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**ASSOCIATION OF CHIEF POLICE OFFICERS
OF ENGLAND, WALES AND NORTHERN IRELAND**

NATIONAL DNA DATABASE STRATEGY BOARD

REDACTED MINUTES

DATE:	27 MARCH 2008
LOCATION:	Lawress Hall, Lincolnshire
CHAIRMAN:	Mr Tony Lake QPM, Chief Constable, Lincolnshire Police

1. **ATTENDANCE:**

CC T LAKE (Outgoing Chair)	Lincolnshire Police, ACPO
Mr G PUGH (Incoming Chair)	Director of Forensic Services, MPS
Mr E DOWNHAM	For the Office of the Forensic Science Regulator
Dr M PRIOR	NPIA NDNAD Delivery Unit/Custodian
Ms J GUINNESS	NPIA NDNAD Quality Adviser
Mr S BRAMBLE	Head of Police Science and Forensics, NPIA
Mr D MONEY	Association of Police Authorities
Prof S CUNNINGHAM BURLEY	Human Genetics Commission
D/Supt D FOREST	For DNA Ops Group
DI P GIBSON	ACPO Forensic Staff Officer
Dr D PEARSTON	Scottish DNA Database Manager
Mr K MURRAY	NPIA NDNAD Transition Manager

(Item 2.1)

Mr M LITHGOW	Gartners
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APOLOGIES:

Mr A RENNISON	Forensic Science Regulator
ACC D SHAW	DNA Ops Group
CC C McKERRACHER	ACPOS
Mr K MANNINGS	Association of Police Authorities
Prof S BAIN	Human Genetics Commission
Prof P HUTTON	Ethics Group

2. **PRESENTATIONS**

2.1 *Section redacted due to operational and commercial sensitivity.*

2.2 *Section redacted due to operational reasons.*

3. **MINUTES OF THE PREVIOUS MEETING HELD ON 8 NOVEMBER 2007**

3.1 The minutes of the meeting held on the 8 November 2007 were agreed as a correct record of the meeting.

3.2 The redacted minutes of the meeting held on 8 November 2007 were agreed as correct.

4. **MATTERS ARISING**

4.1 All the matters arising from the minutes were to be raised discussed during the course of meeting as part of the agenda.

5. **RISK REGISTER**

5.1 Paul GIBSON said that the Risk Register had been updated since the previous meeting. The Chair said that many of the items highlighted in the Register had been raised during the meeting already – ie the future resilience of the Database. He asked the Board if the Register met the Board's requirements. Simon BRAMBLE said that at an executive level, it was important to make sure that the risks were managed, rather than trying to manage individual risks. Gary PUGH agreed and said that it was important to have visibility of risks and evidence that they were being managed.

6. **RESEARCH PROPOSALS**

6.1 **Status Summary and Process for Future Applications**

6.1.1 Mike PRIOR had provided the Board with a list of ongoing research proposals. Simon BRAMBLE said that the public perception in relation to research around the NDNAD was quite high and that the Board needed to be clear about what proposals had been agreed and why etc. He added that the Ethics Group were looking at the process for research proposals and he was keen to endorse that work. Sarah CUNNINGHAM-BURLEY said that the procedure for the consideration of a research proposal should be transparent, but that the detail of the proposal would be 'commercial in confidence'. The Board agreed that they were happy with the report, which had been shared with Professor Hutton.

6.1.2 A discussion took place on the process for research proposals. The process was that the Board would receive a research proposal, which would be set out following a proforma, which was currently being put together. Once the Board has received the proposal and considered it, they would forward it to the Ethics Group for their consideration. Research would not be commissioned without being referred to the Ethics Group. This was agreed, and the Chair said that the process would need to evolve in the same way as the Risk Register and Gary PUGH said that he would speak with Professor HUTTON in order to be clear about the process.

6.1.3 Mike advised that a proposal had been sent to the Ethics Group on Mini STR Kits, and their advice was awaited. Eric DOWNHAM agreed to speak to Professor

HUTTON in relation to this and ask them to advise on timescales for the delivery of the outcome of deliberations.

Action: Eric DOWNHAM to speak with Professor HUTTON in relation to timescales for deliberation of research proposals.

6.2 *Section redacted due to operational reasons.*

7. **CUSTODIAN ISSUES**

7.1 **Exception Report**

7.1.1 **Custodian Report**

7.1.1.1 *Section redacted due to operational reasons.*

7.1.1.2 Mike advised that a number of Parliamentary Questions (PQs) related to the number of individuals with profiles held on the NDNAD that had not been convicted of the offence for which their DNA had been taken. He advised that this currently relied on data from the Police National Computer (PNC) as well as the NDNAD, which has a significant requirement for resources and time. Mike said that he had had meetings to map out the new capability needed to improve the process for obtaining such information. Simon BRAMBLE said that he was working on a paper for the NPIA chief officer team, and Mike undertook to provide further updates at the next NDNADSB.

Action: Mike PRIOR to update on the PNC link to the NDNADSB.

7.1.1.3 *Paragraph redacted due to operational reasons.*

7.1.1.4 *Paragraph redacted due to commercial reasons.*

7.1.1.5 *Paragraph redacted due to operational reasons*

7.1.1.6 *Paragraph redacted due to operational reasons*

7.1.2 **NDNAD Quality and Integrity Issues**

7.1.2.1 June advised that there were no major issues in this area, and the Report was noted by the Board.

7.1.3 **Trend Report**

7.1.3.1 Mike PRIOR advised that there were no issues to draw to the Board's attention, and the Report was noted by the Board.

7.2 **NDNADSB Annual Report**

7.2.1 Mike had circulated the draft report, but the Board had not had an opportunity to read it in depth. It was therefore agreed that comments would be forwarded to Mike, via email, by 7 April 2008.

7.3 **NDNAD Security Update**

7.3.1 This update was discussed during the Custodian's Report.

7.4 **NDNAD Project Update**

7.4.1 This update was given within the Custodian's report.

7.5 **Information Commissioner**

7.5.1 Mike PRIOR explained that following a meeting the Information Commissioner had had with the Chair of the DNA Ethics Group, he had written to Mike raising some data protection issues surrounding the NDNAD. A further meeting had been arranged for the end of April, which would be chaired by Dave SHAW to discuss the issues raised. Gary PUGH said he would consider attending that meeting.

7.6 **NDNAD Development Programme**

7.6.1 *Paragraph redacted due to operational reasons.*

8. **Policy Issues**

8.1 **NDNADBSB Strategic Objectives**

8.1.1 Simon BRAMBLE said that he had reviewed the publicly declared objectives and aims of the NDNADBSB against the strategic position and was pleased to report that there had been significant progress against targets. He had put together a draft spreadsheet giving details of the objectives, and advised that in a few cases further evidence was needed to show the progress of some the objectives. Simon agreed that the strategic objectives of the Board should be revised to actively monitor the benefits met. A discussion took place on items that should be added to the strategic objectives, and various suggestions for additional strands of work were made. These included academic research around the effects of the change in legislation to take DNA samples on arrest, and educating and communicating the purpose of the Database to the public.

8.2 **DNAboost™**

Section redacted due to operational and commercial sensitivity.

8.3 **Police Elimination Database**

Section redacted due to operational reasons.

9. **GOVERNANCE ARRANGEMENTS**

9.1 **Governance**

9.1.1 There were no issues raised in relation to the governance of the NDNAD.

9.2 **Ethics**

9.2.1 The Board noted the report from the Ethics Board of their meeting held on 13 December 2008. Eric DOWNHAM advised that he was awaiting the work programme from Professor HUTTON.

10. **NATIONAL DNA OPERATIONS GROUP**

10.1 **Volunteer Work Update**

10.1.1 Derek FOREST said that the NPIA had provided some funding for a post in the ACRO office to do some work on the implementation of the recommendations from the review of volunteers.

10.2 **Operation Thread**

10.2.1 *Paragraph redacted due to operational reasons.*

11. **ISSUES RELATING TO SCOTLAND**

11.1 Doug PEARSTON said that responsibility for DNA matters in ACPO was now with ACC Jim Stephen from Grampian Police. He said that that a review commissioned by the Scottish Government on the effectiveness of the new legislation around the retention of samples was ongoing, and that would be presented to the Government in the next few months. He said that Jim Fraser of the University of Strathclyde was focussing on two areas in particular – the retention of samples and having young persons on the database.

12. **CONFIDENTIAL ISSUES**

12.1 No confidential issues were raised.

13. **ANY OTHER BUSINESS**

13.1 *Paragraph redacted due to operational reasons.*

13.2 **S and Marper Update**

13.2.1 Simon BRAMBLE said that the hearing had started and had now gone into deliberation. He said that the judgment was likely to be handed down in the summer. Eric DOWNHAM said that risk assessment work was being carried out on the various different permutations of the judgment and this was being done jointly by the NPIA and the Regulator. The Chair said that the Judgment was immensely important to the future of DNA.

13.3 **Omagh, LCN and Operation Cube**

13.3.1 The Chair said that Gary LINTON had recently given him an update on the above. Work was progressing well, and for this he gave thanks to Gary Linton, Karen Squibb-Williams, Simon BRAMBLE and Adrian CORY. He said that LCN had been withdrawn from 22 December, but the Gold Group had allowed the testing to be reintroduced with a comprehensive briefing regarding the strengths and limitations of the technique. This had attracted a minor level of interest from the media.

13.4 **HGC Citizens' Report**

13.4.1 The Chair advised that he would be travelling to Glasgow the following week to attend a HGC Citizens' Panel. He said he had concerns about the way that the work was being carried out on the basis of where they were drawing their evidence from. He said that in order to avoid them drawing the wrong conclusions through lack of information, he said he would be happy to assist them. Sarah CUNNINGHAM-BURLEY thanked the Board members who had given evidence for this Report.

13.4.2 Sarah CUNNINGHAM-BURLEY advised that the Report would be delivered to the HGC in May and a plenary would follow. She undertook to keep the Board updated in relation to this.

13.5 **Observer Article**

Gary PUGH spoke about a story that had recently been in the Observer, which was loosely based on an article that he had produced for the "Medicine, Science and the Law" journal. The Observer article had suggested that Gary wanted all primary school children to be put on the Database, which was incorrect. He said Doug had mentioned the work being done in Scotland around young persons on the database, and there was a debate to be had around the whole issue of identifying offending as early as possible in order to take positive action.

13.6 **Missing Persons**

13.6.1 *Section redacted due to operational and commercial sensitivity.*

13.7 **The Genetic Privacy, DNA Databases and Familial Search Symposium, March 2008, Washington DC**

13.7.1 The Chair advised that he had attended this Symposium on the invitation of the FBI, and had given a presentation on the UK experience of familial searching. He said that it had been very helpful to show them the ethical issues and considerations, and that the UK only went down this route for the most serious types of crime.

13.8 Finally, the Chair thanked the Board for all the help they had given him during his time as lead of the ACPO DNA portfolio and Chair of the NDNADSB. He said that the forensic world was moving at a very fast pace and it would have been impossible to help keep a balance without the help of various Board members and their contributions. He said that he was now handing the work on to Gary PUGH.

13.9 Gary PUGH gave personal thanks to Tony LAKE, which was echoed by the Board.

14. **DATE OF NEXT MEETING**

14.1 Gary PUGH advised that he would confirm the date and venue of the next meeting of the NDNADSB in due course.