



Forensic Services Committee

8 May 2025

Minutes of the Forensic Services Committee held on 3 February 2025 via Webex.

Board Members present:	Paul Edie (Committee Chair) Caroline Stuart (Committee Member) Angela Leitch (Committee Member) Christopher Creegan (Committee Member) Katharina Kasper (Committee Member) Mary Pitcaithly (Committee Member)
Board Member apologies:	
In attendance:	<p><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 Sam Curran, Head of Function Helen Haworth, Head of Function Paul Stewart, Head of Function Kevin O'Hare, Communications and Engagement Specialist Craig Donnachie, Head of Quality and Assurance Susan Ure, Operations Crime Manager</p> <p><u>Crown Office</u> Ruth McQuaid, Procurator Fiscal High Court</p> <p><u>Police Scotland</u> Hilary Sloan, Chief Superintendent</p>

	<p>Gordon McCreadie, Detective Chief Superintendent Conrad Trickett, Chief Superintendent</p> <p><u>HMICS</u> Craig Naylor, Chief Inspector of Constabulary in Scotland</p> <p><u>SPA</u> Barry Sillers, Deputy Chief Executive Lesley Carnegie, Performance and Impact Lead Graham Stickle, Audit and Risk Lead Jackie Kydd, Workforce Governance Lead Colette Craig, Governance Support Officer</p>
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1. Introductions and Welcome:

1.1 Chair's Opening Remarks

The Chair welcomed attendees to the meeting and noted this as being Caroline Stuarts last meeting with the committee due to leaving the SPA Board in March 2025. The Chair thanked Caroline for her contribution and wished her luck for the future.

1.2 Apologies

None.

1.3 Declarations of Interest and Connections

There were no declarations of interest or connections.

1.4 Decision on taking business in private (Item 9 - 12)

Members **AGREED** to take items 9 - 12 in private.

2 Minute and Actions from previous meeting:

1.5 Minute from meeting held on 28 October 2024 for approval

Members **AGREED** the Minute from the Forensic Services Committee on 28th October 2024.

1.6 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.

2. Performance

2.1 Forensic Services Director's Report

Fiona Douglas (FDouglas) provided an update on the recent key activities across Forensic Services. FDouglas paid particular attention to the increase on drug driving toxicology analysis. During discussions the following matters were raised;

- FDouglas noted her significant concerns around the increase on drug driving toxicology analysis, with an approximate with an approximate 20% increase in each of the 3 months in quarter 3. It is not possible to understand if this level of demand is expected to increase or reduce to the levels agreed within the Memorandum of Understanding (MoU), however, it is currently being managed via outsourcing, which is placing pressures on the revenue budget as this was not forecasted for this financial year. If this pressure continues into next year the pressure on FS for unplanned and unfunded outsourcing is likely to be between £200,000 and £1million, depending on demand. Using outsourcing minimises the risk of cases not progressing to prosecution due to laboratory delays. At this time there is no risk of cases not being able to proceed to prosecution, however, if demand continues at the same rate, it is anticipated that there will not be sufficient capacity in the UK to support the analysis of samples.
- FDouglas noted that the Long-Term Sustainable Model (LTSM) initial business case was presented and approved, subject to funding being provided, at the Resources Committee in December 2024, this model will allow and enable Police Scotland to roll out road side testing for drugs to all local policing officers, supporting a zero tolerance approach to drug driving on the roads of Scotland, with a six month roadside drug testing pilot currently being taken in Shetland.
- Members welcomed positive feedback from Chief Superintendent Hilary Sloan (CSHSloan) on the progress of the pilot since being launched in Shetland on the 2nd December 2024, which will be fed into the full business case going forward.

- The Chair noted concerns around the MoU and the potential need to outstrip supply going forward. The Chair added that this reinforces the need for a LTSM to be approved and asked for a timeline for this. FDouglas advised that there would be at least 12 months of activity required to move towards a full business case due to work required with procurement, estates and digital. Beyond that and agreeing investment, there would be a 2-year implementation period, therefore a 3-year process.
- The Chair noted that the Forensic Services Parliamentary reception was a great opportunity to showcase the work of forensic to key decision makers.
- Members paid tribute to Forensic Services on maintaining the UKAS accreditation for the 26th consecutive year and for positive feedback from the Scottish Biometrics Commissioner that forensic services are using biometric data in a lawful, effective, and ethical manner.

Members **NOTED** the report.

3.2 Forensic Services Performance Report – Quarter 3 2024/25

Vicki Morton (VMorton) provided Forensic Services Performance Report, Q3 2024/25 for Committee consideration. During discussions the following matters were raised;

- The Chair referred to Laboratory delivery and the slight increase noted within the report and sought assurance that there would be no risk of cases time barring. VMorton assured members there were no issues with potential time barring, and that this area is looked at regularly via internal performance management.
- VMorton provided an overview of the performance framework for the newer members on the committee to understand how it feeds into the strategy.
- Members were provided with a high-level overview on partnership working and the Joint Biometrics Strategy and were assured around the rationale for timelines resulting in ambers on this area as noted within the report.
- The Chair requested that within future reports showing balance scorecards with amber, that there is more narrative included to advise on rationales, remedial actions and revised timescales.
- The Chair paid tribute to the performance over quarter 3.

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

20250302-FSC – 001: Vicki Morton to ensure future reports showing balance scorecards with amber provide more narrative on rationales, remedial actions and revised timescales.

3.3 Performance Framework Refresh

Members were asked to discuss and approve the Forensic Services Performance Framework. VMorton provided an overview of the report and during discussions the following matters were raised;

- Members noted the importance of joint equality outcomes being fully addressed in the final version of the framework.
- Members sought clarity on what steps were taken to cultivate a high standard of performance from staff and reassuring staff on career development. VMorton advised that this is work in progress to have performance at the key to everything that is done within forensic services. Staff have a real passion for the public sector and delivering the best forensic science for partners and communities in Scotland. There is a strong look at performance internally, and although a work in progress they are moving in a positive direction as noted within the performance report. FDouglas linked into the staff survey results in relation to culture and advised that those results will help shape and prioritise further activity in culture development. It is hoped that a group of staff, with lived experience, can work with management to give constructive and critical feedback to change the culture of the organisation.

Members **APPROVED** the Forensic Services Performance Framework.

3.4 Drug Driving Update

PStewart provided members with an update on progress on the Criminal Toxicology, Drug Driving. During discussions the following matters were raised;

- CSHSloan advised that the governance structures in place allow for early conversations to be had around areas of concern which will form the basis of management of drug driving cases for 2025.
- CSHSloan advised that some of the increase for analysis will be as a result of the festive campaign, however, drug misuse is a societal issue that is not going away, and Police Scotland have a responsibility to deal with individuals who take drugs and drive. CSHSloan noted work that was being done in terms of education and prevention in this area with transport Scotland colleagues to highlight the dangers.
- Ruth McQuaid (RMcQuaid) noted that it is the position of COPFS to respond to cases that reach them, however, they will continue to work with partners in relation to managing the issue.

- Members agreed that this is a societal issue, however, there is a budget issue here and asked if there had been any thinking between partners on funding in the absence of a LTSM. FDouglas advised that via MoU there have been discussions in relation to budget setting. There has been a maturity of discussion on a number of forums around how they expect demand to continue. It is hoped that by next quarter they will have an idea of how this will be managed for the next financial year. FDouglas advised that the size and scale of the LTSM is something that needs pushed with Scottish Government colleagues.
- Members noted that there were 7 cases out with a six-month timeline and sought assurance that this number would not increase. PStewart assured members that those 7 cases were not at risk of being time barred due to all being under the 12-month statutory timeline. Going forward, in terms of the 6-month statutory, if demand continues, there will be a risk of time barring of cases. Members were assured that there is a new performance criteria for the submission of cases and how they are managed and reported to COPFS, which has reduced the need for dialogue with Police Scotland on the submission of samples.
- Members asked what steps could be taken to reduce the timeline in achieving the LTSM. Members also asked when a reasonable assessment can be made around demand forecasting. Sam Curran (SCurran) explained the work that needs to be progressed before the LTSM could be implemented. Although there may be opportunities to reduce the timescale, the project is huge in terms of recruitment, estate, instrumentation and process accreditation. FDouglas added that Police Scotland have produced a robust piece for demand forecasting to be part of the LTSM. The current challenges around Q3 demand is different and there is a need to understand if that will sustain, making this a separate piece of work.
- Members noted the need to build in an end-to-end process and ensuring the appropriate stakeholders are involved in that process. FDouglas advised that work has been done to understand the end-to-end process and there is good visibility on this, which will be a good baseline to assess improvements within the LTSM.
- Members asked to what extent late submission of samples was a problem and impacting on performance. CSHSloan advised that the use on a new Power B I Dashboard which has helped understand every case and submission and how they are being managed. This allows Police Scotland to quickly look at whether there are issues and liaise directly with officers and line managers. In addition, there has been a memo been issued from ACC Johnston around the urgency on submissions following the change on the statutory change limit.

- The Chair advised that his concerns lie within demand and outsourcing, noting the need for the LTSM to be progressed as soon as possible with Scottish Government.
- FDouglas advised that currently, forensic services have no assurance around investment in the LTSM and there is a need to continue to make the case along with the accountable officer around the investment that will be required. The Chair agreed and noted that there is a strong case for investment to be made in this area.

Members **NOTED** the report.

3.5 Forensic Services Financial Monitoring Report Q3

FDouglas Members were provided with a report detailing the financial position of Forensic Services for Quarter three (nine months ending 31 December 2024) of the financial year 2024/25, as well as forecasting the full outturn to the year end. During discussions the following matters were raised;

- The Chair sought clarity on what impact a delay in expenditure would have. FDouglas advised that there is a risk some costs from this financial year will be moved to next financial year and this is being considered alongside the capital investment plans for next year.

Members **NOTED** the report.

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

PStewart provided an update to members on progress on the HMICS Assurance Review of Forensic Toxicology provision and timeline for delivery. During discussions the following matters were raised;

- Craig Naylor (CNaylor) advised that HMICS are content with the progress being made and that PStewart and team have a real grip on this area.
- Members sought clarity on what the outcome was for items 2 and 6 which had now been closed. CNaylor advised that for item 2 there is now a mechanism in place where consideration is given to all new legislation coming into play, looked at by both SPA and PS. CNaylor advised that for item 6 and following discussions with the SPA Accountable Officer, it was agreed if finance was provided, COPFS would still be unable to bring in the capability, therefore it was a proportionate response and agreement was reached to close this item.

- The Chair sought clarity in relation to reforecast dates. PStewart advised that following a recent meeting, it has been agreed that the plan will be fully reviewed and new dates will be placed with justification and commentary.

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 welcomed the progress made with the benefits piece, however, noted the need to be more granular about benefits and how that was being reinvested into the organisation. JTierney advised that this would be looked at in phase 4. FDouglas advised that the benefits realisation piece needs to be extended at a higher level which will then lead them into where they are going with the model.

Members **NOTED** the report.

5 Digital Forensics - Next Steps and timeline for progression

Chief Superintendent Conrad Trickett provided members with a verbal update and noted the following;

- There has been good engagement with the now appointed UKAS liaison officer and PS are learning from their experiences in carrying out accreditation with similar labs in England in Wales. Members were advised that the revised timeline remains on track.
- There was an acknowledgment that the team needed to grow in terms of technical quality assurance officers, and permission has been given to create those posts with funding for those posts being an ongoing piece of work.
- PS continue to run with one vacant post within the existing quality assurance team, and PS hope to have filled in coming months due to the last recruitment process being unsuccessful due to vetting issues. These resourcing challenges have impacted on some areas of work.
- Aberdeen and Inverness labs continue to run at a steady state since the last report to the committee in August 2024. Glasgow and Edinburgh labs hope to reach steady state by the summer, followed

by Dundee at the end of 2025 and Aberdeen starting its accreditation journey at the start of 2026.

Members **NOTED** the verbal update.

7 Committee Effectiveness

Vanessa Ewing-Blair (VEwing-Blair) provided a report of findings of a recent survey conducted with Committee Members and stakeholders, seeking their feedback on the overall effectiveness of the Forensic Services Committee. Members were asked to consider the report which informs the overall evaluation of the committee's effectiveness during 2024/25, and subsequent assurance report to the Audit Risk and Assurance Committee in May 2025. During discussions the following matters were raised;

- The Chair sought clarity on whether the committee should be doing more within the area of greater focus on equality, human rights and/or community impacts. VEwing-Blair advised that there a number of things in train to try and address this area, with the most tactical level asking authors to be more explicit by providing prompts and guidance to encourage them to include within their reports what impact assessments had taken place.

The Chair asked members to agree he signs the Committee Assurance Certificate, confirming that the committee have fulfilled its obligations against the committee Terms of Reference.

Members **NOTED** the report and **AGREED** to the committee Chair signing the Committee Assurance Certificate, confirming the committee have fulfilled its obligations against the committee Terms of Reference.

8 Committee Workplan

Members **NOTED** the report.