The Committee will meet at 10.15 am in Committee Room 1.

1. **Scottish Criminal Record Office inquiry:** The Committee will take evidence from—

   Deputy Chief Constable David Mulhern, interim Chief Executive, Scottish Police Services Authority; John McLean, Director, Scottish Criminal Record Office; Ewan Innes, Head of the Scottish Fingerprint Service; and Joanne Tierney, Training Manager, Scottish Fingerprint Service

   and then from—

   Bruce Grant, Head of Counter Terrorism Forensic Services, Metropolitan Police; Arie Zeelenberg, Senior Advisor Fingerprints, Dutch National Police Force; and Danny Greathouse, Department of Homeland Security, USA

   and then from—

   Chief Constable Peter Wilson, President; and Chief Constable Ian Latimer, Vice President, Association of Chief Police Officers in Scotland.

Callum Thomson
Clerk to the Committee
Papers for the meeting—

Agenda item 1
The Scottish Fingerprint Service: Action plan for excellence J1/S2/06/12/1
Note by SPICe (PRIVATE PAPER) (to follow) J1/S2/06/12/2
Correspondence from Convener to Minister for Justice, 30 March 2006 J1/S2/06/12/3
Correspondence from Minister for Justice to Convener, 13 April 2006 J1/S2/06/12/4
Correspondence from Convener to Minister for Justice, 13 April 2006 J1/S2/06/12/5

Documents for information—
The following documents are circulated for information:

- **ACPOS Presidential Review of SCRO: Interim Report.** This document is also available online, at: [http://www.scottish.police.uk/main/campaigns/interim/join.pdf](http://www.scottish.police.uk/main/campaigns/interim/join.pdf);

- **Scottish Executive, Scottish Criminal Record Office: The Fingerprint Bureau – Primary Inspection 2000.** This document is also available online, at: [http://www.scotland.gov.uk/hmic/docs/fppi-00.asp](http://www.scotland.gov.uk/hmic/docs/fppi-00.asp);

- **SPICe briefing paper on Police, Public Order and Criminal Justice (Scotland) Bill;**

- **Letters from Scottish Executive Public Appointments team, Appointments: Risk Management Authority; and Appointments: The Parole Board for Scotland.** Further information regarding these appointments has been supplied to the Clerk.

Forthcoming meetings—
Wednesday 3 May, Committee Room 2;
Thursday 4 May, Committee Room 4;
Wednesday 10 May, Committee Room 6;
Wednesday 17 May, Committee Room 6;
Tuesday 23 May, Venue TBC;
Wednesday 24 May, Committee Room 4;
Tuesday 30 May, Venue TBC;
Wednesday 31 May, Committee Room 5.
THE SCOTTISH FINGERPRINT SERVICE
ACTION PLAN FOR EXCELLENCE

Deputy Chief Constable David Mulhern
Interim Chief Executive, Scottish Police Services Authority

CONTENTS

Executive Summary

1. Introduction

2. Background

3. Standards and Quality Assurance

4. Forensic issues

5. Modern Workforce and Management

6. Informing the Change

7. Conclusion

Annex Profile of the Scottish Fingerprint Service
EXECUTIVE SUMMARY

Chapter 1 sets out the remit which I have been given by the Minister for Justice, Cathy Jamieson MSP, and the remit of the panel of 3 leading fingerprint experts who have agreed to assist me in developing and implementing this Action Plan.

Chapter 2 summarises the previous inspections, reports and recommendations which have been made in respect of the Scottish Criminal Records Office (SCRO) and the SCRO Fingerprint Bureau since 2000; and explains that HMIC’s recommendations and suggestions are to be re-visited to provide a baseline assessment of the current arrangements in place in the Scottish Fingerprint Service today.

Chapter 3 discusses standards and quality assurance issues in the Scottish Fingerprint Service and sets out proposals for improving training, accreditation and competency testing on a consistent basis across the Service.

Chapter 4 focuses on the practice and procedures of the four forensic science laboratories and makes proposals for improvements in their organisation and working practices.

Chapter 5 discusses the leadership and culture of the Scottish Fingerprint Service and sets out a series of proposals in relation to performance and personnel management, strategic planning, communication with staff and effective teamworking.

Chapter 6 focuses on improving communication and engagement with the Service’s stakeholders.

Chapter 7 draws the various threads of this Action Plan together and sets out a clear vision of the way forward and the future of the Scottish Fingerprint Service as a confident, successful organisation delivering an excellent service to its stakeholders and partners in the Scottish criminal justice system and elsewhere.

Summary of Action Points

1. Sir David O’Dowd will consider the 25 recommendations and 20 suggestions made by HMIC in 2000; apply his experience and professional knowledge to make an assessment of the current situation following the changes introduced in the Scottish Fingerprint Service; and report his findings.

2. A baseline assessment of the Scottish Fingerprint Service will be informed by Sir David O’Dowd’s assessment and advice from external practitioners.

3. A formal evaluation will be undertaken of both initial and refresher training delivered to fingerprint experts in the Scottish Fingerprint Service.

4. The Scottish Fingerprint Service’s training and quality assurance manuals and external quality assurance assessments will be published as part of the organisation’s publication scheme.
The criteria for achieving accreditation as a fingerprint expert in the Scottish Fingerprint Service will be benchmarked against that in place in England and Wales and also the international fingerprint community.

The support provided to staff eligible to apply to the National Council for Registration of Forensic Practitioners will be examined with a view to moving towards 100% registration.

Annual external competency testing will remain as a feature of the Scottish Fingerprint Service and the current provider will be tested against ‘best in class’ standards.

The verification process in use in the bureaux will be reviewed to bring about a consistent identification system throughout Scotland. This process will draw on expertise from outwith Scotland.

ACPOS agreement will be sought to the integration of scenes of crime examiners into the Scottish Forensic Science Service.

A Scientific Advisory Group will be established to consider how fingerprint examination and DNA analysis can be more formally linked to secure best evidence. This Group will report its findings drawing on international knowledge in this field.

The benefits of developing joint fingerprint/forensic submission units in at least the four locations with bureaux/laboratories will be considered.

The non-numeric fingerprint standard will be introduced to the Scottish Fingerprint Service by the end of August 2006.

Full implementation of Ident 1 across Scotland will be completed by July 2007.

An appropriate leadership competency framework will be developed and implemented.

A stand-alone corporate strategic plan will be developed. It will be informed by wide consultation, reflect agreed values and priorities and be directly aligned to the organisation’s performance management framework and related processes.

A collaborative vision and set of key values for the organisation will be developed and validated. It will clearly demonstrate the value of the individual and how he or she personally contributes to the organisation’s overall objectives.

A corporate communications strategy will be developed and established which engages staff, both formally and informally, facilitates dialogue and faces outwards towards the organisation’s stakeholders.

A team-based culture focused on improving performance delivery and excellence will be established.

An appropriate career framework will be developed and implemented.
20 An effective attendance policy for the Scottish Fingerprint Service will be introduced.

21 A change to move current structures to an inclusive and single organisation will be initiated.

22 A staff ‘safeline’ will be established together with suitable internal forums for the resolution of difficult or contentious issues as an integral part of the culture-building strand of the change management process.

23 A comprehensive stakeholder engagement plan will be published.

24 An ethical contract for both the Scottish Fingerprint Service and Scottish Forensic Science Service will be developed for incorporation into the new organisation.

25 Experts with an international perspective in a range of disciplines including fingerprint examination, human resources, organisational development and the law will be engaged to support the development and implementation of the Action Plan for Excellence and will be given the opportunity to comment on it.
1. INTRODUCTION

1.1 The misidentification of a fingerprint as Shirley McKie’s in 1997 has understandably caused considerable public concern ever since about the quality of the work done by fingerprint experts in Scotland – an issue which is central to maintaining public confidence in the Scottish criminal justice system. The purpose of this Action Plan is not to rehearse or review the facts of the Shirley McKie case itself, but to consider its implications for the Scottish Fingerprint Service which will be established as part of a new national Scottish Forensic Science Service on 1 April 2007.

1.2 Much good work has already been done to take the Scottish Fingerprint Service forward. The purpose of this Action Plan for Excellence is to take stock of the Scottish Fingerprint Service as it is today and to identify Action Points to develop the organisation for the future. The objective, which I am convinced is both realistic and attainable, is to ensure that the Scottish Fingerprint Service adheres to the best possible international standards and is a recognised centre of excellence in its field.

Remit

1.3 The Minister for Justice, Cathy Jamieson MSP, announced in a statement to Parliament on 22 February 2006 that:

“I have today instructed the interim Chief Executive of the Scottish Police Services Authority, Deputy Chief Constable David Mulhern, to bring forward by the end of March an action plan to develop the Scottish Fingerprint Service as an integrated part of the new Scottish Forensic Science Service from April 2007. In preparing his action plan, Deputy Chief Constable Mulhern will draw on the best available scientific advice and expertise in organisational development and human resource management. I will make his plan available to Parliament and I will keep Parliament informed of his work over the next year.”

1.4 Three leading international fingerprint experts have agreed to assist me in developing and implementing this Action Plan: Bruce Grant, the Head of Counter Terrorism Forensic Services in the Metropolitan Police; Danny Greathouse, from the Department of Homeland Security in the United States of America; and Arie Zeelenberg, Senior Fingerprints Adviser of the Dutch National Police. Graham C Bell QC, a senior Advocate, has also agreed to assist me by providing a legal perspective on the Action Plan. I will also be supported by David Fisher, Group Director HR in HBOS, and Gary Kildare, Vice President HR Northern Europe with IBM, to address the human resources and organisational development challenges that this Action Plan presents. Finally, I have sought the assistance of Sir David O’Dowd, who served as Her Majesty’s Chief Inspector of Constabulary for England and Wales from 1996 to 2001, to provide an assessment of the way in which previous HMIC recommendations have been implemented. I am convinced that their support and guidance will ensure that swift and decisive progress is made over the coming 12 months.
1.5 The remit of the experts is to provide:

- An expert view of current processes within the Scottish Fingerprint Service and to validate them as good practice or otherwise

- A high level assessment of the Scottish Fingerprint Service and an indication of what areas should be prioritised within the Action Plan; and for advice on the appropriateness of the Action Plan and the main components within it

- Advice on best contemporary practice within the science of Fingerprints

- An examination of and commentary on developing and developed strands of the Action Plan

- Guidance and advice on structure, policy and procedure within the Scottish Fingerprint Service.
2. **BACKGROUND**

2.1 Her Majesty’s Inspector of Constabulary (HMIC) completed a Primary Inspection of the Scottish Criminal Record Office (SCRO) Fingerprint Bureau in 2000 and made 25 recommendations and 20 suggestions for change. In October 2000, the Association of Chief Police Officers in Scotland (ACPOS) established a Presidential Review Group to co-ordinate the response of the Scottish Police Service to the HMIC finding that the SCRO Fingerprint Bureau was not efficient and effective. To take the work of the Presidential Review Group forward, ACPOS created a Change Management Review Team to undertake a 90 day scrutiny of the SCRO Fingerprint Bureau.

2.2 Between them, the HMIC Primary Inspection of 2000, the ACPOS Presidential Review Group and the Change Management Review Team made over 130 recommendations, suggestions and findings. By May 2001, the project management team established by ACPOS to pursue the issues raised by the various reports was able to hand over responsibility to SCRO management for final implementation of the remaining 20 issues, the others having been discharged. In the next Primary Inspection of SCRO in 2004, HMIC discharged the remaining eight recommendations and five suggestions that were outstanding from their Review of the SCRO Fingerprint Bureau the previous year.

Recent developments

2.3 As a result of this unparalleled scrutiny of a policing organisation in Scotland, the way in which the Scottish Fingerprint Service operates in 2006 has changed dramatically since 2000. To provide a baseline assessment of the current working arrangements in place in the Scottish Fingerprint Service today, the starting point for this Action Plan is to revisit the 25 recommendations and 20 suggestions made by HMIC in its Primary Inspection Report of the SCRO Fingerprint Bureau in 2000. Only by considering the issues raised and changes already implemented is it possible to assess where the Scottish Fingerprint Service is today and what further action is needed to provide a world class service.

2.4 To bring an informed and impartial assessment of the discharge and implementation of change following the various recommendations and suggestions made by HMIC in 2000, I invited Sir David O’Dowd, who served as Her Majesty’s Chief Inspector of Constabulary for England and Wales from 1996 to 2001, to assist in the development of the Action Plan by re-visiting HMIC’s 25 recommendations and 20 suggestions and to provide a current assessment of the position, given the passage of time and the opportunity this presents to evaluate the changes already introduced in the Scottish Fingerprint Service.

**ACTION POINT 1**

Sir David O’Dowd will consider the 25 recommendations and 20 suggestions made by HMIC in 2000; apply his experience and professional knowledge to make an assessment of the current situation following the changes introduced in the Scottish Fingerprint Service; and report his findings.
2.5 The outcome of Sir David’s work will then be used to examine current practice in the Scottish Fingerprint Service and test this against the other strands of the Action Plan to provide a benchmark assessment of the organisation today. The examination of current practice will be informed by external practitioners in the coming months. Sir David O’Dowd’s assessment together with the examination of current practice in operation will provide a robust baseline assessment of the Scottish Fingerprint Service and a clear basis for moving forward.

ACTION POINT 2

A baseline assessment of the Scottish Fingerprint Service will be informed by Sir David O’Dowd’s assessment and advice from external practitioners.
3 STANDARDS AND QUALITY ASSURANCE

3.1 Since 2000, the Scottish Fingerprint Service has effectively reviewed its entire operating practice, procedures and training, all of which are now underpinned by a series of manuals. These are:

- Procedures Manual details the procedures applied within the four bureaux (the ongoing value of this particular document will be assessed over the next 12 months)
- Quality Assurance Manual defines the policies in relation to ISO 9001
- Quality Procedures Manual defines the style of quality procedures and controls their issue and amendment
- Common Training Policy details the training process and roles of training staff as regards the Common Training Programme
- Common Training Programme outlines the four-stage programme of development from the induction of a trainee examiner to authorisation as a fingerprint expert.

Training and Quality Assurance

3.2 At present there are six dedicated training staff in the Scottish Fingerprint Service, three of whom are based in the Glasgow Bureau and one in each of the other three bureaux. At a national level, the training staff comprises a Training Manager who coordinates, manages and develops the training function across the four bureaux and a Training Co-ordinator, who collates and maintains personal training records for all staff and provides administrative support. Both the Training Manager and Coordinator are based in the Glasgow Bureau. In each of the four bureaux there is a Training Officer who delivers practical, skills based training locally and also informs national training policy and design. In the Glasgow Bureau, the Training Officer is a dedicated post. In the three remaining bureaux the Training Officer also act as the Quality Assurance Officer, whose role is described at paragraph 3.5 below.

3.3 Since September 2003 a Continuous Professional Development (CPD) Programme focusing on refresher training has been in place for all experts within the Scottish Fingerprint Service. This includes training on skills development in terms of practical comparison skills, law and legislation updates and court skills. The week-long CPD Programme is held annually and every fingerprint expert attends such a course at least once every 3 years.
3.4 There has been no formal comprehensive evaluation (including an assessment of impact on personal and organisational performance) of CPD refresher training since its introduction in 2003.

**ACTION POINT 3**

A formal evaluation will be undertaken of both initial and refresher training delivered to fingerprint experts in the Scottish Fingerprint Service.

3.5 In Glasgow there is a dedicated Quality Assurance Officer, while in the other three bureaux this post is also responsible for the delivery of training. The Quality Assurance Officer audits the processes and procedures in place in the Scottish Fingerprint Service and ensures compliance with the standards laid out in the Scottish Fingerprint Service Quality Manual.

3.6 The Scottish Fingerprint Service has been ISO 9001 accredited since August 2005. Prior to this, each bureau held ISO 9001 accreditation on a stand-alone basis, with the Glasgow Bureau achieving accreditation in 2000 and the others in 2004. The ISO 9001 standard is internationally recognised and based on customer satisfaction, continuous improvement and the development of a common process-based quality management system. ISO 9001 is externally re-accredited by triennial re-inspection of the operation of the procedures and regimes specified in the Scottish Fingerprint Service Quality Procedures Manual which covers management responsibilities, resource management, product realisation (design and development, purchase, production and service provision etc) and measurement, analysis and improvement.

**ACTION POINT 4**

The Scottish Fingerprint Service’s training and quality assurance manuals and external quality assessments will be published as part of the organisation’s publication scheme.

**Accreditation to Expert Status**

3.7 Historically, accreditation to expert status as a fingerprint expert was based on duration in post rather than formal assessments of competence, which in practice led to accreditation after five years’ experience. In January 2003, Scottish Executive Justice Department Police Circular No 1/2003 endorsed and formalised arrangements for authorising fingerprint experts on competence-based criteria as opposed to time-based criteria. This system of accreditation is now used not only in the Scottish Fingerprint Service, but also in England and Wales.
Trainee fingerprint officers complete a structured four-phase programme of training and assessment, which is outlined in the Scottish Fingerprint Service Common Training Programme, before being authorised as fingerprint experts. Three of the four stages involve attendance and assessment at the National Training Centre for Scientific Support to Criminal Investigation, which is run by Centrex in Durham. The stage that does not involve attendance at the National Training Centre is quality-assured by it. On average, authorisation takes around four years.

**ACTION POINT 5**

The criteria for achieving accreditation as a fingerprint expert in the Scottish Fingerprint Service will be benchmarked against that in place in England and Wales and also the international fingerprint community.

**Scrutiny and Oversight**

The operational performance and governance of the Scottish Fingerprint Service is scrutinised by the Common Police Services (CPS) Programme Board, which comprises three Chief Constables, three Conveners of Police Authorities and three senior officials of the Scottish Executive.

The Director of SCRO, who is accountable for the Scottish Fingerprint Service, attends meetings of the CPS Programme Board to report on performance. The Director also presents Annual and Corporate Plans to the Board for approval and carries out the instructions of the Board in respect of operational policy, priorities, spending decisions and service standards. With the establishment of the Scottish Police Services Authority (SPSA) on 1 April 2007, governance of the Scottish Fingerprint Service will pass to the Board of the Authority, which will have lay members as well as members who are Chief Constables and Police Authority Conveners. Operational management will be overseen by the Chief Executive of SPSA, but given effect by the management arrangements that will be put in place by the new Scottish Forensic Science Service and the modern management structures that will emerge from the implementation of this Action Plan.

In line with the formal inspection arrangements for police forces in Scotland, HMIC undertakes Primary Inspections of SCRO and its component services, including the Scottish Fingerprint Service. Inspection reports are submitted to Scottish Ministers and published as public documents together with relevant recommendations and suggestions for improvement.

Further scrutiny and oversight at a practitioner level is provided by the National Council for Registration of Forensic Practitioners, which is a professional regulatory body that maintains a register of currently competent forensic practitioners, and has over 2,000 members from a number of forensic disciplines. Registration is by application and requires applicants to submit details of their career, qualifications, training and recent casework. Examples of casework are selected for detailed scrutiny and assessment. The emphasis for registration is current competency and members have to undertake revalidation every four years.
Registration is voluntary and the Scottish Fingerprint Service has provided positive support to staff to achieve registration, through funding and time to prepare the portfolio of evidence required. Currently 86% of the Scottish Fingerprint Service experts are accredited or are undertaking the application process. The Service is the only organisation in the Council which achieves this level of registration.

**ACTION POINT 6**

The support provided to staff eligible to apply to the National Council for Registration of Forensic Practitioners will be examined with a view to moving towards 100% registration.

**Competency Testing**

Since 2002, all fingerprint experts in the Scottish Fingerprint Service are required to undertake annual competency testing by Collaborative Testing Services (CTS), whose main function is to undertake such competency validation work. CTS is an independent American company which provides this service to laboratories in 35 countries, but is most widely used in the USA. No other fingerprint bureau in the United Kingdom currently uses an external organisation to test the competency of fingerprint experts annually, although the National Fingerprint Board for England and Wales is currently considering the Scottish Fingerprint Service model.

**ACTION POINT 7**

Annual external competency testing will remain as a feature of the Scottish Fingerprint Service and the current provider will be tested against ‘best in class’ standards.

**Identification/Verification Process**

Following the initial identification of a fingerprint mark, the process of peer review is central to the verification process. In the Glasgow Bureau, this involves a second expert conducting independent analysis and comparison of the mark and fingerprint record without knowledge of the identity of the expert who first examined the mark nor access to his or her working notes or papers. Following this, a further level of verification is undertaken by a stand-alone Verification Unit, which has no knowledge of the identity of either the examiner initially identifying the mark or the first-level verifier. Outside Glasgow, while independent verification is applied, the smaller scale of the bureaux means that anonymity cannot be achieved.

**ACTION POINT 8**

The verification process in use in the bureaux will be reviewed to bring about a consistent identification system throughout Scotland. This process will draw on expertise from outwith Scotland.
4 **FORENSIC ISSUES**

**Process engineering**

4.1 The four forensic laboratories in Scotland currently operate as separate, stand-alone units delivering a service to one or more Scottish Police Forces. One of the purposes of the Police, Public Order and Criminal Justice (Scotland) Bill is to provide for the development and provision of a new national forensic science service. This will be achieved by bringing together the four current laboratories into a single service under its own Director and standardising the practices, processes and procedures which each of the laboratories has developed.

4.2 The Scottish Fingerprint Service also operates out of four geographical locations, three of which are co-located with the scene of crime department or the forensic laboratory. Only the Glasgow Fingerprint Bureau occupies separate premises.

**Evidence Recovery to Identification**

4.3 The examination of marks found at crime scenes or otherwise associated with a crime is part of an extended process involving a series of different individuals with particular and often unique skill sets. The end-to-end process effectively involves the recovery of a mark or impression, which is subjected to a number of processes intended to identify its owner. Those involved include the crime scene examiner who will recover the mark, the fingerprint examiner who will compare it against the fingerprint database, and the forensic scientist who may use DNA technology to identify the ‘owner’. These processes illustrate the direct relationship between the various experts and the requirement for an extremely close understanding of one another’s roles.

4.4 To provide greater continuity between the above disciplines, it is proposed that all three groups should operate within a single structure in order to streamline and improve the processes for identifying or eliminating those who may be associated with a crime. The integration of the Scottish Fingerprint Service with the Scottish Forensic Science Service will provide two elements of this synergy: however, it is vital that scenes of crime examiners should also be included as their function is the critical link in the evidence recovery process. Consultation is ongoing with ACPOS to bring scenes of crime examiners into the Scottish Forensic Science Service and this integration is an important element for creating not only a world class fingerprint service for Scotland, but a world class forensic science service for Scotland.

**ACTION POINT 9**

ACPOS agreement will be sought to the integration of scenes of crime examiners into the Scottish Forensic Science Service.
Relationship between DNA and Fingerprints

4.5 Notwithstanding the proximity of three of the four fingerprint bureaux in Scotland to the laboratories with which they work, there are currently no formal practices in place between the bureaux and the forensic science laboratories which carry out DNA analysis. Given that a fingerprint mark is effectively sweat that has been left behind, and given the huge advancements in recent years with DNA, there is real potential for increasing identifications by subjecting recovered marks to DNA analysis. Some work along these lines is taking place between the Glasgow Fingerprint Bureau and the Glasgow Forensic Science Laboratory, although on a fairly ‘ad hoc’ basis. Greater focus on this area could significantly enhance the impact that fingerprints and DNA have on criminal investigations.

4.6 The creation of scientific advisory groups, dedicated to specific and discrete areas of science, has been proven to bring about advances in the forensic science environment and is capable of being introduced across the dual discipline of fingerprints and DNA. Such groups in the main comprise practitioners from police laboratories, often working in collaboration with UK academic institutions.

ACTION POINT 10

A Scientific Advisory Group will be established to consider how fingerprint examination and DNA analysis can be more formally linked to secure best evidence. This Group will report its findings drawing on international knowledge in this field.

Fingerprint/Forensic Submissions Units

4.7 As a concept, the submissions unit is not yet a feature in Scotland. Effectively, such a unit is designed to introduce an extra element of evaluation into the process between the submission by operational officers of evidence for analysis and the fingerprint bureau or laboratory. This allows an assessment of the value of further analysis of the evidence by a fingerprint expert or forensic scientist. Moreover, current practice leaves determination of the destination of evidence between fingerprint and forensic examination to the operational officer or scenes of crime examiner, without assessing the potential value of directing the examination to whichever discipline is most capable of exploiting the trace evidence to identify an individual. A joint fingerprint/forensic submissions unit would bring a degree of expertise to this decision-making process, based on knowledge rather than chance.

4.8 The development of joint submissions units is a matter that should be considered for introduction in the fingerprint/forensic fields.

ACTION POINT 11

The benefits of developing joint fingerprint/forensic submission units in at least the four locations with bureaux/laboratories will be considered.
Non-numeric Fingerprint Standard

4.9 The non-numeric fingerprint standard was introduced in England and Wales in 2001 and moves away from the previous standard that was based on the 16 Points of Comparison in sequence and agreement, a standard outlined in Home Office Guidelines of 1953. The non-numeric standard is seen as being much more definitive, with the fingerprint expert considering the mark or impression holistically and satisfying himself or herself that there are enough characteristics to conclude that the mark can be identified as that of an individual.

4.10 The Scottish Fingerprint Service still relies on the 16 Points of Comparison standard, despite moves dating back to 2001 to move to a non-numeric standard. In the Third Year Review of the SCRO Fingerprint Bureau in 2003, HMIC acknowledged an intention to introduce the non-numeric standard to the Scottish Fingerprint Service the following year.

4.11 The non-numeric standard has still not been introduced in Scotland. There is no good reason for further delay in introducing the new standard in Scotland and the Scottish Fingerprint Service has completed the necessary training, as well as making changes to procedures and practice to allow its early introduction. It is understood that the only remaining issue is that of communication of the change with stakeholders in the criminal justice community. The challenge of shifting to the non-numeric standard should now be grasped and it should be introduced without further delay.

ACTION POINT 12
The non-numeric fingerprint standard will be introduced to the Scottish Fingerprint Service by the end of August 2006.

IDENT 1/ Automatic Fingerprint Recognition (AFR) Terminals

4.12 At present all fingerprint records taken from individuals and retained on file (known as “10 Prints records”) are held on a computerised database, which allows automatic comparison against marks recovered from crime scenes. The Automatic Fingerprint Recognition (AFR) System identifies 10 Prints held on the system which have similarities to the mark in question. A fingerprint expert then physically examines the images against the mark to establish identification.

4.13 Until now, there has been no facility for the electronic capture of palm prints from individuals and no developed means for comparing prints held on paper copy against marks recovered. As some 20% of marks recovered are believed to be from palms, this is a significant missed opportunity for identification.
4.14 Ident 1 has been in development for several years, partly to address the potential for palm print capture and comparison. This will not only create the opportunity to capture palm prints from individuals electronically and allow their electronic comparison with marks recovered from crime scenes, it will also for the first time create a UK database of some 6.5 million ‘10 Prints’, as well as around 2 million marks recovered from crime scenes.

4.15 To facilitate the electronic capture of palm prints, the electronic fingerprint capture machines (Livescan) currently located in all Scottish Police Forces are in the process of being replaced with more modern terminals which are also capable of electronically reading and capturing palm prints. This system is known as Ident 1. The contract for replacement of these Livescan machines and Automated Search System was awarded in 2004, and the project is scheduled for completion by July 2007. Ident 1 involves an investment of some £1.7m per year over the eight years of the contract.

ACTION POINT 13

Full implementation of Ident 1 across Scotland will be completed by July 2007.
5. MODERN WORKFORCE AND MANAGEMENT

Leadership

5.1 The prospects of success for this Action Plan are inextricably linked to the quality of leadership that exists and can be developed within the Scottish Fingerprint Service.

5.2 All staff with leadership responsibility within the organisation, particularly senior managers, must be able to demonstrate the capacity and capability to drive and guide the Scottish Fingerprint Service through significant change. The focus must be on critically reviewing current service provision, establishing, along with others, the best possible operating model for the future and successfully delivering a change agenda towards a 21st century service. The leaders of the service must know what competencies and skills are required and must be prepared in due course to be assessed against a competency framework. Any skills gaps that are identified should be addressed through a development programme, tailored to individual needs. This requires standardisation of the performance review regime across the organisation, and a movement away from localised assessment models.

5.3 The Head of the Service must be able to:
   • represent the views of the service in the change agenda
   • lead the cultural change required to eradicate lack of corporacy
   • bring consistency of good practice to the operation of the Scottish Fingerprint Service
   • work collaboratively with key stakeholders to ensure successful implementation of this Action Plan.

5.4 Most crucially, the Head of the Scottish Fingerprint Service must lead the organisation so as to secure and retain the confidence of its staff, partners and stakeholders. The Head of Service must have the capability to lead, inspire and represent the four bureaux as one successful team, able to deliver excellence in all areas and command public confidence and esteem.

ACTION POINT 14
An appropriate leadership competency framework will be developed and implemented.

5.5 All effective organisations need clear direction. In part this is delivered through effective leadership, but just as importantly it is signposted by explicit objectives and well articulated strategies. To develop a common purpose within the organisation, staff in the four bureaux should have an equal opportunity to be involved in the development of the organisation’s objectives and strategies. These should thereafter be accessible and transparent and linked directly to individual performance objectives and reflected in the performance measurement and management regime, both on an individual and organisational basis.
5.6 The Scottish Fingerprint Service must have a robust, comprehensive and ethical corporate performance regime that identifies the critical areas of business delivery, sets realistically stretching targets and constantly measures itself to improve understanding of performance and hold the leadership team to account.

**ACTION POINT 15**

A stand-alone corporate strategic plan will be developed. It will be informed by wide consultation, reflect agreed values and priorities and be directly aligned to the organisation’s performance management framework and related processes.

**Motivation and Engagement**

5.7 Similarly, the vision and values of the organisation should be developed with the active involvement of staff and key stakeholders. This will assist the development of clarity and a sense of purpose around the role and responsibility of each individual member of the team in delivering the vision and values of the organisation. As the Scottish Fingerprint Service moves forward under the Scottish Forensic Science Service there is a need to ensure that the vision and key values of the wider organisation are understood and supported.

**ACTION POINT 16**

A collaborative vision and set of key values for the organisation will be developed and validated. It will clearly demonstrate the value of the individual and how he or she personally contributes to the organisation’s overall objectives.

5.8 As with all change management processes, good communication is essential to those directly engaged in and affected by the change. Such communication is of fundamental importance to both the staff and others with an interest in the nature of the change and its possible outcomes. At its core, good communications during change should not be focused solely on providing information about what is happening. To be effective, communication has to be based on dialogue, be about discussion not dictation, asking questions not just providing answers, and persuading not compelling. Leaders need to occupy a lead position in the communications strategy, not least as it should provide the means by which they can come to understand and be sensitive to the feelings and beliefs of people within and outwith the organisation who are affected by the change that is occurring.

**ACTION POINT 17**

A corporate communications strategy will be developed and established which engages staff, both formally and informally, facilitates dialogue and faces outward towards the organisation’s stakeholders.
Performance Framework

5.9 All leading modern organisations have a performance focus. In the public sector this is associated with delivering best value and providing benefit to customers. Underpinning this is the need for organisations to develop a performance-based team culture. To achieve this outcome, organisations must be prepared to embrace new thinking on how teams are composed and how they function. Given the current geographical separation of the four bureaux, it is particularly important for the organisation to harness technology in developing a team ethos.

ACTION POINT 18
A team-based culture focused on improving performance delivery and excellence will be established.

Staff

5.10 A fair, open, transparent and structured career framework is required if the aspirations for the Scottish Fingerprint Service are to be realised. Positive steps to achieve this have already been taken – the move to criteria-based qualification for expert status, as opposed to time-based criteria, is the most obvious example. To build on this, competence and demonstrable ability need to be rewarded and the best and most able must be allowed to move to their natural level in the organisation, unfettered by outdated concepts, procedures or practices.

5.11 To be effective and satisfying, career development does not, however, always need to be vertical. Everyone in the Scottish Fingerprint Service must have a rewarding and challenging work environment where, in exchange for their contribution to the organisation, they are subject to a duty of care and receive respect and a sense of being valued.

ACTION POINT 19
An appropriate career framework will be developed and implemented.

5.12 The well-being of an organisation can often be measured through the level of sickness in its staff. Excellent organisations are led by managers who are able to recognise the factors that impact on the health and wellbeing of individuals within the workplace and develop balanced strategies to address them positively. The reasons for absence are numerous and their relationship to one another extremely complex. While short-term fluctuations in absence rates are common in organisations, long-term trends are a telling indicator of organisational health. Sustained high levels of absence that are consistently above the sector norm represent a failure to manage problems and create a work environment that is not balancing the needs and interests of the organisation and the individual.
5.13 There is a marked difference between absence levels in the Glasgow Bureau compared with the other three bureaux. Some attribute this to the level of scrutiny, particularly by the media, experienced by the Glasgow Bureau as a result of the Shirley McKie case. It has, however, been almost nine years since the misidentification occurred,seven years since Shirley McKie’s acquittal and almost six years since this issue was addressed by HMIC. There are not only particularly high levels of sickness in the Glasgow Bureau, it also seems that approaches to the monitoring of absence across the four bureaux differ. This latter aspect is inappropriate in what is a single organisation and makes the collation of consistent performance data in this area unnecessarily complex.

**ACTION POINT 20**

An effective attendance policy for the Scottish Fingerprint Service will be introduced.

Organisational Structure

5.14 Along with other issues, levels of staff absence highlight the need to revisit the organisational structure of Scottish Fingerprint Service. In its 2000 Report, HMIC recommended that a centralised model for a national fingerprint service should be considered. In its 2004 Report, HMIC returned to the issue, commenting that the four bureaux structure, with Glasgow being significantly larger than the other three, lacked cohesion and the appearance of a single organisation. These deficiencies in structure remain today and immediate steps need to be taken to improve the sense of corporacy around the organisation as a single entity rather than the sense of four disparate bureaux that prevails.

5.15 In moving forward on structural issues, the integration with the Scottish Forensic Science Service in April 2007 offers opportunities to change structures, but also requires great care to ensure that the Scottish Fingerprint Service does not see itself being diluted in terms of corporate identity through absorption into a new larger structure. Before integration in 2007, significant work is needed to bring the Scottish Fingerprint Service together and instil pride in all its staff.

**ACTION POINT 21**

A change to move current structures to an inclusive and single organisation will be initiated.

Cultural Change

5.16 The lack of corporate identity within the Scottish Fingerprint Service can in part be attributed to the current four bureaux structure and also the predominance of the Glasgow Bureau and its proximity to SCRO. In practice, this issue has manifested itself in a number of ways, including the willingness of individual bureaux to criticise each other in public and the sense of alienation of the smaller bureaux from the programme of change that is underway already. This progression of discord, and inter-bureau tension, makes the building of a common corporate culture, to which every member of staff feels able to subscribe, a matter of critical importance.
5.17 No part of this culture change should involve any attempt to suppress the legitimate expression of opinion. Opportunities to express opinions and, if need be, resolve conflicts, must be created and supported. Crucial to this is the establishment of a support regime for staff who are experiencing difficulties in relation to the culture of the organisation or who, in extreme cases, may believe that they have uncovered or witnessed wrong-doing. Many police forces and other organisations have subscribed to confidential ‘safelines’, which staff can telephone to seek advice or report matters of concern anonymously, if they prefer. Such confidential helplines are in the main remote from the organisation itself and are freely accessible and widely promoted to staff.

**ACTION POINT 22**

A staff ‘safeline’ will be established together with suitable internal forums for the resolution of difficult or contentious issues as an integral part of the culture-building strand of the change management process.
6. **INFORMING THE CHANGE**

6.1 The success or otherwise of any significant change programme is dependent on a range of factors, but foremost among them are issues of communication and engagement. The integration of the Scottish Fingerprint Service with a yet to be created Scottish Forensic Science Service creates a huge number of challenges. Not only is there the real concern of staff within the Scottish Fingerprint Service that they will merely be consumed by the larger and more diverse discipline of forensic science, but they are currently an organisation that has been under intense public scrutiny for several years. Consequently, it is essential that staff and public alike are reassured that the process will not only be inclusive, but will also bring about improvement.

6.2 Implementation of this Action Plan must be informed by a wide consultation, stakeholder engagement and expert advice. Individuals with an interest in the Scottish Fingerprint Service must feel they have access and the opportunity to express their views about the future shape and character of the organisation. Given its key importance to the criminal justice system and its public profile, the relevant stakeholder group is large and includes those involved in law enforcement, including police forces, the Scottish Executive, Crown Office and Procurator Fiscal Service, the courts, members of the legal profession and, crucially, the Scottish public.

6.3 Although the span of the stakeholder group is large, it is not unmanageable provided proper analysis of it underpins a comprehensive and effective engagement strategy.

**ACTION POINT 23**

A comprehensive stakeholder engagement plan will be published.

6.4 The restoration of public confidence in the Scottish Fingerprint Service is crucial. In this regard the public includes not only individuals in our communities, but also those institutions that are stakeholders in the criminal justice system. Everyone has a right to expect that the organisation will act properly and this can best be demonstrated through a code of corporate ethics, which is clearly articulated, widely accepted and subscribed to and open to scrutiny. This code of corporate ethics should be underpinned by an ethical contract.

6.5 This approach should also be pursued by the Scottish Forensic Science Service.

**ACTION POINT 24**

An ethical contract for both the Scottish Fingerprint Service and Scottish Forensic Science Service will be developed for incorporation into the new organisation.
6.6 To ensure that the widest possible experience is used to inform the integration strategy of the Scottish Forensic Science Service, several experts of international repute from a range of disciplines have been identified to support the implementation of the Action Plan. This group will consider the proposals, comment on progress and apply their experience to the issue. Through this, the Action Plan will be guided and informed by impartial experts in their field who will provide critical as well as supportive input over the next 12 months.

**ACTION POINT 25**

Experts with an international perspective in a range of disciplines including fingerprint examination, human resources, organisational development and the law will be engaged to support the development and implementation of the Action Plan for Excellence and will be given the opportunity to comment on it.
7. CONCLUSION

7.1 This Action Plan aims to accelerate the process of change which has had such a positive impact on the Scottish Fingerprint Service in recent years. It is, therefore, necessarily ambitious and presents a number of significant challenges to the organisation and its staff. The outcomes to be achieved by the Action Points need to be realised and are essential to future success.

7.2 Framing the plan in this way is, in effect, an expression of confidence in the Scottish Fingerprint Service, and particularly in its staff who are committed to deliver the highest level of service on a daily basis. The same staff have consistently demonstrated their willingness to embrace change and improvement as the means of recapturing the high professional and public standing and esteem they once enjoyed.

7.3 The ingredients for success are assembled, the Scottish Fingerprint Service has improved and is keen to improve further. Experts in fingerprints, forensic science, human resources, organisational development and the legal profession will be active participants in the change process. The principles of project management will be applied to all stages of the plan with, at its core, a single, consistent strategic oversight of progress. In addition, the implementation of the Action Plan will be characterised by openness, transparency and accountability. The Plan will create high expectations, not least in the public mind, and it is intended that all interested parties will be able to see those expectations being realised.
Annex

Profile of the Scottish Fingerprint Service

1. The Scottish Fingerprint Service provides a national fingerprint identification service and maintains the national fingerprint and palm print collection. The Service also provides expert witnesses and a national scene of crime mark search facility.

2. The Scottish Fingerprint Service is currently a component of SCRO, which is a common police service providing, in addition to fingerprints, intelligence support, criminal justice information, IT and disclosure services to the criminal justice community.

3. The current four bureaux national structure, with facilities in Glasgow, Aberdeen, Dundee and Edinburgh was established in 2001, following HMIC’s Primary Inspection of the SCRO Fingerprint Bureau in 2000. Before this Scottish Police Forces maintained seven largely autonomous fingerprint bureaux, with Strathclyde Police providing a fingerprint capability for Dumfries and Galloway Constabulary. In addition to the rationalisation of bureaux, a Head of the Scottish Fingerprint Service was appointed in 2001. This individual also serves as Head of the Glasgow Fingerprint Bureau based within SCRO.

4. The staffing structure of the Scottish Fingerprint Service is outlined in Table 1 below.

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* actual establishment as of January 2006
30 March 2006

Dear Cathy

Scottish Criminal Record Office and the Scottish Fingerprint Service

At its meeting yesterday, the Justice 1 Committee gave further consideration to the details of its inquiry into the operation and efficiency of the Scottish Criminal Record Office (SCRO) and the Scottish Fingerprint Service.

You will wish to be aware that, today, the Committee has published a call for evidence on this inquiry. For your information, I enclose a copy of the document.

It was agreed by the Committee that I should write to you to request your continuing assistance as we take forward the inquiry.

Firstly, the Committee would welcome early sight of the action plan for the Scottish Fingerprint Service prepared by David Mulhern. I understand from a Scottish Executive News Release issued this morning that you intend to provide this to us immediately after Easter recess. However, in order to assist our scrutiny I would ask you to provide the action plan no later than Thursday 13 April.

The News Release also provides details of the international fingerprint experts who have agreed to scrutinise and advise on the implementation of the action plan. The Committee has agreed that it wishes to take oral evidence from the experts, preferably on Wednesday 26 April. I would be grateful if you could facilitate the appearance of the experts before the Committee. We would consider using the Parliament’s video conference facilities for this session.

The Committee also wishes to request copies of all relevant unpublished reports held by the Executive which relate to the agreed remit of the Justice 1 Committee inquiry. The Committee would like a list of all such documents held by the
Executive. Should there be any documents which the Executive is unwilling to provide to the Committee, the Committee would like to receive a statement of the reasons why such decisions have been taken.

Although the Parliament will be in recess for Easter for the next two weeks, I should be grateful to receive a response (copied to the clerks to the Committee) by Thursday 13 April.

Yours sincerely

Pauline McNeill MSP
Convener, Justice 1 Committee
The Justice 1 Committee agreed to launch an inquiry into the efficient running of the Scottish Criminal Record Office and Scottish Fingerprint Service.

Following correspondence with the Minister for Justice, the Committee agreed the following remit—

To consider the efficient running of the Scottish Criminal Record Office and Scottish Fingerprint Service (this would leave terms of reference flexible enough to look at past and present practice); the implications of the McKie case; the operation of SCRO and within that the fingerprint service and public confidence in the standards of fingerprint evidence in Scotland; to scrutinise the implementation of recommendations of Her Majesty's Inspectorate of Constabulary primary inspection report of 2000 and to ensure that their service is efficient and effective; and to scrutinise the Action Plan announced by the Minister for Justice for improvements in fingerprint and forensics services in Scotland.

The Committee would like to invite all interested parties to submit written evidence on the inquiry.

In particular, the Committee would be interesting in views on the following:

- Do you have confidence in the identification processes used by the SCRO? If not, what further changes do you think should be made to ensure future confidence in fingerprint and forensic services in Scotland?

- The recommendations of Her Majesty's Inspectorate of Constabulary primary inspection report of SCRO in 2000 have now been fully discharged. Are you confident in the way in which SCRO is now managed and organised? If not, what changes do you think should be made?

- An Action Plan to develop the Scottish Fingerprint Service as an integrated part of the new Scottish Forensic Science Service is due to be published in early April 2006. Are you content with the terms of the Action Plan? If not, how would you wish to see it revised?

- Do you have information relevant to the misidentification, or otherwise, of fingerprints in what has become known as the Shirley McKie case?
How to submit written evidence

Please use the specific questions as the basis for your submission. You may wish to respond to any or all of the specific questions. Evidence should be reasonably brief and typewritten (normally no more than 4 sides of A4 in total). Before submitting evidence, please read the section below on “what we will do with your evidence”.

The deadline for receipt of written submissions is 27 April 2006. Owing to the timescale required for the processing and analysis of evidence, late submissions will only be accepted with the advance agreement of the Convener.

The Committee prefers to receive written submissions electronically. These should be sent to:

scroinquiry@scottish.parliament.uk

You may also make hard copy written submissions to:

Justice 1 Committee
Scottish Parliament
Holyrood
Edinburgh
EH99 1SP

What we will do with your evidence

This information lets you know how we will deal with any information you send us in response to this call for evidence and any subsequent correspondence we have with you.

Most people who submit evidence want it to be put in the public domain. In addition, the committees of the Scottish Parliament are committed to being open in their dealings in accordance with the Scottish Parliament's founding principles.

Our normal practice is to publish the evidence you send to us on our website and we may also include it in the hard copy of any committee report.

However, there may be a few situations where the number of submissions we receive does not make this possible or where we receive a large number of submissions in very similar terms. In that case, we would normally publish only a list of the names of people who have submitted evidence.

In addition, there may be a few situations where we cannot publish or have to edit before publication for legal reasons.
Data Protection Act 1998
The Parliament must comply with the Data Protection Act 1998. This affects what information about living people we can make public.

When we publish your evidence, we will not therefore publish your signature, your telephone number or your address. We may also have to edit information which can identify another living person who has not specifically given their consent to have their information about them made public.

In these situations, committee members will have access to the full text of your evidence, even though it has not been published in full.

Typically, the Parliament will not publish defamatory statements or material. If we think your submission contains defamatory material, we will typically return it to you with an invitation to resubmit it without the defamatory material. If the evidence is returned to us and it still contains defamatory material, it cannot be considered by the committee and we will have to destroy it.

Freedom of Information (Scotland) Act 2001
The Parliament is covered by the Freedom of Information (Scotland) Act 2001. This also affects the way that we deal with your evidence.

If you wish your evidence to be treated as confidential or for your evidence to be published anonymously, please contact the Clerk to the relevant Committee, before you submit your evidence. Where your evidence contains personal or sensitive information, we will do all that we can to respect your wishes. In these circumstances, your evidence will be sent to committee members but will not be published more widely or will be published anonymously.

However, you should be aware that if we receive a request for information under the Freedom of Information (Scotland) Act, while we will try to continue to comply with your wishes, we may be legally required to release the information to the person who has made the request.

So, in the circumstances outlined above, while we can assure you that your document / name will not be circulated to the general public in the context of the relevant Committee's current work, we are unable to give you a guarantee that the document will never be released.
Dear Pauline

SCOTTISH CRIMINAL RECORD OFFICE & THE SCOTTISH FINGERPRINT SERVICE

Thank you for your letter of 30 March seeking the Executive’s continuing assistance with your Committee’s inquiry into the Scottish Criminal Record Office (SCRO) and the Scottish Fingerprint Service (SFS). I am happy to reiterate that we will continue to offer all possible assistance.

As you know, the Executive has already provided Parliament with a considerable amount of evidence – for example, in the debates on 22 February and 2 March, in my letters of 1 March and 10 March to you, and in answer to various Parliamentary Questions – and further evidence is due to be given to your Committee by David Mulhern and John McLean and colleagues on 26 April and by myself at a later date. We will also respond as positively as possible to any requests for supplementary information.

Turning to the three specific requests in your letter, I can confirm that it is my intention that the action plan for the SFS should be shared with the Committee at the earliest opportunity. In line with the previously announced proposals, it is currently with a group of international experts and key stakeholders for review and will be further developed in the light of their comments. We need to allow appropriate time for that important work to be completed. Therefore, I do not anticipate that we will be able to provide the action plan to the Committee until Friday 21 April though, obviously, if it turns out that we can provide it any sooner then we will.

The second specific request in your letter was that the Executive should facilitate the appearance before your Committee of the international fingerprint experts who have agreed to assist us with the development of the action plan: Bruce Grant, Danny Greathouse and Arie Zeelenberg. I can confirm the Executive has drawn their attention to the Committee’s interest in taking oral evidence from them at its meeting on 26 April. We have also advised them that the Executive is supportive of the Committee’s inquiry and that their attendance would be appreciated. We will pursue these discussions and provide further information to the Committee’s clerk shortly.

The third specific request in your letter was that the Committee should be provided with a list of all relevant unpublished reports held by the Executive, together with either copies of those reports or a
statement explaining the Executive’s reasons for not making those reports available. At the outset, I should make clear that the Executive’s general approach to information that it holds is to publish proactively in accordance with our commitment to openness, our publication scheme and the requirements of the Freedom of Information (Scotland) Act 2002. Consequently, when we have commissioned reports we publish them unless we consider that there are compelling reasons for not doing so. Thus, reports that remain unpublished have that status for significant reasons.

The Executive has commissioned two reports relevant to the inquiry’s terms of reference, both from Mr John MacLeod. It is only after careful consideration that I have concluded that these reports should not be made available. That conclusion was reached with the greatest reluctance, because I am very keen to support the Committee in any way I can. However, while making the reports available might be expedient in the short term, I am convinced that it would work against the public interest in the longer term. It is important to keep in mind that these reports were commissioned by the Executive on a confidential basis for the purposes of legal proceedings. It is an accepted principle of law that parties to such proceedings cannot be compelled to share reports that have been commissioned in that context. The reason for this is that the law recognises that parties to litigation must be able to take confidential advice about their case in the knowledge that this information will not be disclosed to others. The principle applies to claimants as well as those defending claims.

To depart from that principle in this case would undermine Ministers’ position in future cases. If we were to waive confidentiality in this case, that would lead to similar requests being made in future litigation. Ministers’ ability to pursue or defend litigation would be seriously compromised if others could obtain access to confidential reports and advice about those actions, but were under no corresponding obligation to reveal advice or reports commissioned by them. It could also make it harder for Ministers to secure confidential advice and reports in the first place. As I have mentioned, this principle is recognised by the courts themselves. It is also consistent with the exemptions approved by Parliament as part of the Freedom of Information (Scotland) Act, in particular at section 30 which seeks to avoid “prejudice to the effective conduct of public affairs”. Against that background, I take the view that it would not be right to waive the confidentiality conferred by law on reports of this type. I have come to that conclusion only after considering very carefully the balance between the particular circumstances in this case and the wider public interest in preserving the ability for Ministers to defend and pursue litigation in the courts.

Finally, to ensure that there is no confusion, it may be of assistance to the Committee to clarify the position of Ministers in the context of this inquiry. As Minister for Justice, I will be responsible for assisting the Committee on behalf of the Executive and the Scottish Ministers collectively. However, I am not in a position to assist the Committee in relation to the work of the Crown Office which, as regards prosecutorial matters, is independent and comes solely within the remit of the Lord Advocate. Should the Committee require any information about the Crown Office and, for example, any reports that it holds that the Executive does not, then such matters would need to be raised separately with the Lord Advocate.

I hope this is helpful.

CATHY JAMIESON
Dear Cathy

Scottish Criminal Record Office and the Scottish Fingerprint Service

Thank you for your letter of today’s date in response to my letter of 30 March.

Although the Committee will wish to consider the terms of your letter in due course, I felt I had no option but to respond to you immediately regarding the anticipated date for publication of the action plan for the Scottish Fingerprint Service.

You suggest in your letter that the Committee cannot expect sight of the action plan until Friday 21 April. This is more than one week later than the Committee requested. I have grave concerns that should we not receive the document until the 21st, the oral evidence session on 26 April will be severely compromised, given that the sole focus of that meeting is on the content of the action plan itself.

I would ask you, therefore, to request your officials do all they can to provide the plan to the Committee by Wednesday 19 April at the very latest.

Yours sincerely

Pauline McNeill MSP
Convener, Justice 1 Committee
ACPOS PRESIDENTIAL REVIEW OF

S.C.R.O.

INTERIM REPORT
INTRODUCTION

This report is provided to advise of the measures taken by the Association of Chief Police Officers in Scotland (ACPOS) following the publication of the interim findings of the Inspection of the Fingerprint Bureau of the Scottish Criminal Record Office by Her Majesty’s Inspectorate of Constabulary on 22nd June 2000.

ACPOS consider that the swift and positive action taken, firstly in seeking the assistance of HMCIC to review the Fingerprint Bureau and the issues surrounding the acquittal of Miss Shirley McKie, and immediately upon being made aware of the interim findings of that inspection, demonstrate a commitment to ensuring that the integrity and public confidence in fingerprint evidence in Scotland is maintained.

Moreover, the detailed scrutiny procedures described in this report build on a pre-existing process, which over a number of years has considered the most appropriate framework for the delivery of fingerprint services to the criminal justice system in Scotland. This has to be set in the context of emerging changes to fingerprint examination worldwide and national developments in technology designed to assist the process of mark identification.

This interim report gives an indication of the considerable work already undertaken in advance of the publication of the Inspection Report of HMIC, which will crystallize into developments that require to be made to ensure the Fingerprint Bureau can provide an efficient and effective service.

It is anticipated that a detailed report, addressing all the issues raised by HMIC, together with an implementation action plan will be complete by mid October 2000. This is likely to coincide with the timescale associated with the preparation of a report regarding the investigation of the circumstances surrounding fingerprint evidence relating to the Marion Ross murder. In view of the public interest in this matter, a copy of this report will be available on the ACPOS website www.scottish.police.uk
OVERVIEW AND CHRONOLOGY OF EVENTS

SCRO
The Scottish Criminal Records Office (SCRO), which was established in 1960, is a common police service in terms of The Common Police Services (Scotland) Order 1997. Such services are funded and managed jointly by the eight Scottish police forces and the Scottish Executive on behalf of the First Minister. In the case of SCRO, the Executive Committee, which comprises the eight chief constables, a senior representative of the Scottish Executive Justice Department, and a representative of COSLA, fulfils this function. A representative of HMIC also attends meetings of the Executive Committee in the role of assessor.

Fifty per cent of the funding is recovered from the eight police authorities on a pro rata basis which reflects relative crime levels with the balance being made up from the Scottish Executive direct.

The senior Scottish Executive Justice Department representative also chairs the Management Committee, which has a responsibility for operational strategy and the objectives of the organisation. Membership consists of the Director of SCRO and senior representation from each force.

SCRO provides a central repository of criminal records, fingerprints and other information, which is accessible by all Scottish police forces and the wider criminal justice system. The primary functions of the fingerprint bureau of SCRO is to maintain the national fingerprint collection, provide a national scene of crime mark searching facility, and provide independent and impartial evidence through qualified fingerprint experts. Some fingerprint services in Scotland are provided by fingerprint experts employed by individual force bureaux.

Currently located within Strathclyde Police Headquarters, SCRO will move in the autumn to new premises at Pacific Quay, Glasgow. The Office has a complement of 18 seconded police officers and 98 support staff, of which 4 police officers and 59 support staff attached to the Fingerprint Bureau. Of the 72 fingerprint experts working within the Scottish Police Service 30 are employed by SCRO.

Background
On 14 May 1999 the trial of HMA v Shirley McKie concluded with a finding of her being “Not Guilty” of the charge of perjury. The case proceeded on the basis that Miss McKie had allegedly lied to the High Court of Justiciary in the earlier trial of David Asbury for the murder of Marion Ross to the effect that she had not entered the murder locus, which was the deceased’s home.
The crucial element of evidence was a latent fingerprint impression, which was recovered from within the deceased’s house. Examination of this print by experts of the Fingerprint Bureau of SCRO concluded that it matched that of Shirley McKie, then a Detective Constable of Strathclyde Police involved in the investigation and who had been listed among those submitted for fingerprint elimination purposes to SCRO. Miss McKie consistently denied she had been in the house and therefore the fingerprint could not have been hers, and she articulated this stance in her testimony in the Asbury trial.

In the course of her own trial, her Counsel cited two independent fingerprint experts from America who gave evidence in opposition to the SCRO experts. They concluded that the fingerprint recovered from the house of Marion Ross was not that of Shirley McKie.

Since the verdict on 14 May 1999 there has been considerable debate, both in the fingerprint world and generally through the media, newspaper, television and internet, as to the reliability of fingerprint identifications emanating from SCRO. The issue has been raised in the Scottish Parliament and in correspondence to Crown Office, the Justice Division of the Scottish Executive and HMIC.

The BBC documentary programme, ‘Frontline Scotland’, broadcast on 18 January 2000, gave significant public profile to the alleged misidentification of Shirley McKie’s fingerprint by SCRO.

**Initial ACPOS Action**

On 7 February 2000, ACPOS Council made the decision that it was in the best interests of the criminal justice system and the professional standing of SCRO, that an independent assessment be made of the fingerprint evidence prepared by SCRO and presented by the Crown in the Shirley McKie case. Later that day, the Executive Committee of SCRO agreed to approach HMCIC to commission this work.

On 23 February 2000, Mr William Taylor, HMCIC, in a letter to Mr Robertson, Chief Constable of Northern Constabulary and then Chairman SCRO Executive Committee, confirmed that HMIC would bring forward from its planned date of December 2000, the formal inspection of SCRO in respect of those aspects specifically raised by the Shirley McKie case.

The issues, which would be reviewed, included the training, skills and quality assurance process of the Fingerprint Bureau, together with a close examination of the Shirley McKie case as an example of the processes as a whole. As with all formal HMIC reports, the results would be published to demonstrate the public accountability of the inspection processes.

The inspection commenced in early March and was completed in May.

**HMIC Emerging Findings**
On 21 June 2000 Mr Taylor held a briefing meeting with Office Bearers from ACPOS where he outlined his preliminary findings. In particular, he advised that the disputed fingerprint had been examined, at his request, by two independent European experts who had also concluded that the mark was definitely not made by Shirley McKie. Accordingly, due to the significant public interest in this finding, Mr Taylor intimated that it was his intention immediately to make this information public. In addition, he said that his concerns regarding the functioning of the SCRO Fingerprint Bureau were such that he would be unable to endorse the organisation as being efficient and effective. This too would be made public immediately, in advance of the formal report.

ACPOS Response

In light of this information ACPOS immediately established a Presidential Review Group to co-ordinate the Scottish Police Service’s response to HMIC’s findings. The Group comprises:-

- Mr William Rae, Chief Constable, Dumfries & Galloway Constabulary and incoming President of ACPOS;
- Mr William Robertson, Chief Constable, Northern Constabulary and President of ACPOS;
- Sir Roy Cameron, Chief Constable, Lothian & Borders Police and Honorary Secretary of ACPOS; and
- Mr John Hamilton, Chief Constable, Fife Constabulary.

The agreed remit of the Review Group was:-

1. To review:-
   
   - Personnel, training and competency;
   - Structure;
   - Resources;
   - Procedures, processes; and
   - Quality control

   to accelerate the ongoing and future development of SCRO, in the light of HMIC’s Primary Inspection, the Leishman Reports*, the SCRO Strategic Review and any recommendations arising from the Policing Review.

[*An independent review of the SCRO fingerprint bureau was undertaken in two phases by Leishman Management Consultants between 1998 and 1999.]
2. To assess the findings of fingerprint experts engaged by HMCIC in his primary inspection in the light of their conclusion that the latent mark was not made by Shirley McKie.

3. To report to the SCRO Executive Committee on an implementation and action plan in relation to item 1 above and any management, staffing, resources, performance and quality control issues arising from item 2 above including any issues regarding standards of performance.

4. To liaise with the Crown Office, Scottish Executive, HMCIC, recognised experts and relevant consultants in taking forward substantive issues in which there is a shared interest.

5. To make available to HMCIC for public and ministerial information, through the SCRO Executive Committee the result and prepared response to HMCIC’s final report, recommendations and suggestions.

Two working groups were formed to give a detailed examination of the issues emerging from HMIC’s advance statement.

Mr James Mackay, Deputy Chief Constable of Tayside Police was appointed to lead the investigation of the circumstances surrounding the fingerprint identification, while Mr Kenneth McInnes, Deputy Chief Constable, Fife Constabulary, was appointed to lead a Change Management Review Team in undertaking a 90 day scrutiny of SCRO.

ACPOS Council and the Executive Committee of SCRO ratified the establishment of the Presidential Review Group and the two inquiry teams at meetings held on 3 July 2000. An obligation was placed on both groups to prepare initial reports to allow the Review Group to produce an interim report to coincide with the publication of the full inspection report of HMCIC.

On 22nd August 2000 David Asbury was granted interim liberation by the Court of Criminal Appeal pending a full appeal hearing in respect of his conviction of the murder of Marion Ross. Included in the grounds of appeal is a contention of fingerprint identification. At the time of publication of this report, ACPOS await the direction of Crown Office on this development and, if so directed, will associate any enquiry with that now being undertaken by Mr Mackay.
THE INVESTIGATIVE INQUIRY

On 6th July 2000, The Lord Advocate instructed Mr William Gilchrist, Regional Procurator Fiscal for North Strathclyde, to enquire into allegations of criminal conduct made by Mr McKie to the Minister for Justice. Mr Gilchrist is being assisted in this enquiry by Mr Mackay.

Remit

The remit given to the Inquiry Team led by Mr Mackay is:-

‘To conduct an investigation into all of the circumstances which resulted in the identifications by the Fingerprint Bureau of SCRO in the murder of Marion Ross in Kilmarnock in January 1997. In particular, the difference in opinions of SCRO fingerprint experts and the experts recently consulted by Mr William Taylor, HMCIC for Scotland.’

A full Inquiry Team was set up on Monday, 3 July 2000 working from Auchterarder Police Station. A Tasking Team was established to carry out specific actions.

Progress of the Enquiry

The Enquiry is of three phases which are:

(a) Collation of all relevant documentation, productions and the taking of statements;

(b) The analysis of all available material and information;

(c) Reporting of same.

Considerable progress has been made in respect of Phase 1 and the Inquiry continues to gather statements and productions as a matter of priority.

In Phase 2, the analysis phase now runs in parallel with Phase 1 and it is anticipated that Phases 1 and 2 will be completed by the end of September 2000.

With regard to Phase 3, it is expected that the timescale for reporting in full will be by 15 October 2000.

This investigation is being conducted as a major enquiry and Holmes 2 has been utilised to provide an audit trail and a facility to interrogate all data accumulated.

Use of HOLMES 2 computer system, with its research and analysis capabilities will allow the Inquiry Team to provide a comprehensive report on the investigation.
The full report will be submitted to Mr William Gilchrist, the Regional Procurator Fiscal appointed by Crown Office.

The Inquiry Team are in contact with the McKie family and are maintaining a close liaison to ensure that they receive regular updates on the progress of the enquiry.

**Status of the Inquiry**

In relation to the enquiry itself there has been discussion with the Regional Procurator Fiscal and as this is an active and ongoing criminal enquiry it would not be appropriate to make any further comment at this stage.
BUSINESS CONTINUITY

Background

On 22 June 2000, following the announcement of HMCIC’s interim findings, the Lord Advocate instructed that for all current and future cases where fingerprint evidence provided by SCRO is submitted to the Procurator Fiscal, an independent and external check of this evidence should be carried out, either by another police fingerprint bureau or independent expert, prior to the commencement of proceedings or, for those cases in the system, prior to trial.

Notwithstanding the foregoing, the statutory process for appeals is considered sufficiently developed to allow an individual to pursue any perceived shortcoming in fingerprint evidence which has contributed to a conviction.

Other than in the related case of David Asbury, it is understood that no appeal challenging fingerprint evidence has been lodged with the Crown Office since the decision in the Shirley McKie case.

In light of the Lord Advocate’s instruction, a business continuity protocol was developed by the Director of SCRO in consultation with the Crown Office and Mr Rae.

Independent Experts

As a short-term arrangement, fingerprint identifications made at SCRO were verified by independent experts from Central Scotland Police and Fife Constabulary. From 30 July 2000, this independent verification role has been carried out by two fingerprint experts from the Royal Ulster Constabulary. This is likely to extend beyond December 2000.

As of 1 September, 596 cases involving 2134 marks containing 3159 impressions have been independently verified. These include cases which were due to be heard at Court and also new identifications. In one isolated case, the independent expert from Central Scotland Police was unable to verify identification. Although the identity of the accused was confirmed by other forensic evidence, a re-examination of the fingerprint evidence by an independent expert from the RUC verified the original identification.

Since 23 June 2000 no challenges have been made to SCRO fingerprint experts giving evidence in Court.

Charting Computer

In 1994 a ‘Charting Computer’ was introduced by SCRO to produce visual illustrations of identified fingerprints and marks for court purposes. It was
used by the SCRO fingerprint experts in the presentation of evidence in the Shirley McKie case. The quality and effectiveness of this technology was, however, questioned following the trial and its use was discontinued following the announcement of HMIC’s interim findings in June 2000.

**Staffing**

On 3 August 2000, the four SCRO fingerprint experts involved in the Shirley McKie case were precautionarily suspended by the Director following written direction from Mr Rae. An evaluation of the work required to re-examine historical cases involving these four experts has been undertaken. A validation strategy is being developed and will be taken forward at the earliest opportunity.

Throughout this period of scrutiny the work of the busy Fingerprint Bureau at SCRO goes on.

Staff morale has clearly been affected by these events and publication of HMIC’s report. Continuing developments will continue to attract media speculation and public interest. However, staff have given a commitment to co-operate with the work of the Presidential Review Group and the criminal investigation being undertaken by Mr Mackay. The consistent independent verification of fingerprint evidence to date, the imminent relocation of SCRO to Pacific Quay and the potential for a clear strategic direction for SCRO Fingerprint Bureau emerging from the current Review are all positive factors which will be built upon to motivate staff in continuing to provide a professional service.

The loss of four fingerprint experts from SCRO staff is a major consideration which has been addressed on an interim basis by the Director. This involves the use of the Deputy Head of Bureau, the Quality Assurance/Training Officer and the Training Officer (all fingerprint experts) in day-to-day identification and verification duties. Quality Assurance, the subject of recommendations in HMIC’s Inspection Report, is effectively now being addressed by the independent verification carried out by RUC staff.

The situation is being carefully managed by the Director and other senior management within SCRO and other options for fingerprint expert cover are being considered including the use of additional independent experts from other UK Bureaux.
THE CHANGE MANAGEMENT REVIEW TEAM

Remit

The remit given to the Review Team led by Mr McInnes was:-

‘To undertake a 90 day scrutiny of the SCRO Fingerprint Bureau which will inform the ACPOS Presidential Review Group established to undertake a wide ranging review of SCRO.’

This broad remit was subsequently developed in detail in consultation with Mr Rae.

Background

HMIC’s inspection of SCRO Fingerprint Bureau was inextricably linked with the issues of the Shirley McKie case and, in particular, included an independent assessment of the fingerprint evidence presented in that case, carried out by HMIC at the invitation of the SCRO Executive Committee. While it could be regarded that an inspection of SCRO was overdue in respect of the normal 3 year timescale of primary inspections (the previous one being in 1995, followed up by a review in 1998), the findings of HMCIC must be viewed in the light of the Shirley McKie case.

To prepare for the publication of the inspection report, the Change Management Review Team liaised closely with HMIC to form an understanding of the anticipated recommendations.

Findings

HMIC reports on a Bureau which it suggests, despite some evidence of positive change and staff commitment to improved service, has been impeded in its efforts by limited resources and a lack of direction and radicalism. It provides a number of recommendations and suggestions (Appendix B) to achieve the necessary level of improvement in the following focus areas:-

- Structure within the Bureau
- Corporate identity and independence
- Procedural Guidelines
- Administrative Support
- Supervision
- Training
- Competency Testing
- Quality Assurance
- Standards
- Audit
- Openness/Accountability
- Conflict Resolution
A number of recommendations relate to the day to day operation of the SCRO Fingerprint Bureau and can be addressed directly as with any other inspection report. Others, in relation to oversight, structure and the strategic position of the Bureau, will require commitment, co-operation and significant resources to address them. HMIC suggests that increased efficiency and effectiveness are only achievable if these strategic recommendations are accepted and acted upon. HMIC readily acknowledges that many of the issues covered in its report have already been raised by the Fingerprint Bureau and considered by the SCRO Executive Committee (or the Controlling Committee before it) and, particularly in respect of structure, have been the subject of considerable research, including the use of management consultants.

Integrity

Many of the recommendations and suggestions focus on processes, their standardisation and publication.

Some focus on quality assurance, the need to separate the dual Quality Assurance/Training role within the SCRO Fingerprint Bureau and the implementation of QA processes nationally. Others address the need to move to a competency-based standard for expert qualification, the need for an office management system which provides an adequate audit trail of work passing through the Bureau, increased independence within the identification/verification process, training processes which benefit fully from external exposure and a national guidance manual for fingerprint experts.

In the light of questions arising from fingerprint identification associated with the Marion Ross murder inquiry all of these recommendations can be considered to be appropriate in broad terms.

Other recommendations, in respect of:

- adopting a (non-numeric) fingerprint evidence standard in line with that proposed for England and Wales;
- introducing externally provided competency testing as part of a fingerprint expert’s conditions of service; and
- establishing a national policy which encapsulates an independent review process to deal with all erroneous and disputed fingerprint identifications

touch on the vulnerability of current SCRO Fingerprint Bureau working practices and indeed those of the whole fingerprint service in Scotland.

The recommendations and HMIC’s support for the emerging Council for Registration of Forensic Practitioners are also considered to be appropriate in broad terms but will require close co-operation with other agencies to
influence or deliver change. As an example, the legitimate desire to address a non-numeric standard of evidence is also a consideration in a move towards a European standard where there are still varying opinions. Clearly, in the light of recent Scottish experience of the use of international experts, this cannot be ignored. However, the SCRO Executive Committee and ACPOS should be positive in its response to recommendations on processes, which correctly place an emphasis on integrity, following the failure of fingerprint evidence in the Shirley McKie case.

One other area of process, which attracts attention by HMIC, is the dual fingerprint expert/scenes of crime officer role, employed by some forces. HMIC accepts that there are arguments on both sides of the debate regarding its desirability. At a time when integrity is at the forefront of our considerations there is a strong case for its abolition. This would serve to add weight to arguments previously advanced by management consultants and broadly endorsed by HMIC in support of a single fingerprint service for Scotland.

Structure

While HMIC recommends a review of processes to ensure integrity within the SCRO Fingerprint Bureau, it is the standardisation of these processes, which is aimed at the wider fingerprint service in Scotland. Standardisation would be easier if there was only one body responsible for its provision. In that respect HMIC calls for the fingerprint service in Scotland to be provided within a new common police services arrangement.

This view leans heavily on the valuable research already carried out by ACPOS and Leishman Management Consultants on its behalf. HMIC encourages the SCRO Executive Committee to use these studies as key sources of guidance.

HMIC supports a centralised model but accepts the benefits of a devolved delivery of service and asks for a review of the location of AFR equipment in Scotland to maximise the efficiency of the service.

This is a matter which will be considered carefully by the Change Management Review Team, following full consultation with all stakeholders, including staff within all bureaux in Scotland.

However, if HMIC’s model of a single specialist service within a common police service is to be adopted and be fully effective and efficient, it must be a standalone service, unfettered by inherent weaknesses of accountability within the existing arrangements for common police services in Scotland.

This would require a change to the legislative basis for common police services and the Review Team recognise that this cannot be achieved overnight. They recommend that discussions between the Presidential Review Group and the Scottish Executive commence as a matter of urgency.
to resolve this matter as it is a pivotal issue in providing an appropriate strategic framework for the Scottish fingerprint service.

Other associated recommendations and suggestions seek:-

- a scoping study to determine required staff levels for current demands and those anticipated in the near future;
- a protocol between SCRO and forces regarding crime operations and initiatives; and
- policies on ethics, sickness absence and media relations

which may be more easily accommodated, indeed may only be able to be accommodated properly, within a standalone structure and not tagged on to the support structure of an individual force (Strathclyde Police) as at present, with the potential associated with that relationship to undermine the national/strategic importance of SCRO. In the absence of a separate structure these matters can still be addressed but without high expectation of a lasting solution.

In the light of prevailing professional police opinion that everyone who is arrested should have fingerprint impressions taken, HMIC emphasises the need for a properly resourced fingerprint service. While it is suggested that SCRO Fingerprint Bureau is unable to manage its current workload, HMIC makes it clear that the solution to many of its recommendations, involves a substantial injection of finance and a radical reorganisation of the provision of fingerprint services in Scotland. HMIC recognises that this clearly lies outwith the scope of SCRO staff. If this is not to impact adversely on police funding then the additional resources will fall to be provided by the Scottish Executive and Police Authorities.

**Shirley McKie Case**

HMIC uses his inspection report to announce formally the findings of the independent assessment of fingerprint evidence in the Shirley McKie case and this is likely to raise the public profile, once again, of the SCRO Fingerprint Bureau. However the report gives HMIC the opportunity to explain in more depth the issue of fingerprint evidence, the fact that it is based on expert opinion and that it is for the Court to determine the weight of that evidence.

Nonetheless this will draw attention to processes, already referred to in this interim report, which on the surface may raise further questions regarding the integrity of the SCRO Fingerprint Bureau.

**Opportunity**

The report’s recommendations point to processes which will help, both nationally and internationally, to enhance the standard of evidence given by
fingerprint experts and to maximise their standing within the criminal justice system and in the eyes of the general public.

While the Review Team acknowledge the current status of the Asbury appeal awaited, they are confident that they can provide a detailed action plan to take forward HMIC’s recommendations and see their involvement as an opportunity to progress a great deal of good ground work which has already been done by SCRO staff, and previous examinations of the fingerprint service, including management consultants and others whose work are acknowledged in the inspection report. HMCIC has already announced that his inspection has found SCRO Fingerprint Bureau not to be fully efficient and effective at this time. He will carry out a review of progress on the Report’s recommendations in December 2000. Accordingly, it is important that the work of the Review Team identifies as a priority those issues which need to be addressed without delay to alter that assessment.

Already SCRO staff are committed to progressing appropriate matters identified in consultation with the Review Team and a meeting of the 8 Force Fingerprint Standards Working Group under the direction of the Review Team has been scheduled for late September to make early progress on matters of national significance.

**Conclusion**

The Change Management Review Team believe they have already obtained a firm grasp of the main issues which feature as recommendations and suggestions in HMIC’s report. Views have been solicited from key members of all Scottish Fingerprint Bureaux to inform and reinforce findings from observation, enquiry and environmental scanning. The team have had the opportunity to visit the Greater Manchester Police Fingerprint Bureau and the National Police Training Centre, Durham, to explore different perspectives and gain an insight into UK developments in fingerprinting. A meeting with Crown Office has paved the way for progress to be made on evidential issues raised by HMIC. Having developed a clear awareness of the issues, the Team are already addressing the specific detailed recommendations and suggestions of HMIC as included in the final draft report.

HMIC acknowledges the value of setting up the Presidential Review Group and the Change Management Review Team, specifically identifying its role in ensuring that some of the recommendations and suggestions are implemented.

Following the Review Team’s 90 day scrutiny, successful implementation of its action plan will demand sustained commitment under the strategic direction of the Presidential Review Group. This view is given further impetus by HMIC’s suggestion that the ACPOS Presidential Review Group acts as a single reference point in responding to its report. A sustained commitment
will be difficult to maintain from within the stretched resources of the SCRO management team and it is anticipated that the early return to an efficient and effective fingerprint service for Scotland will require the appointment of a dedicated Project Management Team.

Some preliminary work has already been carried out to ensure that a Project Management Team working to PRINCE methodology and reporting to a Project Board chaired by a member of the Presidential Review Group will be available to ensure steady progress following the completion of the Review Team's action plan.
JUSTICE 1 COMMITTEE

COMMITTEE BRIEFING PAPER

The Police, Public Order and Criminal Justice (Scotland) Bill

This committee briefing paper is provided to give the Justice 1 Committee relevant background information on the Police, Public Order and Criminal Justice (Scotland) Bill to assist in their Inquiry into the Scottish Criminal Record Office and the Scottish Fingerprint Service.

The Bill was introduced in the Scottish Parliament on 30 September 2005. The Justice 2 Committee was designated as lead committee. Stage 2 consideration of the Bill was recently completed. Among other purposes, the Bill will:

- Create a single organisation - the Scottish Police Services Authority – to provide oversight of all of the Common Police Services

The Scottish Police Services Authority

Part 1 of the Bill proposes to establish a new Scottish Police Services Authority ‘SPSA’. The SPSA will have two principal duties:

- to establish and maintain the Scottish Crime and Drug Enforcement Agency
- to provide the services currently delivered through the existing Common Police Services, including responsibility for developing and providing new common services such as a national forensic science service - forensic science support to the police in Scotland is currently provided by four separate police laboratories

There are currently four Common Police Services:

- the Scottish Criminal Record Office (‘SCRO’) – the central database of all criminal records in Scotland. It manages information for the Scottish Police Service and the wider criminal justice community in Scotland. This includes involvement with disclosure information, fingerprints, support for various IT applications and the integration of criminal justice information systems
- the Scottish Police College (‘SPC’) – the central police training facility for police forces in Scotland.
- the Scottish Police Information Strategy (‘SPIS’) – co-ordinates the development of IT within the Scottish Police Service
- the Scottish Crime and Drug Enforcement Agency (‘SCDEA’) – created in June 2000 and formerly established on 1 April 2001 as the Scottish Drug Enforcement Agency, the SCDEA incorporates the former Scottish...
Crime Squad and is tasked with preventing and detecting serious and organised crime.

In 2001 the Executive conducted a ‘Review of Common Police Services’ with a remit to:

“...identify the best long term solution for the structure, oversight, funding and management of Common Police Services; to identify potential new Common Police Services; and to make recommendations to the Scottish Ministers”.

Following an ACPOS led review, the establishment of a National Forensic Science Service emerged as a potential new Common Police Service. The ACPOS Forensic Science Report (2004) made a number of recommendations to bring the existing four laboratories and the Scottish Fingerprint Service together on a statutory basis as a national service under the auspices of a new Common Police Service Authority (the proposed SPSA in the Bill).

The report said:

"In the context of Forensic Services, a significant amount of work must be done to prepare the 5 currently disparate bodies (the 4 forensic laboratories and the SFS) to act as a single service. This involves focus on all aspects of operational process and business support mechanisms".

Stage 1 evidence on the Bill

During Stage 1 the Justice 2 Committee took evidence from a wide range of organisations including all of the major police representative organisations. While many witnesses were in favour of the proposal to establish the SPSA, police witnesses and local authorities raised a number of concerns. These concerns centred on the membership of the authority, the perceived move away from the traditional tri-partite model of governance, and the funding and staffing arrangements for the SCDEA. Concern was also expressed over the distinction made in the Bill between ‘providing’ the Common Police Services and ‘maintaining’ the SCDEA and over the provisions to allow Ministers to set the strategic priorities of these organisations. In relation to the SCDEA, concerns were expressed about how it would be held accountable, the status of its Director, and its power to directly recruit staff.

In their Stage 1 report the Justice 2 Committee stated their support for the Bill’s proposals:

“(…) the Committee supports the proposals in the Bill for the establishment, structure and membership of the SPSA. The Committee recognises the concerns expressed about the move away from the traditional tripartite arrangements but sees the creation of the SPSA, a new entity, as an opportunity which will allow new skills to be available, together with greater flexibility and accountability".
The issue of the development of a new national forensic science service (Section 3 of the Bill) and the impact this would have on the Scottish Fingerprint Service was not discussed in any detail during Stage 1 evidence and the Committee expressed no particular views on the make-up or operation of the proposed national forensic science service in its Stage 1 report.

Denis Oag
SPICe Research
20 April 2006

Note
Committee briefing papers are provided by SPICe for the use of Scottish Parliament Committees and clerking staff. They provide focused information or respond to specific questions of interest to committees and are not intended to offer comprehensive coverage of a subject area.
Dear Ms McNeil & Mr Davidson

APPPOINTMENTS: RISK MANAGEMENT AUTHORITY

The purpose of this letter is to draw your attention to an advertisement which appeared in the national press today for member appointments to the Risk Management Authority. The advertisement seeks applicants for the above position and I enclose a copy of the advert, the role and person specification for your information. Copies are also being sent to SPICe.

These appointments will be made by the Minister for Justice on behalf of the Scottish Ministers.

We are keen to identify candidates from as many sources as possible for these appointments. I would be grateful therefore if you would draw these appointments to the attention of people who may be interested in applying for them.

Interested applicants can request an application form/ information pack by telephone 0870 240 1818, fax 0870 600 4111, e-mail publicappointments@response-handling.com or SMS Text message 0796 013 3181 providing the name, address and the vacancy applying for. Alternatively write to Public Appointments, PO Box 7332, Glasgow G51 2ZA. SPICe also hold nomination forms.

I should emphasise that, in line with the Commissioner for Public Appointments in Scotland’s Code, formal applications from nominees must be received by the same closing date as applications from any other source. You will wish to note that the completed applications are required by 26 May 2006.

I know that you recognise the importance of these appointments and I hope you will be able to help us to identify suitable candidates.

Yours sincerely

[Signature]

Public Appointments Team
Dear Ms McNeil & Mr Davidson

**APPOINTMENTS: THE PAROLE BOARD FOR SCOTLAND**

The purpose of this letter is to draw your attention to an advertisement which appeared in the national press today for member appointments to The Parole Board for Scotland. The advertisement seeks applicants for the above position and I enclose a copy of the advert, the role and person specification for your information. Copies are also being sent to SPICe.

These appointments will be made by the Minister for Justice on behalf of the Scottish Ministers.

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Yours sincerely

Public Appointments Team