Questions
1. Is forensic science contributing to the delivery of justice in the UK?
Yes, however there are currently challenges regarding consistency and quality of that contribution. This calls into question whether forensic science is contributing effectively to the delivery of justice in the UK and it is this level of effective that need to be urgently addressed.

2. What are the current strengths and weaknesses of forensic science in support of justice?
When interpreted appropriately and fairly, the evidence provided through forensic science is a powerful tool that can be used to identify potential suspects initially and to ultimately support the justice system with its duty as a decision maker.

Forensic Science provides the opportunity for balanced examination of evidence. The Forensic Regulator is an important role in communicating forensic science issues, but lack of any statutory powers reduces the level of impact in the sector.

By making the system “for-profit”, this creates increasing issues of quality vs. quantity. Stagnant salaries and lack of progression opportunities within organisations mean that many quality graduates leave the Forensic Service Provider’s (FSP) for other areas – we have a constant flow of graduates that can keep examining evidence, but we lose talented scientists with interpretative and evaluative knowledge.

The lack of funding for forensic science research, and the ever decreasing margins of FSP’s means that we are not making the most of developments in scientific research. Universities are in a position to support forensic research, but with greater links with industry and opportunities for funding from funding bodies or the government, more opportunities for scientific development, increasing efficacy, reliability and future-proofing forensic science as a valued part of the criminal justice system.

Understand and use of Forensic Science in the Criminal Justice System

3. What is the scientific evidence base for the use of forensic techniques in the investigation and prosecution of crimes? Are there any gaps in that evidence base?
The evidence base should come from well-designed research that has been subject to independent peer review and this should apply to all forensic techniques. The scientific evidence base for some areas of forensic science (such as DNA examination and interpretation) has been peer-reviewed and published on a vast scale. Other areas of forensic examination still rely on a small number of published material, and in some instances practitioner knowledge, which may not be published or subject to the peer-review process e.g Forensic toolmark examination and variables involved were examined by Burd and Kirk in 1942.
Publication of detailed marks studies has increased in areas such as Anthropology and Archaeology, but there are few significant detailed peer-reviewed publications in this area; knowledge is shared within scientific teams, as well as gained as part of the examination process, but lack of time/funding means that accuracy of analysis and variables such as angle of impact and variation in surface effects for example, have not been fully understood.

4. How can the Criminal Justice System be equipped with robust, accurate and transparent forensic science? What channels of communication are needed between scientists, lawyers and the judiciary?
Via independent regulation and accreditation to monitor and ‘police’ the quality of the science being produced.

There needs to be much greater and earlier interaction especially between the scientists and the lawyers. The judiciary should have access to a pool of forensic advisors who can assist/advise and sometimes put into context what the science is actually indicating.

5. What is the level of understanding of forensic science within the Criminal Justice System amongst lawyers, judges and juries? How can it be improved?
Generally, fairly poor. This can be improved through greater education and awareness training.

6. Is the current training available for practitioners, lawyers and the judiciary appropriate?
For practitioners, in general, yes. Less so for lawyers and the judiciary.

Standards and regulation

7. Is the current market for forensic services in England and Wales sustainable? Are changes needed to ensure forensic science provision is maintained at the level required? What are the risks of a market approach, for example what happens if a provider goes out of business? And what is the impact on quality?
I do not believe the current market is sustainable.

Yes changes are required.

The market approach coupled with a main customer base operating on ever reducing budgets are reducing the quality of the provision of forensic science and is also forcing a reduction in the types of crime that are being investigated forensically.

8. Is the system of accreditation working successfully to ensure standardised results and the highest quality analysis and interpretation of significance of evidence?
It is assisting but is not 100% effective.
Accreditation is a positive step forward, but there are still risks in this being viewed as a “paper exercise” in some organisations. The system provides some measure of quality but would benefit from review.

9. What role should the Forensic Science Regulator have? If the Forensic Science Regulator is to have statutory powers, what should these be?
The FSR’s role should be to monitor and ensure the quality of forensic science.

The Forensic Science Regulator should:

Be responsible for ensuring the quality and efficacy of Forensic Science provision in the UK by private companies, police forces, and individuals offering forensic services.

This may include guidelines for Forensic Science Education and Training (perhaps building on the current Chartered Society Accreditation system).

Lobby for increased funding for Forensic Science. Have a Forensic Research Group responsible for identifying funding, sending out calls to the community when funding opportunities arise, drawing up short medium and long term strategies for research priorities in Forensic Science and working in conjunction with FSP’s and law enforcement agencies and Universities to identify areas of need, and fairly distributing resources and funding to appropriate areas.

Have powers to address issues raised in relation to quality or efficacy in the above areas, with the ability to proportionately sanction agencies or individuals who are not meeting the minimum required standards.

To share and identify good practice in Forensic Science, and act on a consultancy basis with the wider Forensic community.

10. What lessons can be learned from the use of forensic science in Scotland and Northern Ireland? What can be learned from the use of forensic science overseas?

It is still relevant but needs expanding to provide greater clarity and direction.

Forensic Science research landscape

12. How should further research funding for forensic science be justified? What should be the focus of such research? What is the role of UK Research and Innovation, especially considering the interdisciplinary nature of much forensic science?
Research funding should be subject to a fair and transparent process. Research should be driven by need, and FSP’s, police forces and scientists can provide ideas for pertinent areas of research. However, there should also be ringfenced funding for ideas that may not be part of current identified operational need, but has the potential to provide future innovation. UKRI can work in conjunction with an allied “Forensic Research Group” set up under the Forensic Regulators guidance. This group should be able to collate trends in requirements, examine
current funding opportunities with UKRI and identify areas of potential funding, advertising these to relevant bodies such as Universities and FSP's.

13. Where are the gaps in research and understanding of forensic science? How and by whom should the research questions be articulated to fill these gaps?
The research questions should be driven by the industry itself. The research itself should come via collaboration with institutions such as Universities, that have the facilities and academic expertise to design and undertake that research effectively.

14. How can a culture of innovation in forensic science be developed and sustained?
Via increased education and awareness which could be achieved by increasing the communication and opportunities for shared learning between the Forensic Regulator, The Chartered Society of Forensic Sciences, Universities, FSP’s and police forces. Furthermore, innovation should be rewarded – whether that is public recognition for work well done – perhaps Innovation Award, and access to innovation funding streams.

15. Are there current or anticipated skills gaps? Who should have responsibility for and/or have oversight of training?
Yes, there are skills gaps developing due to retirements and individuals leaving the forensic science sector. The current forensic providers have little resource or capacity to provide training. There needs to be a greater focus on increasing the skills base of individuals to produce experts with skills in more than a single evidence type. Training and its oversight should be managed at a National level.

Digital Forensics

16. Are there gaps in the current evidence base for digital evidence detection, recovery, integrity, storage and interpretation?

17. Is enough being done to prepare for the increasing role that digital forensics will have in the future? Does the Criminal Justice System have the capacity to deal with the increased evidence load that digital forensics generates?

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