

Meeting	SPA Board Meeting
Date	26 June 2019
Location	Pollock Halls, Edinburgh
Title of Paper	Digital Forensics Working Group
Presented By	Tom Nelson, Director of Forensic Services
Recommendation to Members	For Approval
Appendix A Attached	Yes Digital Forensics Working Group – Terms of Reference

PURPOSE

The purpose of this paper is to provide the Scottish Police Authority with a proposal of the Digital Forensics Working Group and Terms of Reference.

This paper is presented for approval.

1. BACKGROUND

- 1.1. This paper presents the Terms of Reference for the proposed Digital Forensics Working Group (DFWG). The DFWG will contain representatives from Police Scotland, Crown Office and Procurator Fiscal Service, Police Investigative and Review Commissioner, SPA Executive and Forensic Services.
- 1.2. The DFWG is being set up to review the delivery, accreditation, oversight and governance of digital forensics in Scotland.
- 1.3. Following recommendations from HMICS; as part of a wider professional advice note received in October 2016 and recent correspondence in December 2018, the DFWG has been established.
- 1.4. The DFWG will make an interim report to the Forensic Services Committee in December 2019 with a final report being taken to the FS Committee in March 2020.

2. FINANCIAL IMPLICATIONS

- 2.1. Costs will require to be met from existing budget. No specific funding is allocated to this group.

3. PERSONNEL IMPLICATIONS

- 3.1. There are no current personnel implications associated with this paper.

4. LEGAL IMPLICATIONS

- 4.1. There are no current legal implications in this paper.

5. REPUTATIONAL IMPLICATIONS

- 5.1. There are no current reputational implications associated with this paper however there may be future implications as this working group progresses.

6. SOCIAL IMPLICATIONS

- 6.1. There are no current social implications associated with this paper.

7. COMMUNITY IMPACT

7.1. There are no current community implications associated with this paper.

8. EQUALITIES IMPLICATIONS

8.1. There are no current equality implications associated with this paper.

9. ENVIRONMENT IMPLICATIONS

9.1. There are no environmental implications associated with this paper.

RECOMMENDATIONS

Members are requested to:

- Approve or otherwise the Digital Forensic Working Group Terms of Reference
- Note the reporting timeframes as set out.

**DIGITAL FORENSICS WORKING GROUP
TERMS OF REFERENCE
(Version 1.0)**

TYPE: Short Term Working Group

CHAIR: Robert Hayes

PURPOSE: The Group is required to review the delivery, accreditation, oversight and governance of digital forensics in Scotland.

The Group will have cognisance of: -

- The established 'sterile corridor' principle, and its applicability in digital forensics
- Legal, ethical, and human rights factors
- Current and projected future demand
- Required standards of service provision for the effective operation of the criminal justice system and public safety
- Reviewing existing approaches, identifying alternative approaches to ensure best practice
- The views of key partners and stakeholders
- The relevant commitments in Policing 2026

The Group will deliver: -

- An options appraisal, and recommended option for the potential future delivery, accreditation, oversight, and governance of digital forensics in Scotland
- An assessment of the investment (fiscal, human, training & skills) required
- An assessment of further work needed to implement the recommended option

An interim report will be delivered to the Forensic Services Committee by the 31st October 2019.

A final report will be delivered to the Forensic Services Committee by the 31st March 2020.

RESOURCING: A dedicated project resource and secretariat will be required for the project to achieve deliverables & timescales.

AUTHORITY: Authority to make recommendations for consideration and agreement by FS and to Board for approval.

MEMBERS: Robert Hayes and Jane Ryder

QUORATE: Chair of working group plus one member of the Forensic Services Committee should be present for the duration of the meeting. The Chair of the FS Committee may attend at their discretion.

OTHER ATTENDEES: Other attendees as deemed appropriate. Shall include representatives of SPA Executive, PS, COPFS, HMICS and FS

MEETING ARRANGEMENTS: The Group will meet as determined by the Chair.

- The Group Chair will be responsible for feeding back to the Forensic Services Committee on progress at each meeting of the FS Committee.
- Meeting action log will be maintained, issued seven days after meeting by the secretariat.
- The agenda will be provided seven days prior to the Group by the secretariat.

Papers are required three days prior to meetings and should be provided to the secretariat.

REPORTING: Interim Report by December 2019
Final Report by 31st of March 2020

DELIVERABLES: Report on the delivery, accreditation, oversight and governance of digital forensics in Scotland.

TERMS OF REFERENCE REVIEW: N/A

STANDING AGENDA:

- Introduction from Chair/Opening Remarks
- Apologies
- Action Log
- TBC
- TBC
- TBC
- AOCB
- Date of next meeting