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Author:	Carol Gamwell	Force/Organisation:	Lincolnshire
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**ASSOCIATION OF CHIEF POLICE OFFICERS
OF ENGLAND, WALES AND NORTHERN IRELAND**

NATIONAL DNA DATABASE STRATEGY BOARD

OPEN MINUTES

DATE:	5 September 2006
LOCATION:	Lincolnshire Police Headquarters
CHAIRMAN:	Mr Tony Lake, Chief Constable, Lincolnshire

1. **ATTENDANCE**

CC T LAKE (CHAIR)	Lincolnshire Police, ACPO
Mr D MONEY	Association of Police Authorities
DCC W BALD	ACPOS
Dr D PEARSTON	ACPOS
Mrs L FEREDAY	HO Forensic Science and Pathology Unit
Ms P AZAREDO	HO Forensic Science and Pathology Unit
D/Supt D FORREST	Representing DNA Operations Group
Dr M PRIOR	HO NDNAD Delivery Unit/Custodian
Ms J GUINNESS	HO NDNAD Quality Adviser
Prof S BAIN	Human Genetics Commission
Prof S CUNNINGHAM-BURLEY	Human Genetics Commission
Ms M WOOLSTENHOLMES	Home Office
Insp K MORTON	Lincolnshire Police
D/Inspector P GIBSON	Lincolnshire Police

1.1 **APOLOGIES**

ACC Stuart HYDE	DNA Operations Group
Mr K MANNING	Association of Police Authorities

1.1.2 Tony Lake welcomed DCC Willie Bald, Pamela Azaredo, Maria Woolstenholmes and Professor Sarah Cunningham-Burley to the meeting. He also welcomed and introduced D/Superintendent Derek Forrest and thanked him for his outstanding work following the Tsunami.

1.1.3 Tony Lake also introduced Detective Inspector Paul Gibson who would shortly be replacing Inspector Katrina Morton as his Forensics Staff Officer. He took the opportunity of thanking Katrina Morton on behalf of himself and ACPO for all her hard work and wished her well in the future.

1.1.4 Tony Lake confirmed that the Open Minutes of this and future NDNAD Strategy Board Meetings would be made available on the internet, initially

on a Home Office owned website.

2. **FUTURE ISSUES CONCERNING DEVELOPMENT OF THE USE OF DNA**

2.1 Tony Lake explained that as Chairman of the Forensic Science Committee he felt it was important to look at review the ACPO Strategy in relation to forensics and where the role of Forensic Science in law enforcement and the criminal justice process was being taken over the next 3 years. He said the Forensic Integration Strategy, published by the Home Office, reflected about 10 different work streams covering the majority of the work encapsulated within the Forensic Science subject and that he had brought this issue to the attention of the Group in order to share his concerns that not enough areas of activity were being prioritised.

2.1.2 Following consultation and workshops, a proposed strategy framework had been developed for forensic science in the future. In addition to all the daily operations of Forensic Science a further 6/7 work streams were identified and at a presentation to the Police Science and Technology Group, chaired by Peter Neyroud (Chief Executive Designate of the NPIA), the strategic framework was accepted as being absolutely fundamental to their work in the future.

2.1.3 The advantages and opportunities the NPIA presented to the police service were identified as to promote, develop and invest in Forensic Science. Money would be invested by the NPIA to ensure project work for the future was adequately and properly funded and the projects were properly staffed and run.

2.1.4 7 items of work were selected to look at ways of maximising forensic potential, including DNA. This work complements the work being done on the procurement side, which David Coleman, David Money and Keith Mannings were involved in.

2.1.5 Tony Lake explained the agreement with NPIA and said that he would be seeking additional help from members of this Board when he met with representatives of NPIA later in the year.

2.1.6 David Money raised concerns about independence and accountability and a discussion on this then took place.

2.1.7 Tony Lake said that the Ethics Group had still not been established but that he would also raise the issue of independence when he met with the Home Office Minister.

3. **MINUTES OF THE LAST MEETING (16/05/2006)**

3.1 **Open Minutes**

3.1.1 The Open Minutes of the previous meeting were agreed.

4. **MATTERS ARISING**

1.2 Tony Lake wrote a letter of thanks to Kerry Curtis.

2.19 **Release of specified data**

Mike Prior and June Guinness had met with PSU and RDS. A written update of that meeting had been circulated and the key action was

to prepare the data and agree the format and uses of the data which would be central to the project to be led by June Guinness. The way the data has been prepared was been in line with what was required and how the data would be handled and stored. Liaison was also taking place with IT colleagues and data would be available within 2/3 weeks. Mike Prior would provide further updates for the board meetings.

2.20 Written update provided to the Board

6.1 **Data Retention**

6.1.4 Lyn Fereday reported that Gary Linton's team had designated a person to take the 'Exceptional case procedure' work forward and to date 108 requests for removals had been referred by Chief Officers.

6.2 **Ethics**

6.2.4 A small group was convened and governance arrangements outlined. It was anticipated that a Chair of the Ethics Group would be appointed shortly.

Race and Diversity Impact Assessment of the DNA Good Practice Guide

7.1.4 Lyn Fereday said that Trevor Phillips, Commissioner for Racial Equality had been informed about this work (a copy of the letter had been sent to the secretary). His representative Nick Johnson has replied to the letter.

9 **Custodian Issues**

9.1.2 Written update provided, additionally Mike Prior said that the quality assurance process would improve when more resource support was available.

9.2.2 Mike Prior said he was waiting for hardware for IT improvements and as soon as that was available the detail of the proposal would be finalised. He explained that at the end of 3 years the FSS should have achieved the standard, which is compliant with ISO7799. The contract did not state they must have achieved accreditation.

Action: Mike Prior to give presentation at next Board meeting about the lead into the next contract.

9.2.3 Dealt with by 9.2.2 above.

9.7.2 Mike Prior had met with David Werrett of the FSS on two occasions and been assured that FSS would deal with the issues raised by him. Two SLA meetings had taken place with FSS and a number of actions had already been taken together with various issues being resolved. A further meeting had been arranged with FSS to review further progress.

David Money asked whether this would be recorded to provide an audit trail of the meetings and Mike Prior advised that there would be an audit trail of these meetings.

Tony Lake said, although not yet appointed, accreditation and the DNA database would be part of the role of the Regulator.

9.7.5 Under item 5.1 on the Agenda

10.2 Under item 6.3 on the Agenda

5. **Custodian Issues**

5.1 **Exception Report**

5.1.1 June Guinness said that under match verification the custodian standard should read 14 days and not 2 days. June explained what match verification entailed for the benefit of Board members.

5.1.2 A discussion took place around suppliers working to an acceptable performance level with appropriate turn around times which put pressure on the suppliers.

5.1.3 David Money said he would have thought that there would have been something contractually which could be done regarding turn around times.

Action: Tony Lake and Mike Prior to arrange to meet and report back to the Board on monitoring supplier performance and other issues raised

5.1.4 **2 Series Duplication**

June Guinness explained 2 Series Duplication to the meeting.

5.1.5 **Unexpected Results**

June Guinness gave examples of unexpected results, for example, loading the wrong profile, wrong demographic information such as crime type, etc.

5.1.6 Tony Lake asked whether the level of unexpected results to progress was a cause for concern. June said that there was a resource problem but there had not been a huge increase in unexpected results and that there were other reasons why some appeared unresolved for lengthy periods of time.

5.1.7 Lyn Fereday suggested it would be helpful to have this information as a summary in future.

5.1.8 Tony Lake said the Strategic Board was entitled to ask questions about whether the systems and processes the Board was overseeing were actually working. However, due to the time constraints within meetings, he suggested that the way the information was presented to the Board should be reviewed.

5.1.9 **NMR**

June Guinness explained Near Miss Reports to the Group.

5.1.10 **Undeclared Proficiency Test Programme**

June Guinness went through the Undeclared Proficiency Test Programme where each Unit had two mock cases submitted each year.

5.1.11 **Declared P.T. Programme**

Tony Lake asked whether performance had improved over a period of time. June Guinness said quality was good but the turn around time was an issue.

5.1.12 **Error Rate**

Error rate was calculated based on samples that were duplicated.

5.1.13 **Duplication of Load Failures**

Duplication of load failures was being monitored through duplication rate.

5.1.14 **Load Failures**

June Guinness went through the circulated Review of April Load Failures. She said that the Data Quality Integrity Team had identified that over 25% of the samples identified had not been loaded.

5.1.15 Mike Prior said suppliers chased their force customers with different degrees of vigour and that the Board should ask for an update on the responses they had from their force customers, highlighting those forces who are not engaging with this work.

Action: It was agreed that Mike Prior and June Guinness would ask the suppliers what responses they had from their force customers and report back before the next meeting in December.

5.1.16 Willie Bald said that some of the tests or standards had been completely missed.

5.1.17 Derek Forest suggested that the DNA Operations Group could monitor performance and Tony Lake agreed and asked that performance levels were challenged when appropriate.

5.1.18 Lyn Fereday said the turn around time should also be reflected in routine work.

5.1.19 Lyn Fereday advised that the other organisations knew what happened at this Board but that they also had responsibility as accredited suppliers.

5.1.20 Mike Prior added that this was only a small proportion of the work done. He said FSS featured very strongly in this and their concerns were the same. There was a connection with the new forensic procurement process. He added that Kent would like to gain a better understanding of the Board's key performance measures.

Action: June Guinness to provide a glossary of terms used in the exception report for the next meeting

5.2 **NDNAD IT Development**

Mike Prior referred to the NDNAD IT Development Programme update. There were no major concerns with the two projects labelled "amber". Project Number 1.7 related to close collaboration with PITO and should be

categorised as "green". Project Number 2.2a was as a result of the issues of connectivity and wiring.

5.2.1 Tony Lake said the information was now presented in a much better way.

5.2.2 It was agreed that Mike Prior would present a similar paper at the next board meeting.

Action: Mike Prior to present similar paper to next meeting

5.2.3 Tony Lake he was delighted to see the projects which had been discharged and thanked him for his work.

5.3 **NDNAD Trend Report**

The number of profiles of individuals on the database had now risen above 3.5 million.

5.3.1 Mike Prior said this was to highlight any issues for the attention of the board. The number of volunteer profiles continued to be high and the duplication rate was running at 15.5%. Two forces were taking the opportunity to re-sample suspects.

Action: A copy of the Trend Report to be circulated

6. **Policy Issues**

6.1 **Future NDNAD Programme Management**

Mike Prior referred to a paper prepared by Keith Mannings which proposed the key items delivered be moved to a more structured programme such as Prince 2.

6.1.2 Tony Lake said there was a question about who was setting the agenda. There would be a Forensic Board within NPIA which reflected the ACPO partnership. However the NPIA was charged with the responsibility of driving up performance and looking at performance issues and may want to concentrate on quality of performance issues.

6.1.3 Tony Lake to seek clarity between Peter Neyroud and this Board.

Action: It was agreed to accept the proposal to run with Prince 2 but with some flexibility.

6.2 **Business Case to Establish Centralised DNA Sample Storage (CLOSED SESSION)**

6.3 **Database Management – CLOSED SESSION**

7 **Governance Arrangements**

7.1 Lyn Fereday said that the Tripartite governance arrangements were now in operations.

7.1.1 The 'Quality in Forensic Science Regulator' consultation document could be found at <http://www.homeoffice.gov.uk/documents/cons-2006-forensic-regulator/>

- 7.1.2 It had been published in hard copy to 80+ key stakeholders and an electronic copy had been provided to the wider community. Responses to the consultation document had been requested by 24 November 2006

7.2 **Ethics**

Lyn Fereday reported that the Bar Council had been be consulted regarding identifying a chairperson and this group should be established by December.

8. **DNA Operation Group**

Derek Forrest briefed the Board on the key points from the last Operations Board meeting on 19 July 2006.

- 8.1 Discussions were taking place on options for taking DNA samples outside the custody suite environment and Lancashire were leading on this.

- 8.1.2 There had been a discussion regarding the storage of second samples and original DNA cards as there were millions of these samples currently in storage.

- 8.1.3 A full survey was being prepared on National DNA Database services. The outcome would be given to the Board in due course.

- 8.1.4 There had been discussion on the PED, which had been referred back to Strategic Board for a decision and guidance. Tony Lake said he had spoken to the ACPO portfolio holder and agreement had been sought with the Police Federation regarding the taking of DNA from recruits. That particular group were taking the issue forward on his behalf.

- 8.1.5 The DNA Ops Group was keen for DNA Liaison Panel meetings to continue but the question of how meetings would be funded and the issue of cascading bulletins across Forces had been discussed.

- 8.1.6 The next meeting of the DNA Ops Group was 17 October 2006.

9 **ACPOS**

Willie Bald said that Scotland would, to some extent, be aligned with England and Wales with regard to retention of DNA from 1st January 2007. At this time, DNA profiles could be retained for three years even when there was no conviction. A warrant for the extension of this retention could then be requested, enabling storage for a further two years.

- 9.1 The ownership of Forensic Science in Scotland would move to the Scottish Police Service Authority.

- 9.1.2 Willie Bald requested that an invitation to attend the Board as an observer be extended to the Scottish Police Service Authority.

Action: Willie Bald to provide contact details to Tony Lake

10. **Any Other Business**

- 10.1 **National DNA Database Annual Report**

Katrina Morton agreed to forward the draft report electronically to Board members for comment or observations.

Action: Katrina Morton to e-mail draft Annual Report

10.2

Information Gathering Public Citizen Jury

Steve Bain said that despite Lord Sainsbury giving £50,000, the Home Office had declined to give additional funding, leaving a £25,000 shortfall in funding. Therefore, for the moment, this project had been put on hold. Tony Lake suggested that Steve Bain write to him about this issue.

Action: Steve Bain to write to Tony Lake in support

11.

DATE AND TIME OF NEXT MEETING

11.1

The next meeting of the NDNAD Strategy Board was to take place on 6 December 2006 at 10.30 am, Lincolnshire Police Headquarters.