



Forensic Services Committee

28 October 2024

Minutes of the Forensic Services Committee held on 6 August 2024 via MS Teams.

Board Members present:	Paul Edie (Committee Chair) Caroline Stuart (Committee Member) Angela Leitch (Committee Member) Christopher Creegan (Committee Member)
Board Member apologies:	Katharina Kasper (Committee Member) Mary Pitcaithly (Committee Member)
In attendance:	<u>SPA Forensic Services</u> Fiona Douglas, Director of Forensic Services Vicki Morton, Chief Operating Officer Alastair Patience, Head of Function Joanne Tierney, Head of Change & Development Helen Haworth, Head of Function Paul Stewart Kevin O'Hare, Communications and Engagement Specialist Derek Scrimger, Head of Function Kenneth Laing, Operations Crime Manager Iain Harkness, Operations Crime Manager Craig Donnachie, <u>Crown Office</u> Ruth McQuaid, Procurator Fiscal High Court <u>Police Scotland</u> Conrad Trickett, Chief Superintendent Alan Paterson, Detective Superintendent

	<p>John Sheehy, Head of Portfolio Delivery - Change</p> <p><u>HMICS</u> Brian Johnston, Lead Inspector</p> <p><u>SPA</u> Barry Sillers, Deputy Chief Executive Amanda Coulthard, Head of Strategy & Performance Lesley Carnegie, Performance & Impact Lead Lloyd Duncan, Finance Lead Graham Stickle, Audit and Risk Lead Colette Craig, Governance Support Officer</p>
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1. Introductions and Welcome:

1.1 Chair's Opening Remarks

The Chair welcomed Angela Leitch and Chris Creegan to their first meeting of the Forensic Services Committee following their appointment to the SPA Board.

1.2 Apologies

Katharina Kasper (Committee Member)
Mary Pitcaithly (Committee Member)

Raymond Brown, PIRC

1.3 Declarations of Interest and Connections

There were no declarations of interest or connections.

1.4 Decision on taking business in private (Item 8 and 9)

Members **AGREED** to take items 8 and 9 in private.

2. Minute and Actions from previous meeting:

2.1 Minute from meeting held on 7 May 2024 for approval

Members **AGREED** the Minute from the Forensic Services Committee on 7th May 2024.

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

There were no decisions since the last meeting.

3. Performance

3.1 Forensic Services Director's Report

Fiona Douglas (FDouglas) provided an update on the recent key activities across Forensic Services. During discussions the following matters were raised;

- The Chair sought clarity on whether there was any information around Nitazenes potentially becoming a bigger issue for the organisation. FDouglas advised that SPA Forensic Services are currently looking at trends around synthetic opioids and the National Crime Agency are currently looking into Nitazenes and the prevalence across the UK, however, the numbers in Scotland are low. FDouglas noted the importance to continue working with partners to ensure forensic services are prepared should that increase in the future. FDouglas noted the importance, from a scientific perspective, that there is always a need to ensure that testing techniques with drugs and toxicology are keeping ahead of how drugs are developing, with synthetic opioids being a focus for a long time and with technology and instrumentation in place. Detective Superintendent Alan Paterson (DSAPaterson) advised that Police Scotland are alive to the situation with a number of governance structures in place for this potential increase.
- Members referred to Lifelines Scotland Training and sought clarity around the evaluation on that and whether there was an attention to attribute it to sickness, absence and levels of productivity. FDouglas noted the difficulties with drawing the link between training and intervention with sickness/absence rates. FDouglas noted a significant improvement with sickness/absence rates and advised other work that has been done to better understand this area.
- Members sought clarity on whether Forensic Services were assisting Police Scotland in achieving their ISO accreditation for Digital Forensics. FDouglas advised that they have offered and provided assistance on a number of occasions, providing them with the benefit of lessons learned following Forensic Services extensive experience with accreditation.

- Members sought clarity around the next steps associated with prioritising inclusion and what the nature of the concerns raised by colleagues in Rushton Court Laboratory and what action was being taken. FDouglas advised that there is an internal review of the Health and Safety Management Structure and during this it was highlighted that there was an absence of some key documents within one part of the organisation. As a result, Police Scotland Health and Safety have been asked to carry out an audit of that structure to help identify improvements that need to be put in place. With regards to prioritising inclusion and work with Involve, they are currently moving into the focus group phase which will provide the context of the survey that closed last week. Following the focus groups, Involve will provide a draft report for the SMT to review. INvolve will also bring together the results of the Your Voice Matters survey, which will produce a report towards the end of September and that will be incorporated into the plans and strategy over the coming months. This will be reported to the committee into the new year.

Members **NOTED** the report.

3.2 Forensic Services Year End Performance Report

Vicki Morton (VMorton) provided Forensic Services Performance Report, Financial Year 2023/24 for Committee consideration. During discussions the following matters were raised;

- VMorton advised that there had been some challenges around drugs capacity with work required in this area, noting a need to progress improvement and output in this area. Alasdair Patience (APatience) advised that capacity, in terms of output, is in the region of 835 cases per month, although the position remains fragile in terms of turnover and absence.
- The Chair sought clarity on whether mark enhancement was an improved picture. VMorton advised that through the operating model it was identified the need for improvement and increase capacity, with two new sites established throughout forensic services. The Chair asked for a briefing note, which will include some previous data and reassure members on this area.
- The Chair sought clarity around timeliness in relation to scene attendance and were assured around the progress in this area, particularly in relation to violent and sexual crime.
- The Chair paid tribute the staff for a strong performance report.

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

20240806-FSC – 001: Vicki Morton to provide members with a briefing note in relation to Mark Enhancement.

3.3 Forensic Services Performance Report – Quarter 1 2024/25

VMorton provided Forensic Services Performance Report, Q1 2024/25 for Committee consideration. During discussions the following matters were raised;

- The Chair referred to laboratory casework and sought clarity on when the 19% would reach the original delivery date. FDouglas advised on the programme of work set out for forensic services, particularly in relation to change, noting delays in relation to timeliness. Without clarity on and in the absence of the new operating model, particularly in relation to finance, it is difficult to say when the position set out in the business case will be reached.
- The Chair referred to Search and Recovery Services and the triaging with the national tasking unit and asked how members can be assured that this is being addressed efficiently. VMorton advised that there is a piece of work being taken forward to look at internal data and assurance around whether forensic services are attending the right scenes, ensuring frameworks are followed to ensure correct checks and balances are in place and correct decisions being taken on where to attend.
- Members referred to absence management and sought clarity around the miscellaneous category. VMorton advised absences are recorded as per Police Scotland processes via the recording line with a drop-down option, Forensic Services are unable to control that, but staff are encouraged to record properly via Scope. VMorton assured members that return-to-work interviews provide opportunity for those discussions to take place.
- The Chair noted that a number of slides provide case volume data as on track and green, with capacity exceeding demand. The Chair asked that future reports include updates by exception only. The Chair paid tribute to the team for their work over quarter one.

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

20240806-FSC – 002: Vicki Morton to ensure that future reports are by exception only when updating slides in relation to case volume data.

3.4 Drug Driving Update

Paul Stewart (PStewart) introduced himself to members and provided an overview of his portfolio. The report updated members on progress on the

Drug Driving Toxicology Service. During discussions the following matters were raised;

- Members referred to the necessity of outsourcing and sought clarity on whether there had been any analysis which would illustrate that there would always be a need for outsourcing. In addition, what level of benchmarking has been done with other outsourcing partners. FDouglas noted the need to suppress demand for drug driving toxicology due to Police Scotland's intention to roll out testing to officers, therefore there is a need for a model which includes outsourcing. The marketplace in England and Wales is competitive, with contracts in place for toxicology provision. There has been a lot of work done over the years to look at internal process and unit costs against other organisations. FDouglas advised that the business case will look at a number of options in terms of outsourcing, whilst considering the risks of relying on other organisations.
- Members asked for an update on the return to contractual timescales. PStewart advised that forensic services moved to an 80% compliance rate in June 2024 which is tracking ahead of the projected returns. There is ongoing engagement and monitoring with the external supplier to ensure systems and processes are and remain in place.
- The Chair asked for more data and graphics to support Internal performance for Section 4 in future reports to give members a grasp on turnaround times and how the service is performing.
- The Chair sought clarity over the gap between internal capacity vs actual. PStewart advised that internal capacity arrangements are impacted for a number of factors (sickness, absence, court appearance), therefore the default is the outsourcing capacity to close that gap. The Chair noted that those factors should fall into business as usual and swept up with the projection.
- The Chair sought clarity on the outsourcing partners performance and when they would return to contractual rates. PStewart advised that it was due to happen by July 2023 and that a meeting in coming days with Eurofins would confirm that status.

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

20240806-FSC – 002: Paul Stewart to provide more data and graphics to support Internal performance for Section 4 in future reports to give members a grasp on turnaround times and how the service is performing.

3.5 Forensic Services Financial Monitoring Report Q1

FDouglas provided members with an update on the financial position of Forensic Services for Quarter one (three months ending 30 June 2024) of the financial year 2024/25, as well as forecasting the full outturn to the year end. During the discussion the following matters were raised;

- Members noted concerns around the low percentage phasing around the use of capital. FDouglas advised that there was no risk that the capital allocation would not be spent by year end as there are a number of flexible areas within the long-term capital plan allowing areas for the next financial year to be pull forward. The slow start for capital spend is due to two key projects and the expenditure aligned to them being higher than anticipated. FS continue to work closely with colleagues in procurement and there is a good level of confidence that the capital projects will deliver. Members were advised that there is no intention to bid for any additional capital spend due to the limited capacity and other changes taking place within forensic services. There are substantial projects coming down the line where there will be a need for additional capital.
- Members sought more information in relation to the efficiency plan to address the savings and what the risks were. FDouglas noted that forensic services are behind where they need to be, however, they have recently refreshed the efficiencies plan and noted that a lot requires to be looked at, particularly around the smarter use of consumables. FDouglas is confident to catch up with efficiencies as the year progresses.

Members **NOTED** the report.

4 HMICS Assurance Review of Forensic Toxicology Provision – Improvement Plan and Timeline for Delivery

Members were provided with an update on progress on the HMICS Assurance Review of Forensic Toxicology Improvement Plan and timeline for delivery. During discussions the following matters were raised;

- Brian Johnston (BJohnston) informed members that positive meetings had taken place recently with Forensic Services, with further updates/feedback on recommendations due to be sent back in coming days.
- Members noted that there were some revised targets and sought clarity on whether that would bring forward any risks. Members were assured that there are regular meetings with HMICS and

constructive dialogue with other stakeholders on any changes made.

- Members sought clarity on the 12-month delay associated with recommendation 10. FDouglas advised that there is a full replan of the core operating system programme, which is not yet finalised, however, the delays are a result of lack of resource from digital division along with issues with resource within change. John Sheehy (JSheehy) assured members that this process took more than a year when Police Scotland were developing their core operating systems.

Members **NOTED** the report.

5. Forensic Services Change Programme Update

Joanne Tierney (JTierney) provided members with an update on progress against the Forensic Services Change Programme Plan. During discussions the following matters were raised;

- Members sought clarity on whether the resource in place was on a fulltime basis. In addition, they sought clarity that everything was in place, such as gateway reviews. JTierney provided a detailed overview of what resource was in place from Police Scotland and assured members that she was confident that there was a good governance grip on the project, capturing the correct activity.
- Members sought clarity on whether there would be opportunity to accelerate into capital/revenue to develop the operating model. FDouglas advised that if further revenue funding was available then some aspects of the operating model could be accelerated.
- Members sought clarity around the extraction of the benefits to make them cashable and how imbedded that is. JTierney advised that there is a series of cashflow benefits associated with the model which have been delivered as part of the organisation design phase, with a lot of the benefits being efficiency driven and about improving turnaround times, working more effectively and efficiently. JTierney noted the need to evidence track that and report back to the committee.
- Members sought clarity on the impacts of the delay in relation to the Data Governance element. JTierney advised that the data protection act requires a logging requirement, and they are trying to understand the extent of the work required. Members were assured that this delay is not impacting or derailing the project due to being able to prioritise the compliance.

Members **NOTED** the report.

6. Digital Forensics – Next Steps and timeline for progression

Chief Superintendent Conrad Trickett (CSCTrickett) provided members with an update on Police Scotland's progress towards ISO 17025 accreditation along with a revised timeline. During discussions the following matters were raised;

- Members sought clarity on Police Scotland's confidence in achieving a budget for the new resource and achieving the new plan and timescales. In addition, members sought clarity on any risks that were associated with court dates by not having this accreditation and is Police Scotland still the best organisation to hold this service. CSCTrickett advised that the organisation have always known that the resource on the initial business case was always a starting point with resource and Police Scotland have committed to ISO accreditation and this is the right and only way to achieve that based on technical skills and requirements and he believes they will be supported when it comes to resource. CSCTrickett advised that each stage has uncovered more learning and experiences, and the timescale presented is realistic to achieve. In terms of risks, there is no risk of cases falling in court because due to not having ISO accreditation. CSCTrickett advised that there are pros and cons to where digital forensics could sit, but that he does not believe there is one model that highlights where it would be best placed.
- Members **NOTED** the report.

7. Forensic Services Committee – Priorities and Outcomes

Members were provided with a report which noted areas of committee focus over 2023/24 and outlined priority areas of focus and target outcomes for the period 2024-2026.

Members **NOTED** the report.