

**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

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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.

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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.