

<b>Meeting</b>	<b>Forensic Services Committee</b>
<b>Date</b>	<b>24 October 2022</b>
<b>Location</b>	<b>MS Teams</b>
<b>Title of Paper</b>	<b>Forensic Toxicology Oversight Group – Update from Meeting Held 4<sup>th</sup> August and 6<sup>th</sup> October 2022</b>
<b>Presented By</b>	<b>Paul Edie</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

To provide the Committee with an update on discussions at the first meeting of the Forensic Toxicology Oversight Group 7 September 2022 and 6 October 2022.

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## Summary report from Forensic Services Toxicology Oversight Group

07 September 2022

Paul Edie, Committee Chair

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### **Main items of business**

- Update on Toxicology Matters
- Risk Management
- Spiking
- Project Weaver, Progress on Implementation
- HMICS Assurance Review

### **Key issues raised**

**Update on Toxicology Matters** – Members were provided with an overview report which covered performance, outsourcing, long term sustainability and accreditation as well as an update on the number of cases that had been unable to progress to prosecution and the improvement activity underway to reduce the backlog and average age of the caseload. Since the last report to the Authority in August of 11 cases unable to proceed for the month of July, a further 4 cases were unable to proceed to prosecution in the month of August.

- Performance – Members were provided assurance around the improving performance of this function, with a reducing average caseload age by month along with a reducing backlog. It was confirmed that the focus remains on reducing the time for analysis of drug driving cases to around 3 months, with an aim to achieve this by the end of 2022.
- Outsourcing – Members had a detailed discussion around the additional financial investment required to continue with outsourcing of cases, which is essential in the immediate term to support the reduction in backlog cases. Current additional interventions and activity will be reflected in future reports, including projections and graphs which fully articulate the current and forecast position.
- Long-term Sustainable Model - there was a detailed discussion on options, including future Scottish Government financial support, to deliver a Long-Term Sustainable Model. Scottish Government confirmed that they will not have a final position on this until the completion of the HMICS Review, as this will ultimately suggest and

recommend changes which will have an impact on what the Long-Term Sustainable Model will look like.

- Accreditation – Members were updated on a follow-up visit to Toxicology on 11<sup>th</sup> August by UKAS, which covered the current backlog of drug driving cases (and underlying trend), the number (and profile) of cases which could not be progressed to prosecution, plans for outsourcing, extension of the validation of stability studies given the age of the samples being analysed and progress regarding the inclusion of caveats in reports (which is a wider forensic community issue). Members sought clarity on the impact of accreditation being withdrawn and were assured that work is underway to understand and manage risk around this.

**Risk Management** – Members took assurance from ACC Smith on the more collaborative approach to identification and movement of risk and improved governance in this area.

**Spiking** – The Group were provided with a detailed overview of current management of drug spiking cases including the current mix of in-house or outsourced analysis.

**Project Weaver, Progress on Implementation** – Members were provided with a detailed update in relation to the project and were assured that although this area of work was busy, substantial progress had been made and it is not thought there will be any obstacles to going live on 1<sup>st</sup> December 2022 and confirmation that no backlog will transfer at that point. Members have sought more information in relation to the finance aspect of this work which will be reported back to the group in due course following discussions with COPFS.

**HMICS Assurance Review** - The meeting was also attended by HMICS who were able to confirm that document reading was now underway, with further field work and interviews planned for October 2022.

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## Summary report from Forensic Services Toxicology Oversight Group

06 October 2022

Paul Edie, Committee Chair

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### **Main items of business**

- Update on Toxicology Matters
- Risk Management
- Project Weaver, Progress on Implementation

### **Key issues raised**

**Update on Toxicology Matters** – Members were provided with an overview report which covered performance, outsourcing, long term sustainability and accreditation.

- Performance – Members were advised that Forensic Toxicology analysis of section 5A and section 4 drugs driving cases remains under pressure although it is an improving picture. Members were advised that there are 34 cases in progress within the 10 weeks of time bar for September 2022. Members were assured that there are exceptional measures in place with ongoing engagement with both Police Scotland and COPFS to ensure, as far as possible, that those cases are not time barred.
- Outsourcing – Members were advised that whilst the existing contract continues, the new contract is in place with the ambition to forward load that by outsourcing new cases as they come in.
- Long-term Sustainable Model – The group had a detailed discussion on the Long-term Sustainable Model and the Business Case that was submitted to Scottish Government in April 2022. It was acknowledged that this area of business had progressed over the past 6-7 months therefore there was a requirement to refresh the detail and provide an updated position to Scottish Government.
- Accreditation – Members sought clarity around what additional evidence was required by UKAS by 12<sup>th</sup> October 2022 and were advised on discussions with COPFS regarding the specific action on caveats in reports.

**Risk Management** – Members were provided with an overview of the review of Operational Risks and have asked that future reports detail a

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wider assessment of risk implications, details on any risks out with appetite and what action is being taken to progress each of those risks.

**Project Weaver, Progress on Implementation** – Members were provided with an update around the ongoing progress in relation to the transition of Post Mortem Toxicology services from Glasgow University to SPA Forensic Services (Project Weaver). The updated provided assurance around the go live date of 1<sup>st</sup> December 2022.