex Smith (ACCBSmith) reassured members that she chairs the Biometrics Oversight Board along with being the Biometrics Data owner for Police Scotland, therefore regularly links in with FDouglas and the Biometrics Commissioner in this work. ACCBSmith added that they were very cognisant of the human rights aspects and ensuring that is handled correctly.
- The Chair referred to paragraph 2.19 and sought clarity around staff having to facilitate the timely weeding of Scottish fingerprint records from the UK fingerprint database – IDENT1. FDouglas explained that

fingerprints held on the IDENT1 fingerprint database are compliant with the Scottish legislation, so when removed from that database they are “weeded” which is the term used. The weeding for Scottish records must happen in England and there is a process in place to allow suitable access for SPA Forensics to weed Scottish records for the IDENT1 database within Scotland.

- Members sought clarity over the timeframes of these projects. FDouglas advised that she believed the code of practice would be issued within the next 2 months. In terms of reporting compliance against that, FDouglas would report after the meeting.

Members **NOTED** the report and **AGREED** the following action;

20220808 – FSC – 003: Fiona Douglas to report the expected timeframes for delivery of projects noted within the report.

8. Refreshed 2 Year Business Plan – Fiona Douglas

Members were provided with a report which informed the progress in relation to the Forensic Services Business Plan for 2022/2023. In addition to the submitted report the following points were raised and discussed;

- Members welcomed the report and advised that they will welcome the detail of the transition journey in relation to the previously present plan.
- Members sought clarity around when they would have sight of the revised forecasts for this plan and the impact of flat cash. FDouglas advised that this will be taken forward with the Accountable Officer in the coming month. The scenario planning piece of work which will follow that discussion, however, it is hoped that a fairly clear picture will come to the next committee meeting.

Members **noted** the report.

9. Drug Driving Update – Alastair Patience

APatience provided members with an update on progress on the Drug Driving Toxicology Service. In addition to the report, APatience provided the committee with a high level description of the end to end process in relation to Drug Driving whilst highlighting that the bottlenecks to that process were in relation to reporting, however, there is an intention to develop the reporting (outputs from scientific instruments) capacity within the toxicology team. In addition to the submitted report the following points were raised and discussed;

- Members referred to the processing of samples and sought clarity on what basis were they processed and how were they prioritised. APatience advised that under normal circumstances it would be first in first out, however, exceptions were made for cases that required prioritisation. Prioritisation requests come from either Crown Office or Police Scotland and once received testing requirements are adapted to meet those priorities.
- Members sought clarity on what percentage of cases were priority requests. APatience advised that he would return that information. FDouglas advised prioritisation cases was given to cases involving repeat offenders, fatalities or serious incidents and at the current point in time it was a disruptive way of working due to trying to ensure that cases do not exceed the statutory time limit.

The Chair advised that the organisation were committed to resolving issues that surround the Drug Driving Toxicology Service. The Chair advised that a short life working group had been established to address the matter, whilst FDouglas attended a gold group, chaired by ACCBSmith along with the silver improvement group which sits below that. FDouglas noted the tireless work by staff within Police Scotland and Crown Office in order to resolve the matter.

Members **NOTED** the report and **AGREED** the following;

20220808 – FSC – 004: Alastair Patience to report back on what percentage of cases being carried out are priority cases.

10. Forensic Services Financial Monitoring Report (Q1)

Members were provided with a report updating them on the financial position of Forensic Services for quarter one (three months ending 30 June 2022) of the financial year 2022/23, as well as forecasting the full outturn to 31 March 2023.

Members **NOTED** the report.

11. Forensic Services Committee Workplan

The Chair advised that he would be keen to link with SPA Officers in order to make the work plan more meaningful. Members discussed the need for an additional committee meeting in order to address certain areas of work.

Members **noted** the report.



Forensic Services Committee

1 February 2023

Minutes of the Forensic Services Committee held on 14 December 2022
via MS Teams

Board Members present:	Paul Edie (Committee Chair) Jane Ryder (Committee Member) Caroline Stuart (Committee Member) Fiona McQueen (Committee Member) Katharina Kasper (Committee Member)
Board Member apologies:	
In attendance:	<p><u>SPA Forensic Services</u> Fiona Douglas, Director of Forensic Services Vicki Morton, Chief Operating Officer Gary Holcroft, Scientific Head of Function Alastair Patience, Head of Function Helen Haworth, Head of Function Derek Scrimger, Head of Function</p> <p><u>HMICS</u> Brian Johnston</p> <p><u>Crown Office</u> Ruth McQuaid</p> <p><u>Scottish Government</u> Elaine Galbraith</p> <p><u>Police Scotland</u> DCS Raymond Brown CS Conrad Trickett</p> <p><u>SPA</u> Amanda Coulthard, Head of Strategy and Performance Eleanor Gaw, Governance and External Relations Lead Colette Craig, Governance Support Officer</p>

APPROVED

1. Introductions and Welcome:

1.1 Chair's Opening Remarks

The Chair noted this additional committee meeting was to allow the committee to focus on strategic issues and allow more focus on quarterly reporting at the next committee.

1.2 Apologies

DCC Malcolm Graham

1.3 Declarations of Interest and Connections

There were no declarations of interest or connections.

1.4 Decision on taking business in private (Item 7 – 10)

Members **AGREED** to take items 7 – 10 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 24 October 2022 for approval

Members **AGREED** the Minute from the Forensic Services Committee on 24 October 2022 was an accurate record of the meeting.

2.2 Rolling Action Log and Matters Arising

Members noted and agreed the written updates provided.

There were no matters arising.

2.3 Decisions since last meeting

None

3. PERFORMANCE FRAMEWORK DEVELOPMENT

Vicki Morton (VMorton) reported on the developing framework. Next steps include staff and partner workshops to support its development, with the framework scheduled for report to Committee April 2023. The objective is to ensure that Forensic Services Strategic priorities link to measures, aligned with Scottish Government outcomes. During discussions the following was raised;

The Chair asked if there had been a review of relevant good practice in other organisations. VMorton advised that Amanda Coulthard (ACoulthard) and team at the SPA have assisted in this area. ACoulthard indicated that benchmarking is very much part of the model being used and officers are looking at other oversight bodies' practice and models. The Chair sought clarity on how wide the scope was for the Framework. VMorton advised that in terms of the strategy for Forensic Services there will be strategic outcomes and the objectives that align with them, time measures and benchmarking built in. Fiona Douglas (FDouglas) advised that underpinning the Performance Framework was a clear methodology to ensure that they are delivering against the Forensic Services Strategy. Each strategic objective will have core metrics, setting out performance expectations for each part of the service. ACoulthard added that the intention is to build a performance framework that has a hierarchy of reporting, and to avoid reporting so much performance and management information that it is difficult for the committee to identify the outcome delivery. Jane Ryder (JRyder) indicated that she would be keen for this piece of work to be related to the regulatory landscape.

Members **NOTED** the report.

4. DEMONSTRATING VALUE

FDouglas briefed members on recent meetings of the Forensic Science Value Steering Group, set up to look at how to assess the value and contribution of forensic science in the Scottish Justice Sector and to national outcomes (2nd meeting in Dec 2022). The group have had broad discussions on methodology and approach, and FDouglas reported a real willingness from all members to contribute to better understanding of the value of forensic science. Initially, the group will focus on one area (sexual crime) aligned with the strategic priority to reduce violence against women and girls. Partners include the Leverhulme Institute, which is keen to support this work with research posts. FDouglas and VMorton will be discussing the content of the research with Leverhulme Director Niamh Nic Daeid. The next meeting of the group is in February 2023. The whole research programme is expected to run for between 1 -2 years and provide more solid evidence of the overall value and contribution of forensic science.

FDouglas confirmed that Forensic Services Communications are involved in the working group, and will link in with SPA communications on this piece of work. A further update will come to the committee before the launch event, and a formal written report to committee 8th May 2023.

Members **NOTED** the verbal update.

5. Digital Forensics Next Steps, Accreditation and Timeline for Progression

JRyder welcomed the report and clear understanding of timeline and asked that in time there is a read across to how this fits within the whole regulatory landscape. JRyder sought clarity that when individuals are accredited did that mean they were credible by virtue of the training they have undergone, or was this in relation to individual pieces of equipment. CSCTrickett advised that the term 'credible' individuals would be better wording and this is based on them having honours degrees in computer forensics and having completed courses relevant to specific software being used. FDouglas indicated this relates to the competence of individuals being fully trained in the activities that they were undertaking. FDouglas added that the intention would be for accreditation to be provided externally, and ideally through UKAS eventually.

The Chair sought clarity on what would happen if accreditation was not provided in 2026. CSCTrickett advised that they will most likely learn on the journey where PS are falling down, and if there any issues it would likely be hub specific. If that is the case it is likely that certain hubs would not be accredited, however, those issues will be addressed as and if they appear.

Katharina Kasper (KKasper) sought clarity on to what degree an analysis had been made on what differences or degree of uplift will be required to have a consistent standard in all hubs. CSCTrickett advised that the discovery phase is ongoing and would hope to provide some visibility to that within future reports. By the end of the first phase (Aberdeen) they will have identified the current position and best practise national standard, to drive forward through the rest of the hubs.

The Chair sought clarity on whether this was the correct forum for this report. FDouglas advised that the review undertaken by previous member, Bob Hayes and current member Jane Ryder, recommended that digital forensics should be accredited. Further discussions highlighted the need for and value of this committee keeping oversight of the progress towards accreditation.

Members **NOTED** the report.

6. Forensic Toxicology Oversight Group – Update from Meeting Held 1st November and 5 December 2022

The Chair noted that following the delivery of Project Weaver on the 1st December 2022 along with substantial progress made with drug driving, it

has been agreed by SPA Board Members to stand down the Forensic Toxicology Oversight Group.

Fiona McQueen (FMcQueen) sought clarity on when members would receive more of a sense of the outcome on the Long Term Sustainable Model. FDouglas advised that given the new framework the report is being updated in terms of finances with regard to outsourcing. This will go to Scottish Government before Christmas. It is hoped that when the recommendations from the HMICS review come forward, the Scottish Government will be in a position to give more indication on the Long Term Sustainable Model.

FDouglas and members all paid tribute to the work and effort of the team in the successful delivery of Project Weaver.