The Committee will meet at 2 pm in Committee Room 2.

1. **Item in private**: The Committee will consider whether to take item 3 in private.

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

   James Mackay, Former Deputy Chief Constable Tayside Police, Natasha Durkin, Solicitor, Shepherd and Wedderburn, Scott Robertson, Former Detective Chief Superintendent, Tayside Police and Sir William Rae, Honorary Secretary, ACPOS

   and then from

   James Black, Human Resources Consultant and Doris Littlejohn, Chair of the Scrutiny Committee

3. **Scottish Criminal Record Office inquiry**: The Committee will consider whether to accept written evidence received after the deadline for submission of written evidence.

4. **Scottish Criminal Record Office inquiry (in private)**: The Committee will consider the main themes arising from the evidence sessions to date on the inquiry, in order to inform the drafting of its report.

Callum Thomson
Clerk to the Committee
Papers for the meeting—

Agenda item 2

Briefing note from the Clerk (PRIVATE PAPER)  J1/S2/06/24/1
Paper withdrawn  J1/S2/06/24/2
The Black Report (hard copy only)  J1/S2/06/24/3
Independent Counselling and Advisory Services Report into the Scottish Fingerprint Service  J1/S2/06/24/4
Correspondence from SCRO  J1/S2/06/24/5
Correspondence from the Lord Advocate  J1/S2/06/24/8

Agenda item 3

Late written submission (PRIVATE PAPER)  J1/S2/06/24/6
Late written submission (PRIVATE PAPER)  J1/S2/06/24/7
Late written submission (PRIVATE PAPER)  J1/S2/06/24/9

Documents for information—
The following document is circulated for information:

- ACPOS Presidential Review of S.C.R.O

Forthcoming meetings—

Wednesday 21 June, Committee Room 1
Monday 26 June, Committee Room 1
Wednesday 28 June, Committee Room 4
Dear Convener

At the Committee’s meeting on 26 April, John McLean advised of the background to his decision to call in an external firm, Independent Counselling and Advisory Services, to support staff throughout the Scottish Fingerprint Service at a time of challenge and change. There was discussion of the survey work being undertaken by ICAS and it was agreed that, on completion, the report of that work would be presented to the Committee. I am pleased now to enclose a copy of the report, which we are also sharing with staff today.

I very much welcome the decision that John took to commission this work. It accords with the ethos of openness and corporate responsibility that, in the context of the Action Plan, we are aiming to develop within the Scottish Fingerprint Service and, in due course, the Scottish Forensic Service. In any organisation, staff are the most important asset and the ICAS report will help to inform our actions as we seek to support, develop and work with our people.

You will see that the ICAS report identifies a range of concerns amongst the Service’s staff. That is no surprise. John was candid in his evidence to the Committee about the difficulties that continue to face the organisation. The challenges inherent in change are, of course, faced by many organisations, but the Service and its staff have had to face theirs in peculiarly testing circumstances. Few organisations have had to manage change while working against such a background of surges in external scrutiny and criticism – including calls for the closure of the organisation itself, based on allegations that turn out to be unfounded – over a prolonged period.

We need to move forward. I am hopeful that, informed by the ICAS report, the work being implemented under the Action Plan for Excellence, together with the outcome of your own Committee’s inquiry, will help to draw a line under the turbulence of recent years so that the organisation and its staff can operate in a more normal climate, one that provides an appropriate working environment and permits them to use their skills to contribute effectively to Scotland’s criminal justice system.

I will be happy to provide any further information that the Committee may require.

DAVID MULHERN

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Scottish Fingerprint Service

EMPLOYEE CONSULTATION REPORT

June 2006
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 ABOUT ICAS</td>
<td>3</td>
</tr>
<tr>
<td>2.0 STRUCTURAL BACKGROUND</td>
<td>4</td>
</tr>
<tr>
<td>3.0 THE ICAS PROJECT MANAGER’S FOREWORD</td>
<td>5</td>
</tr>
<tr>
<td>4.0 THE ICAS FACILITATOR’S FOCUS GROUP REPORT</td>
<td>6</td>
</tr>
<tr>
<td>4.1 EXECUTIVE SUMMARY (Including Recommendations)</td>
<td>6</td>
</tr>
<tr>
<td>KEY ISSUES IN GLASGOW</td>
<td>6</td>
</tr>
<tr>
<td>KEY ISSUES IN EDINBURGH, DUNDEE AND ABERDEEN</td>
<td>7</td>
</tr>
<tr>
<td>RECOMMENDATIONS FOR FUTURE ACTIONS</td>
<td>7</td>
</tr>
<tr>
<td>4.2 THE GLASGOW BUREAU</td>
<td>8</td>
</tr>
<tr>
<td>KEY ISSUES</td>
<td>8</td>
</tr>
<tr>
<td>THE QUESTIONS</td>
<td>9</td>
</tr>
<tr>
<td>1. What concerns and issues are impacting on your working life at the present time?</td>
<td>9</td>
</tr>
<tr>
<td>2a. What could SCRO do to address these?</td>
<td>10</td>
</tr>
<tr>
<td>2b. What could you do to help to address these?</td>
<td>12</td>
</tr>
<tr>
<td>3. What do you need that would help you to be ready for the organisational changes?</td>
<td>13</td>
</tr>
<tr>
<td>4.3 THE EDINBURGH, DUNDEE AND ABERDEEN BUREAUX</td>
<td>14</td>
</tr>
<tr>
<td>KEY ISSUES</td>
<td>14</td>
</tr>
<tr>
<td>THE QUESTIONS</td>
<td>14</td>
</tr>
<tr>
<td>1. What concerns and issues are impacting on your working life at the present time?</td>
<td>14</td>
</tr>
<tr>
<td>2a. What could SCRO do to address these?</td>
<td>15</td>
</tr>
<tr>
<td>2b. What could you do to help to address these?</td>
<td>16</td>
</tr>
<tr>
<td>3. What do you need that would help you to be ready for the organisational changes?</td>
<td>16</td>
</tr>
</tbody>
</table>
5.0 THE ICAS ORGANISATIONAL CONSULTANTS CONCLUSIONS AND ORGANISATIONAL RECOMMENDATIONS

5.1 CONCLUSIONS

5.2 ORGANISATIONAL RECOMMENDATIONS
1.0 ABOUT ICAS

ICAS (Independent Counselling and Advisory Services Limited), established in 1987, is one of the world’s leading providers of employee support and behavioural risk management services.

Our vision in 1987 was to bring the benefits of counselling (its principles of respect and partnership, and its skills of listening, communicating and problem solving) to individuals, managers and organisations as a whole.

It remains the same today, although the application of these principles has moved on to meet the business needs of our customers. Today our Employee Assistance Programmes, training and consultancy services help our client companies meet their duty of care and business objectives, by proactively managing quality and behavioural risk in the business continuity context.

We continue to assist our customers by offering:

- a true partnership approach based on consultation and really learning about customer businesses.
- a multi-disciplinary approach drawn from our unique blend of personnel with business perspective and people (clinical) insight.
- a creative and pragmatic approach to finding solutions that will meet customer business objectives.
- strong relationships based on trust and openness and helping people come together with shared agendas.

The reduction of people-related risks is a value at the heart of everything we do for our clients. It drives the key relationship management process in the delivery of company wide support schemes such as Employee Assistance Programmes (EAPs) and has shaped our approach to the measurement and management of stress.

It has also led to the development of a suite of highly specialised services aimed at assisting organisations in dealing with critical situations that, left unchecked, could result in grievance initiatives, investigations, disciplinaries and ultimately litigation.

Whether we are dealing with the entire organisation, individual managers and their employees or groups of employees, we tailor interventions to deal with sensitive challenges ranging from diversity and change management to disputes and formal investigations.

Radlett House, West Hill, Aspley Guise, Milton Keynes, MK17 8DT

01908 285200
www.icasworld.com
2.0 SFS Structural Background

The Scottish Fingerprint Service (SFS) was formed in 2001 to provide fingerprint identification services to the eight Scottish Police Forces. The organisation was created by the integration of the seven existing fingerprint bureaux into a centrally managed service with delivery of services through bureaux in Glasgow, Aberdeen, Dundee and Edinburgh.

The senior management of the SFS consists of a Head of Service, Heads of Bureaux for Aberdeen, Edinburgh and Dundee, a Deputy Head of Bureau for Glasgow and a Training Manager for the Service. The Head of Service reports directly to the Director and Deputy Director of the Scottish Criminal Record Office (SCRO) located in Glasgow.

The staff of the service in the four bureaux are employees of the joint police boards of the four forces where the fingerprint bureaux are located and the terms and conditions of employment of these four police forces do contain variations.

Approximately 70% of the staff are located in Glasgow with the three other bureaux each accounting for 10% of the staff in the Service. This is a reflection of the geographical occurrence of crimes in Scotland with the Strathclyde Force area accounting for in excess of 50% of all crimes committed. In addition the delivery of the 24/7 National Livescan Service is based at Glasgow. All business support services for the SFS are provided by SCRO. This structure therefore gives an organisation that in terms of services provided and staff employed is predominantly Glasgow based.

Since the inception of the SFS in 2001 a major change programme has been successfully implemented by the staff that has seen fundamental changes to the processes and procedures, training, quality management systems, accreditation as experts and the competency testing. The introduction of an office management system has provided a means whereby the workload is shared across the bureaux in essence a change programme that has fundamentally affected every facet of the staffs delivery of the services.

The catalyst for the creation and development of the SFS was the murder of Marion Ross in January 1997. This has led to a fingerprint dispute which has caused, and still causes, great division within the fingerprint community. The effects of this disagreement are still being felt strongly today – 9 years after the original event.
3.0 THE ICAS PROJECT MANAGER’S FOREWORD

Senior management at the Scottish Criminal Records Office were anxious about the impact on staff of a recent decision in the McKie case, and with the additional pressure of imminent restructuring decided to consult with staff on how best to support them in the current situation and in moving forward.

Many organisations use focus groups, particularly during periods of difficulty or change, and the senior team have opted for a tried and proven method to identify staff concerns and issues.

Following discussion the objectives for the focus groups were decided as,

- to identify key current issues impacting on staff morale and well-being
- to identify needs for immediate and future support,
- to gain feedback from staff for input to the change management decision making process.
- to remind Glasgow staff of the content of their Employee Assistance Programme

Following a meeting with the SCRO management team, an ICAS Edinburgh based affiliate, who has been working with ICAS for over six years, was asked to facilitate the focus group.

It is a demonstration of senior management’s genuine concern to do the best for staff that they have undertaken this intervention, knowing some of the issues and feedback that might arise,

The responses from the focus groups identified in the following report comes after nine years of anxiety, with the associated conflict and stress, and with three different directors and 3 deputy directors over that period. To a large extent the focus groups have been the first opportunity for groups to express their concerns, and discharge the emotions resulting from their experiences.

It is therefore not surprising that the report provides examples of strong feelings and responses. Nor is it unusual for management to be blamed for many of the issues staff have faced in such a situation. Employees often find it difficult to appreciate the pressures of being in the middle of the organisational hierarchy, with the need to maintain confidentiality and provide support for decisions made by others over which they have little or no control.

While reading the report it is also important to bear in mind that the focus groups took place in March/April 2006 and that the report is based on that feedback. More recent events may have changed the context and the situation and these are not reflected in this report, however this does not undermine the usefulness or relevance of the information gained.

There are some group comments that indicate a lack of awareness of what is available and what has been undertaken elsewhere in the organisation. To enable a more comprehensive understanding for those from outside the organisation who may read this report, I have added a note at such points.

Having managed similar projects and written up reports from many focus groups, while the key areas raised in this report are similar to those we see in the majority of organisations with which we work, the McKie case is central to SFS staff concerns.
4.0 THE ICAS FACILITATOR’S FOCUS GROUP REPORT

4.1 EXECUTIVE SUMMARY

Focus group participation was offered to all staff across all the Scottish Fingerprint Services offices to identify key needs for immediate and future support, to demonstrate the SCRO and SFS senior management concerns, and to offer involvement in the change management decision-making process which is currently moving forward.

The majority of staff took the opportunity to participate and 7 groups of up to ten people were facilitated in Glasgow, 2 in Dundee and 1 each in Aberdeen and Edinburgh over a four week period during March / April 2006.

The responses of the focus groups are detailed in the body of this report. Participants were encouraged to discuss only the present and the short-term future, but past events were a constant backdrop to current issues and concerns. A polarity of views was noted between the Glasgow and other bureaux on these particular issues.

Almost every focus group across all locations made requests to see the full and finished report(s) on the focus group findings.

The overall key issues that emerged are summarised below.

KEY ISSUES IN GLASGOW

Health and well-being
Serious stress issues were identified at all levels throughout the organisation with the perception that increased support and a greater demonstration of concern would improve morale.

McKie Case
Strong resentment is felt that experts are prevented from bringing issues into the open and defending themselves. Staff believe that closure at some level is required to enable them to move forward.

Management
Staff considered they would benefit from greater support and recognition from management and the adoption of more modern business practices.

Communication
Requests were made for better internal and external communications across all levels of the organisation, together with greater consultation and more engagement with staff.
KEY ISSUES IN EDINBURGH, DUNDEE AND ABERDEEN

McKie case
Staff expressed strong feelings that not all the information on the McKie case has been made available to them, and experts believe that their reputations have severely suffered as a result of what is seen as a mistake by Glasgow combined with subsequent mishandling.

Management
Considered to be distant and autocratic with a lack of commitment to staff outside Glasgow.

Communication
More effective and frequent communication would reduce misunderstandings and frustration with SCRO and SFS and improve trust.

Identity issues
Staff felt that greater integration and recognition would improve morale and increase confidence in both the SFS and the SCRO.

THE ICAS FACILITATOR’S RECOMMENDATIONS

Suggestions for action - the first three are perceived as critical, the others are in no particular order:

- Feedback of the focus group report to all staff was felt to be crucial.
- Training of management, from supervisors upwards: e.g. relationship management, communication skills, performance management, responsibility for stress.
- Support of staff – voluntary workshops on managing pressure + change, specific training⁴ for experts in how to best prepare for court appearances.
- Team building events and initiatives to build bridges and encourage cross-functional co-operation between all bureaux within the Service.
- Introduction of an effective staff consultative forum for the change project.
- Engage professionals² to run a communications initiative to improve public and other external experts’ perceptions of SFS. Ask for support and advice to implement a cross-media strategy to restore fingerprint service reputation. This should have a knock-on positive effect on staff morale.
- Continued external support should be offered during and after changes³. Support (e.g. EAP or helpline) for all bureaux for parity.
- Be more proactive in proposing and sponsoring ways to improve bonds with other professional bodies, but also within SFS itself and inter-bureaux to avoid bureaux outside Glasgow feeling marginalised.
- Provide morale and team building within the Glasgow bureau to help them to see positives in each other and in the future.
- Look for ways to further increase visibility and involvement of senior management to show genuine engagement and concern for issues staff face.
• Initially consider professionally facilitated meetings where there are areas of great conflict to avoid explosive situations.

1 Specialist training is made available to fingerprint experts for court appearances, however the comment indicates that additional training would be appreciated.

2 A SCRO Corporate Communication Manager is supported by external communications professionals. A corporate communication strategy is being prepared. See the ICAS Organisational Consultant’s Recommendations.

3 The Glasgow bureau has access to a 24/7 support line via the ICAS Employee Assistance Programme, however many staff were unaware of this and the focus groups provided an opportunity to reintroduce the EAP. Other bureaux appear not to have this level of support, and the feedback suggests additional support would be appreciated.

4.2 THE GLASGOW BUREAU

At the time of the focus groups feelings in the Glasgow bureau were running very high. There were signs of low morale and a resigned and even desperate air in some individuals. Others were resentful with barely suppressed feelings of anger. They were appreciative of the opportunity to air their views but there was a strong degree of cynicism as to whether this would lead to any substantial improvement for them.

A high degree of insecurity was evident and views of the future were coloured by past experiences.

With regard to key issues, many were inter-related and fuelled each other. The following emerging themes were very strong.

KEY ISSUES

Health and well-being
Serious stress issues were identified at all levels throughout the organisation with the perception that increased support and a greater demonstration of concern would lead to improved morale.

McKie Case
Strong resentment is felt that experts are prevented from bringing issues into the open and defending themselves. Staff believe that closure at some level is required to enable them to move forward.

Management
Staff considered they would benefit from greater support and recognition from management and the adoption of more modern business practices.

Communication
Requests were made for better internal and external communications across all levels of the organisation, together with greater consultation and more engagement with staff.
THE QUESTIONS

1. What concerns and issues are impacting on your working life at the present time?

The McKie case has generated many issues, including the handling of it by senior management. Staff reported that not only has this left a legacy of mistrust of senior management within the bureau, but the forthcoming enquiry and findings are adding increased pressure on staff.

Whilst most staff seem to appreciate that there has been a political agenda and external influences, the apparent continuing lack of control of the situation and the perception of an absence of meaningful and visible support by senior management is felt to be a key issue affecting staff morale and motivation.

Staff at all levels and departments within the bureau continue to be subject to a barrage of criticism from the media and politicians, increasingly from the public, and latterly from their colleagues from other bureaux within the service. This criticism is described as “all-pervasive”, and undermining them in their professional and private lives.

There is a perception that senior management have not defended and protected them, nor allowed them to publicly defend themselves. The only strategy that they have seen any evidence of has been one of “no comment” and this is felt to be inadequate in the face of the ongoing and overwhelmingly negative media coverage. They resent having been instructed to “draw a line under it” by SFS management whilst the issues are still so deeply affecting their work and lives, and whilst they see no evidence of support to help them move forward effectively.

Considerable frustration is felt across the Glasgow bureau by the “gagging” policy that does not allow them to defend their reputations against very vocal attacks. There is a perception that they are being unfairly restricted, particularly in view of a public attack from staff from another bureau. Lack of challenge by senior management to continuing unreasonable attacks and false claims in the media is seen as an admission of guilt and consequently staff believe all the service is discredited by implication. Concern was also expressed that staff sometimes receive new information through the media.

There is a feeling by some longer serving staff members that senior management could have improved the situation more and there is a concern about some short-term tenures. As none of the management team (including the Head of Bureau) is a fingerprint expert this increases the staff’s sense of isolation and lack of confidence in management competence to defend and support them, and to follow through on their promises. There is particular anger that statements such as an “honest mistake” having been agreed to, or at least allowed to go unchallenged.

There is considerable concern about what would happen if there were a repeat McKie type scenario. Whilst the experts have been subjected to stringent checks and new procedures (some of which they believe are not practical and may not be effective), there remains the need for a corporate media strategy or general protocol to be in place for the increasingly likely event of their evidence being questioned again in the future.

\[4\] for much of the time the case has been “sub judice”
A few individuals expressed feelings of concern of personal and professional exposure when giving evidence and would benefit from additional preparation for court appearances\(^1\).

Many individuals reported finding the current pressures intolerable. A considerable number are clearly feeling very stressed. They recognise that some people are genuinely unable to come to work due to stress or depression but the point was made that there are also individuals who are still at work and are seen to be “coping”, though they may not be in reality. Some individuals are only just managing the increased workload for now but feel that they may not be able to continue for much longer.

Relationships at work are strained, individuals are behaving out of character, and there is some unacceptable behaviour, especially examples of aggressive behaviour from some managers/supervisors. They feel more support is required if the work situation is to improve in the near future.

There were additional concerns expressed about career issues that might be affected by the McKie case – in particular, future professional development and retirement age.

While the majority of issues were connected to, or arose from the McKie case, more general concerns were also expressed.

Communication is perceived as an issue, with a request for more interaction and more frequent and thorough briefings, and a preference for face-to-face communication and consultation with staff, rather than by email, was expressed.

Apparently some line managers discourage staff from raising issues with senior management, and despite an open door policy, some staff feel they don’t know SCRO senior managers very well. While lunchtime forum sessions are recognised as an opportunity to meet with SCRO senior managers, some comments were made that these could be followed-through more effectively.

Whilst there are good supervisors, there were references to inconsistencies between supervisors, to some supervisors/managers having controlling management styles, and with some staff experiencing a lack of respect and courtesy from some managers. In some sections staff feel, despite many going beyond the call of duty at work, that they are not valued or trusted by their seniors. Additionally some new members of staff with useful work experience elsewhere do not feel valued for their skills and the flexibility they bring to the organisation.

2a. What could SCRO do to address these?

All the suggestions below were made in answer to this question, with the themes of preparing for the future, improving communication and relationships and upgrading management skills most commonly recurring.

- First and foremost many think that it would be useful if the SCRO could find a way of allowing the experts to defend and clear themselves in the McKie case.

- Almost every focus group across all locations made requests to see the full and finished report(s) on the focus group findings. The point was made that this would be a welcome
gesture from SCRO senior management and would be viewed as engaging with the staff in an open and honest way. This is seen as an opportunity for staff to feel listened to and to know that account has been given to their views. They felt it would help to put some issues to rest.

- Devise an action plan to help reduce exposure of individuals and to support them should a similar situation occur. Have a contingency plan in place to react quickly, institute a media policy that is more vocal. Consider own legal representation for the organisation.

- Introduce a communications strategy. Look for ways to mend the fingerprint community’s reputation (e.g. by co-operating with Strathclyde and other police forces), to give them a better professional and public profile.

- Find ways of supporting and training experts who have to face the professional word outside the bureau (e.g. in court). Encourage them to share best practice across the service and celebrate their successes.

- Improve managers’ skills and understanding of employee rights by giving them more coaching and training (in line with common business practice and not just the police management course). Nurture the right type of people into management roles.

- For senior management to engage and consult with staff more, to better understand what they do and their issues. It would be useful to build relationships, be more open to ideas from staff for working improvements and be seen to act on recommendations.

- Make sure working groups that include management are both effective and democratic.

- It would be helpful if staff returning from long-term absence could be met by management seeking feedback.

- Look at ways to communicate more efficiently in a managed way and give more frequent information to staff. Give background to decisions about changes in policy and procedures and be prepared to discuss these.

- Consider possibilities to increase job satisfaction (e.g. secondments and rotating roles) and ensure promotional prospects for junior and admin staff. Support experts in keeping themselves up to date with changes that affect them.

- Introduce service-wide initiatives that are fun and interesting to improve unity with other bureaux and help morale. Build on existing initiatives (e.g. IIP and SHAW) rather than bring in new ones. Give active help to staff and help them to manage stress levels and get back to normality.

- Encourage line managers to adopt a more flexible attitude to supervising staff, whereby individual circumstances can be taken into account to reduce stress and individuals can be rewarded for performance.

- Allow more union members as a channel for more information and more representation - (the only current incumbent has apparently been off work for some time and there has therefore been no representation).
• Find a way to provide staff with a corporate teambuilding event to help build morale and look for ways to offer good will gestures to help improve relations between management and staff.

5There is a policy of return to work interviews being undertaken by line managers, which is monitored by the Personnel Department, and a monthly Absence Case Management meeting to discuss each absent employee’s case, facilitated by the Personnel Manager.

2b. What could you do to help to address these?

Whilst many in the focus groups felt very vulnerable and did not feel they had any influence in the current culture, a number of suggestions were put forward as realistic;

• Each individual and each section can play its part in improving the Glasgow bureau and overall SFS reputation by liaising with colleagues and promoting their own expertise to lay people and other professionals with whom they come into contact (e.g. Procurator Fiscals, CID).

• Learn to communicate better with each other – choose to do it face-to-face when possible, build relationships to improve cross-section and bureau familiarisation.

• Keep united and support each other. Acknowledge, enjoy and publicise any successes.

• Stay sensitive to each other’s difficulties in the current climate but learn how to challenge inappropriate behaviour.

• Encourage management to give more positive feedback and keep staff better informed.

• Look for the light at the end of the tunnel and do not expect quick fixes, try to be positive about the forthcoming changes.

• Focus on the job to be done and accept any appropriate help when it is offered by SCRO.

• Create a social committee to think up activities to bring people together and improve morale.

• Suggest other working groups to improve communication and get answers to questions.

3. What do you need that would help you to be ready for the organisational changes?

The most common themes that emerged were frustration at lack of information, concerns about the way information would be communicated and a fear that changes would be implemented without consultation or adequate consideration for the staff concerned.

All staff are anxious for early information about the identity, location and structure of the new organisation and it is thought that, if this is forthcoming, it would help people to start to look
forward and plan for the future and would distract them from dwelling on the past. There is appreciation that not all the details have yet been decided on but any information would be welcome as long as it is clear, co-ordinated and properly communicated. This is required to reduce the “Chinese whispers” and avoid any more incidences of finding out information from the media before they are formally told.

Guarantees of conditions of employment with a new employer and clarification of the outcome and validity of 2004 job evaluations are needed for reassurance, along with assurances of flexibility for employees in a new location and the facilities which will be offered. Also needed is an early explanation of how re-deployment works and what options there may be for alternative work.

Information needs to be updated regularly with ideas of timescales for future announcements. A dedicated intranet page was proposed but there was also a preference for face-to-face communication when appropriate, backed up by written confirmation.

They need a platform for putting forward ideas and a reactive information service that will answer individual queries where possible. One suggestion for this involved employee representatives from different departments, together with a representative from Personnel to take questions from employees to the Change Management team and to pass back information. Union reps need to be pro-active and kept informed as well.

Staff would also like the opportunity to be involved in the move and to be asked for their input on such areas as office layout, conditions and storage. This could also be co-ordinated by staff representatives who would input to the Change Management project team.

The changes need to be expertly planned and the new organisation needs to be properly integrated, different factions introduced to each other and helped to understand each other’s work and roles, and the whole correctly launched and introduced to other professional groups and the media.

If this is all achieved then there is a sense of optimism that the fingerprint community may regain some of its morale and pride in its service.

Some individuals felt that they would benefit from help in making choices and many thought that they would need support in dealing with the changes. There should be ample opportunities for 1-1 discussions with line managers and possibly help from an external, objective advisor.

Employees stressed a need for the management at all stages of the change process to be open, approachable, and flexible.

END OF GLASGOW RESPONSES
4.3 THE EDINBURGH, DUNDEE AND ABERDEEN BUREAUX

There were many common views held between staff in the three locations and they seemed to relate more to each other than to the Glasgow bureau.

Each office appeared fairly united and there were signs of a good team spirit among some groups. Whilst recognising that the focus groups were a chance to air their views they questioned whether this would lead to any positive outcomes for them.

There was a sense of pride in their work and a desire to maintain their own identities, but also some frustration at their isolation and impotence to influence their own futures.

KEY ISSUES

McKie case
Staff expressed strong feelings that not all the information on the McKie case has been made available to them, and experts believe that their reputations have severely suffered as a result of what is seen as a mistake by Glasgow combined with subsequent mishandling.

Management
Considered to be distant and autocratic with a lack of commitment to staff outside Glasgow.

Communication
More effective and frequent communication would reduce misunderstandings and frustration with SCRO and SFS and improve trust.

Identity issues
Staff felt that greater integration and recognition would improve morale and increase confidence in both the SFS and the SCRO.

THE QUESTIONS

1. What concerns and issues are impacting on your working life at the present time?

There was much commonality in the views of all three bureaux. Again there are many issues and concerns that revolve around the McKie case. Staff working in bureaux other than Glasgow seem less affected on a day-to-day basis by the pressures but are still very concerned about their reputations both personally and professionally and the effect of the situation on their careers.

There is considerable criticism from all about the way that the McKie problems have been handled in the past and continue to be handled. Senior management is criticised for only considering the views of the Glasgow bureau, being disproportionately influenced by them and not prepared to listen to the views of other locations, indeed, staff from other bureaux see no evidence or commitment to sort out the problems. Management claims that original McKie copies are unavailable for inspection by experts in other bureaux, have increased the belief in a
cover-up. Although there have been changes among SCRO senior management the perception is that even the new team are allowing the uncertainty to continue.

There are identity issues for staff in all three bureaux due to the fact that they are attached to local forces where they feel a loyalty, but they are also part of the SFS and governed by SCRO management. Experts across these 3 bureaux feel that association with the Glasgow bureau has tarnished their reputation.

As part of the SFS they feel, despite having nothing to do with this case, their own integrity has been called into question and they resent this deeply. There was a strong view that unless there was clarification that the problem was in the Glasgow bureau, their reputation moving forward would continue to suffer.

Aberdeen bureau staff, who appear fairly united in their views, are concerned that they are seen to be engaging in inter-office rivalry when they have acted in frustration and response to what they see as a moral issue. They report they feel passionate about the future of the fingerprint profession in Scotland, its reputation and the lack of resolution of the McKie matter.

Staff felt that duties such as court appearances are affected by external loss of confidence in the whole Service. They also feel some evidence may not be being taken to court because of fears that it will not be seen to be valid, whilst other cases are undermined in court because the expert’s credibility is under question. It does not help their credibility to assert under questioning that they do not have any knowledge of the McKie case.

They are concerned that progress is being held back by the unresolved situation. For example, a delay in the introduction of the non-numeric standard and they feel they are lagging behind England and Wales. From a professional point of view this is very disappointing to them.

They believe there is little appreciation of the individual bureau needs because of the difference in their modus operandi and inappropriate changes are being enforced. Job scope has been restricted as a result of the case and there is a lack of job satisfaction in some areas.

The point was made that trainee and administration staff morale has also been affected and there is a sense that all decisions revolve around Glasgow bureau, at the expense of the others.

Communication issues were mentioned as a point of general concern in every group. No particular issues arose with local communication but staff thought that communication across the service could be improved. Individuals would like greater consultation and opportunity to input, to receive more feedback and for requests for information centrally to be answered more promptly.

6 The introduction of this is a matter for the Scottish Executive and the Crown Office.

2a. What could SCRO do to address these?

The points below were brought up by the majority of groups:

- Senior management of SFS should be impartial and based on neutral territory in future
• Make original McKie material available to all experts within the service so that everyone can make a judgement and an overall agreement can be reached.

• Ensure more experts from all bureaux are represented at appropriate SFS meetings in Glasgow to input into decisions that affect the practical aspects of their job. They could also feed back more meaningful and consistent information to their colleagues.

• Either allow more distinction between individual bureaus or provide a platform to get together to share thoughts, ideas, best practice etc.

• Have more meetings and short secondments in bureaux outside Glasgow so that Glasgow trainees and experts can see different working practices and requirements and relationships between staff can be strengthened.

• Improve management awareness and communication skills in recognition that communication should be a two way process.

7Release of the original materials is a matter for the Crown Office

2b. What could you do to help to address these?

Some individuals felt that there was little they themselves could do to improve their situation, and that neither SCRO nor SFS were interested in their problems and did not welcome their opinions. However some suggestions were made:

• Continue to speak up on important issues and find appropriate ways to do this.

• Be willing to be involved in making positive changes. Ask to be involved in changes at an earlier stage on issues that involve working practices.

• Ask for more expert representation at senior level.

• Be proactive in finding opportunities to mix with other bureaux and support any initiatives that are proposed.

• Speak your own mind, keep an open mind and respect other’s views even if you don’t agree.

• Try not to get dragged into politics.
3. What do you need that would help you to be ready for the organisational changes?

Views on this question were united across the three bureaux and can be summarised as follows:

Firstly the point was made that there needs to be closure on the McKie case before staff will be able to look forward with a positive attitude.

A variety of concerns emerged about the possible future structure of the Service, including the need for involvement and consultation. One point of view was that further opportunities in training and standards, where genuine improvements had been seen in recent years, would be lost if a national structure was broken down to a regional level. On the other hand the opportunity for a separate identity was welcomed as many in the bureau felt they did not relate to the Glasgow bureau or the SCRO, but more to their local force.

Edinburgh bureau reported that they are experiencing a crisis in terms of space and lack of equipment, whereas in Aberdeen unfilled vacancies were cited as putting pressure on existing staff. Staff in all the bureaux expressed anxiety that adequate consideration should be taken for their working needs in any new location and felt there was a lack of information about plans for their future. The point was made in Edinburgh that the lab staff seemed to know more about the planned move than fingerprint staff.

Strong and responsive leadership was considered essential to win respect and to guarantee the success of the change project. Individuals in the team would need to be approachable and supportive and seen to be open, objective and impartial. There should be a willingness to consult with staff and to visit all bureaux on a regular basis.

All the groups expressed a need to retain a degree of autonomy in the individual bureaux and for their views and positive suggestions to be put forward to an employee representative contact point for presentation to the project team.

Information about the future location and structure of the organisation is requested at the earliest opportunity to help individuals start to take control and plan for their future. It is essential to have an opportunity to input at an early stage on decisions that will affect daily working life in each area.

Good, effective communication methods and channels need to be set up from the start. Staff need on-going opportunities to access further information through an effective, cross-functional staff representative forum as well as through their managers. Communication is preferred face-to-face when possible but formal communications could also be made by email and informal news and positive views in a regular newsletter or on a dedicated intranet site.

END OF EDINBURGH, DUNDEE AND ABERDEEN RESPONSES
5.0 ICAS ORGANISATIONAL CONSULTANT – CONCLUSIONS AND RECOMMENDATIONS

5.1 CONCLUSIONS

The McKie case is central to the difficulties experienced at SFS, and has been instrumental in the decision to undertake this employee consultation intervention. Through the focus groups staff have raised a number of issues that are impacting on their well-being in the workplace as well as their productivity and performance.

Glasgow staff believe there has been a political agenda and external influences, and that the situation has also been fuelled by the media. However there is a divide in views about the case expressed between the Glasgow bureau and the other bureaux, which reflects their different understanding of the circumstances. It is acknowledged that the case will always be present for some individuals, but that some level of closure needs to be found if the majority of staff on all sites are to be able to move forward.

The feedback also provides suggestions for improved support, solutions and positive responses that provide evidence that staff are still willing to engage and look to the future. Staff across the four sites, have also provided examples of things that they can do to address the concerns expressed and demonstrated a willingness to move forward in their responses to question 3, “What do you need that would help you to be ready for the organisational changes”.

It would appear from this willingness to engage with the change programme, that if staff were genuinely involved in the process, the restructure could be helpful to enable staff to move forward. To capitalise on that goodwill and ensure that staff morale and motivation improve will also require an investment in staff, management style, communications, and a creative solution to providing some level of “closure” for those involved with the McKie case.

The ICAS Facilitator has provided recommendations and these have been built on in the next section.

It is hoped that being able to read the issues and concerns of colleagues in the other bureaux will enhance cross-bureau understanding, although the scope for rebuilding relationships needs to go well beyond simply acknowledging staff concerns and differences and communicating this report.

With the coming changes there could be a temptation to believe that the majority of the issues raised in this report will disappear when the restructuring occurs, or that a response to the focus groups could be delayed and the issues tackled later within the change programme.

Many of the issues raised below cannot wait to be addressed if high staff morale and willingness to engage in the new organisation are to be fostered.

This appears then, the ideal opportunity to decide how best to respond to the needs expressed throughout the report, to develop and implement an action plan within given timescales to meet those needs, and to provide support with the current situation and for the imminent changes.
5.2 ORGANISATIONAL RECOMMENDATIONS

With the wide range of issues raised by the Employee Consultation focus groups there is also a wide range of possible interventions that could be used to meet employees’ needs and in doing so to improve support, morale, motivation and productivity. Some of these are higher priority than other, and would benefit from being addressed sooner rather than later, i.e. stress management for managers, stress awareness for staff, change management training at all levels, and an opportunity for “closure” for the McKie case. At staff level it might be possible to combine the change and stress elements.

It is suggested that where relevant, all initiatives resulting from the recommendations are offered across the four sites, to ensure equal involvement.

1. Stress Management

   a. There is no doubt that many staff members are feeling stressed and would benefit from information and training on managing stress. Managers would also benefit from training on how best to identify those employees who are more likely to be feeling stressed, how to undertake a risk assessment in their area, and how to support staff who they identify as being stressed. Managers would then be in a position to make informed referrals for those individuals most at risk, to OH and the EAP.

   It would also be a good opportunity to review and re-communicate the Stress Management policy.

   This approach would help SFS meet the Health and Safety guidelines on stress management.

   b. Those who are absent because of stress, particularly those who have been absent for some time, could benefit from specialist psychological vocational rehabilitation. Such a specialist service can provide sound advice on how best to support the individual with the added benefit to both parties of seeing a more rapid return to work. We typically find that Occupational Health professionals find absence due to stress more problematical to deal with than physical causes, and often welcome specialist support.

2. Communication

   a. It is essential to acknowledge the contribution of participants to the focus group report, and also to thank them for that contribution. Providing access to the finished report will be the most effective way of demonstrating openness, at the very least a thank you email and a summary needs to be made available. Should there be a delay in providing access to the report a thank you email with details of how and when feedback will be given needs to be provided as soon as practicable.

   b. Staff will only feel their contribution has been worthwhile when they see a connection between this report and the changes resulting from their input. It is therefore recommended that an action plan is developed from the content of this report with regular updates to all staff so that anything put in place as a result of the focus groups is
clearly flagged up. This should ensure that the connection is made by all staff at all levels.

c. A review of existing communication methods would provide the information to ensure there are sufficient channels to enable communication to go up, down and across the organisation, including all four sites. Examples include, a staff communication forum, involving representatives from all four sites; holding SFS joint meetings on the Aberdeen, Dundee, Edinburgh sites as well as Glasgow; a weekly update email from the change programme manager; a dedicated “change page” on the intranet: team briefings, positioned as two way communication and supporting open discussion.

3. Support

a. All Glasgow SCRO employees have access to the ICAS Employee Assistance Programme, and yet many participants were unaware that they have immediate access, 24/7, to a counsellor and an extensive information service. The ICAS facilitator has provided a mini-brief at the end of each focus group session. However it would be useful to provide longer briefings or access to the ICAS EAP CD rom, so that all staff fully understand the extent of the service, that it is also available to their immediate families and that they recognise it is truly a confidential service.

b. Managers would also find access to the managerial consultancy aspects of the EAP useful in their staff support role.

c. While Aberdeen, Edinburgh and Dundee have access to their own support services, these are not EAPs. In terms of parity it would be useful to consider providing them with access to a full EAP, as an EAP is the only service I am aware of which provides individuals with the safety net of access 24/7 to immediate psychological support.

d. The supervisory and management roles are central to the provision of staff support and additional training in change management and coaching techniques would enable managers to provide additional support to staff.

e. Support can be provided in a variety of ways, one example of which is to encourage an external, rather than personal, focus. Apparently SCRO staff have not had a corporate team building event and they are keen to have that opportunity, it maybe that this could be used to provide an opportunity to look outside the current situation.

4. Relationship Building

a. The report identified a need for team building across the bureaus, however I believe an opportunity for “closure” would need to occur first before team building could be effective. Without that, this may be one of the areas that would need to be left until the reorganisation had taken place, with the emphasis placed in the short term on individual behaviour, support and development.

b. Some concerns have been raised around respect and courtesy, which suggests that a recommunication of the appropriate HR policy would be justified, together with training in communication and relationship building skills for managers.
5. Management

a. Building on the open door policy and lunchtime sessions and following through on them, would demonstrate the clear intention of SCRO senior management to be supportive and open with staff. Personally presenting on the feedback from this report across all four sites, and actively listening and acknowledging employees concerns and feelings would be an appropriate way to respond to the focus groups, and raise the senior management profile.

b. The feedback given about the management styles of some SFS supervisors/line managers suggests that there is a need for management training to encourage a more coaching and supportive approach, as in Support above.

c. Additionally it would be helpful to check manager’s understanding of the key policies to help ensure greater consistency in the application of regulations.

d. With some concerns about management style it would be appropriate to review the supervisory/line manager recruitment and selection policy and person specifications.

6. Change

a. Such a large project as the imminent organisational restructuring requires a change management team, which is in the process of being brought together. The focus group content was also designed to provide a great deal of useful information on staff needs and suggestions for the restructuring, and this report needs to be provided to the change management project manager as soon as practicable.

b. Staff across all sites have expressed a need for more information on the change project and reassurance that they will be involved in the decisions made.

Examples of desirable information have been provided and while many of these are some way down the line, reassurance that the information will be forthcoming as soon as practicable would be seen as responding to this request, and help staff to feel consulted and involved in the process.

c. Frequent and regular communications is crucial, even if there is no new information, as without it people rely on “Chinese whispers”, which are rarely positive. In other organisations undergoing such changes, the Director or CEO has emailed on a regular weekly or fortnightly basis to keep staff in the loop.

Additionally a staff consultation group representing all four bureaux for the duration of the change programme would facilitate two-way communication.

d. From the feedback given staff believe they need support to move forward effectively. Staff at all levels and across all four bureaux would benefit from voluntary change management awareness sessions to help them to see change as an opportunity and to understand how they might better manage change. In such situations it is particularly important to help develop a sense of personal control and resilience in advance of the approaching change programme.
7. Role Issues

a. There were several references to additional training and support for those whose role involves giving evidence in court. Although training is currently available it would appear that a higher level of robustness is now needed, which could be delivered by a specialist company.

b. Provide an opportunity to re-discuss the new procedures and checks introduced as a result of the McKie case, and ensure everyone understands the reasoning and the benefits.

c. Some staff also expressed concern about career issues and future professional development, and it would be useful to ensure these are covered in discussions with line managers.

d. Secondments and role rotation were suggested as methods to increase job satisfaction. While these can be difficult to manage in specialist areas, such interventions provide a more flexible and multi-skilled workforce in other areas and can lead to increased career prospects, which can be attractive to both existing staff and potential new recruits.

8. Closure

The biggest issue and one that appears most problematic in the short term is “closure” for the McKie case. The feedback from all bureaux expressed a high level of frustration at not being able to put their point of view forward and their point of view not being understood or acknowledged, and all parties voiced the same interests of truth and protecting their professional and personal credibility.

Without access to the original materials it would be virtually impossible to come to any agreement or consensus, and I strongly recommend that the original materials are released and provided as soon as practicable, to enable informed debate.
Dear Ms McNeill

Misidentification of a Fingerprint

While I no longer have strategic responsibility for the Scottish Fingerprint service and I understand that David Mulhern has become the single point of contact between the SFS and the Justice Committee I still retain a day to day management role and I therefore feel it is incumbent on me to write to you.

Following recent events around the erroneous claim by Mr Bayle of misidentification of a palm print by the SFS, I am aware that Lesley Hannah, the Principal Fingerprint Officer who correctly identified the mark in question wrote to you on the 6th of June.

Mr Bayle’s original claim received considerable media coverage and indeed his claim was supported by Alex Neil MSP who while quick to lay blame has to date yet to apologise for his own remarks. Lesley has clearly felt herself under considerable pressure while steps were taken to have her identification verified and subsequently has been absent from work since Thursday 8 June due to stress.

I have spoken to Lesley and I am hopeful she will return to work soon. As she herself explained she needed to “put some space” between herself and events.

I highlight this particular case as it seems to me that on occasions the agenda of certain individual’s shows no concern or respect for those who find themselves caught up in events. We are dealing with human lives and I include Miss Mckie, the experts associated with the case and those not directly so. I understand your position in all of this and acknowledge the difficult task that you are undertaking as chair but as the enquiry continues the possibility for further stressful scenarios exist and I would hope that committee members are alive to the potential consequences.

Yours sincerely

[Signature]

Ian Todd
Acting Director
Pauline McNeill MSP
Convener,
Justice 1 Committee
The Scottish Parliament
EDINBURGH
EH99 1SP

14th June 2006

Dear Pauline,

Thank you for your letter of 8 June 2006.

I recognise the importance of the work that the Committee is engaged in and I would wish to support that in any way that I can. I am also aware that there is continuing interest on the issue of disclosability of the Mackay Report notwithstanding that its substance is already in the public domain.

I would be happy to meet you in order to provide any further amplification that the Committee may require regarding my reasons for not disclosing the Report. I have, however, set out the principles upon which my decision was based in some detail already and I am not persuaded that there is any basis for me to depart from them.

I know that you have already met the Minister for Justice to discuss the release of material that she holds and which is held confidentiality. My position is distinct from hers and is governed by principles that go to the heart of our system for the investigation and prosecution of crime. I recognise, however, that the Committee may wish to know more about my view and, to that extent, I would be happy to meet you and, on that basis, am content to schedule such a discussion as soon as possible.

Yours sincerely,

COLIN BOYD
REPORT
OF THE SCRUTINY
OF
SCRO FINGERPRINT BUREAU
AND
STRUCTURE OF
THE SCOTTISH FINGERPRINT SERVICE
# TABLE OF CONTENTS

**CHAPTER 1** EXECUTIVE SUMMARY

**CHAPTER 2** PRINCIPLE OF INDEPENDENCE AND INTEGRITY 3

**CHAPTER 3** INTRODUCTION TO REPORT 4

3.1 Background 4
3.2 HMIC’s Emerging Findings 4
3.3 The Presidential Review Group 5
3.4 The Report 5
3.5 The 8-Force Standard Working Group 5

**CHAPTER 4** BACKGROUND TO FINGERPRINT SERVICES IN SCOTLAND 6

**CHAPTER 5** SCRO FINGERPRINT BUREAU 8

5.1 Status of SCRO as an Organisation 8
5.2 Span of Management Control within SCRO 8
5.3 Structural Fit of Fingerprint Bureau within SCRO 8
5.4 Functions of the Fingerprint Bureau 9
5.5 Livescan and AFR 9
5.6 Casework 11
5.7 Relationship with Strathclyde Police 11
5.8 Pacific Quay 12
5.9 Current Issues in the Bureau 12

**CHAPTER 6** CURRENT FUNDING ARRANGEMENTS FOR FINGERPRINT SERVICES IN SCOTLAND 14
1 EXECUTIVE SUMMARY

1.1 As a result of public debate, both within the media and the world of fingerprint experts, following the trial of HMA v McKie and the subsequent acquittal of Shirley McKie on a charge of perjury, Her Majesty's Chief Inspector of Constabulary (HMCIC) was invited by the Scottish Criminal Record Office (SCRO) Executive Committee to re-visit the disputed fingerprint evidence provided by the SCRO Fingerprint Bureau in that case. In accepting this invitation, Her Majesty's Inspectorate of Constabulary (HMIC) brought forward its planned inspection of SCRO to the spring of 2000.

1.2 Following an announcement of HMIC's emerging findings in June 2000, the Association of Chief Police Officers in Scotland (ACPOS) established a Presidential Review Group (APRG) to co-ordinate the Scottish Police Service's response. HMCIC had concluded that the disputed fingerprint was not made by Shirley McKie and that the SCRO Fingerprint Bureau was not fully efficient and effective.

1.3 Part of ACPOS's response was the creation of a Change Management Review Team (CMRT) to undertake a 90-day scrutiny of the SCRO Fingerprint Bureau. It is acknowledged by the CMRT that a short review cannot hope to address all aspects of the working of the fingerprint service in Scotland or the SCRO Fingerprint Bureau. However, its report seeks to provide clarity in assisting the SCRO Executive Committee to determine the way forward in the light of HMIC's Inspection Report.

1.4 The report builds on earlier research conducted by ACPOS, and with a clear acknowledgement of the circumstances surrounding the fingerprint evidence in the Shirley McKie case, responds to the recommendations and suggestions made by HMIC.

1.5 Many of the issues raised by HMIC relate to matters which were already being considered by SCRO and the wider fingerprint service in Scotland, and the CMRT is able to respond positively to each of the recommendations and suggestions. The response included in this report is based on wide consultation within SCRO and beyond and on discussion among the 8 Force Standard Working Group (8FSG), a forum involving senior representatives of each fingerprint bureau in Scotland, which has been reconstituted by the CMRT to enable swift progress in responding to those recommendations which have a wider application than the SCRO Fingerprint Bureau.

1.6 However, many of HMIC's recommendations and suggestions refer to key strategic issues which can only be addressed outwith SCRO and its management team. These relate to oversight arrangements, restructuring of Common Police Services, increased resourcing and the introduction of a non-numeric standard of fingerprint evidence.

1.7 Consideration of the application of a non-numeric standard has been developed within Scotland, but without the wide-ranging and inclusive approach adopted in England and Wales. Even there, introduction has been postponed to 2001 and the CMRT proposes a strong project based approach to its introduction in Scotland, benefiting from the experience gained south of the border.

1.8 At the heart of this review, however, is the serious understaffing of the SCRO Fingerprint Bureau, a situation which was triggered, in recent years, as a result of the introduction of new technology (Livescan) which eased the process of capturing fingerprints of persons in custody, but which has generated significant extra work in providing a new service within the Bureau, for which it was ill-resourced. The presence of a competitive and somewhat distorted market for fingerprint experts has made recruitment and retention of the required staffing levels difficult to achieve and, sadly, at the time of this review the situation is critical. Irrespective of the SCRO Executive Committee's response to this report, the issue of recruitment of fingerprint experts to the SCRO Fingerprint Bureau must receive priority attention.
1.9 Options for the future structure of a Scottish fingerprint service were provided by consultants in 1999. While none of these have been progressed by the SCRO Executive Committee, HMIC returns to this issue, providing three generic options for consideration.

1.10 The CMRT has carried out a scoping study to estimate the resources required to provide a full fingerprint service in Scotland. It concludes that a centralised arrangement for a fingerprint service is needed and sees merit in committing to a single bureau at Pacific Quay, Glasgow, as the sole point of delivery for the fingerprint service in Scotland. It recognises, however, that this can only be achieved with the full commitment of the SCRO Executive Committee and significant resources and effort. The ability of such a structure to retain the fingerprint experts currently working in Scottish bureaux, in a competitive market, the ability of fingerprint bureaux to independently prioritise urgent work, the ability of fingerprint experts to attend court across Scotland from a central base and the administrative arrangements associated with centralisation are clearly matters which would have to receive close attention. In particular, the limited availability of fingerprint experts is a major consideration which could prove difficult to resolve.

1.11 However, the potential benefits of defined control, efficient management of resources and the effective application of fingerprint experts offer long-term advantages.

1.12 With the experience of an erroneous fingerprint identification in the Shirley McKie case, centralisation promises further scope to apply rigorous quality assurance standards and a unique opportunity to support the principle of independence within the identification and verification process, ensuring that integrity is at the forefront of any considerations applying to fingerprint evidence.

1.13 Against a backdrop of the unsatisfactory current arrangements for Common Police Services, it would not be possible to achieve this change. The convenient arrangement which sees the employment of SCRO staff by Strathclyde Joint Police Board impedes the ability of SCRO to manage its business effectively. This requires to be addressed by the Scottish Executive providing a proper legislative basis for Common Police Services. Recent comments by the Justice Minister are helpful in that respect. Only when that is achieved, however, can there be any real expectation of significant improvement based on structure. In the meantime it would be necessary to seek agreement with Strathclyde Joint Police Board as to the basis in which the current arrangement can be made to work effectively.

1.14 The CMRT provides an outline strategy for moving on a phased basis towards a centralised structure under proper Common Police Service arrangements and identifies the associated risks. Adoption of this costed model would carry with it a need for commitment, openness, consistency and firm management. If, on balance, the risks are deemed to be inappropriate by the SCRO Executive Committee, the CMRT provides an analysis of all options including a centralised management model with devolved service delivery.

1.15 While this latter approach is a compromise it provides a pragmatic approach to fingerprint expert recruitment, requiring as it does, less movement of existing fingerprint experts in Scotland to achieve it.

1.16 The CMRT believes that there is scope for a centralised management structure to develop in time to provide a wider identification service for Scotland, including the consideration of an all-inclusive service involving forensic science.

1.17 Such an approach would allow the Scottish Police Service to work towards the creation of an organisation founded on the maintenance of unimpeachable standards and the integrity of evidence at the centre of the criminal justice system in Scotland.
2 PRINCIPLES OF INDEPENDENCE AND INTEGRITY

2.1 Fingerprint identification provides conclusive evidence connecting suspects to a scene of crime. The uniqueness of a fingerprint is supported by many millions of comparisons across the world each year. Although fingerprint evidence is often a key element in the prosecution of a case, not least those tried under solemn procedure, so compelling are the conclusions drawn from fingerprint examinations that they are seldom challenged.

2.2 The founding principle of fingerprint examination is not the identification of individuals, but the provision of reliable factual conclusions drawn from comparison of fingerprint impressions and marks. The core task of the fingerprint expert, then, is to translate raw fingerprint data into a factual context. Given the weight attached to fingerprint evidence and the gravity of cases to which it so often applies, it is essential that the work of the expert is free from bias or influence. If such a principle is accepted then a minimum requirement is to ensure that the ingredients of the process are known and controlled and that potential sources of influence are, as far as is possible, removed.

2.3 The combination of a scientific approach, detailed procedures and unimpeachable standards are, therefore, of paramount importance in protecting the integrity and independence of fingerprint evidence and in sustaining the vital role which it has to play in the criminal justice system.

2.4 These considerations have been used as guiding elements in the preparation of this report.
3. INTRODUCTION TO REPORT

3.1 BACKGROUND

3.1.1 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.

3.1.2 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 the Scottish Criminal Record Office (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.

3.1.3 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.

3.1.4 Since the verdict on 14 May 1999, there has been considerable debate, both in the fingerprint world and generally through the media, as to the reliability of the fingerprint identification 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 Her Majesty’s Inspectorate of Constabulary (HMIC).

3.1.5 In particular, 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.

3.1.6 On 7 February 2000, the Association of Chief Police Officers in Scotland (ACPOS) 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 Her Majesty’s Chief Inspector of Constabulary (HMCIC) to commission this work.

3.1.7 On 23 February 2000, Mr William Taylor, HMCIC, confirmed that HMIC would bring forward from its planned date of December 2000, the formal inspection of SCRO in respect of the Fingerprint Bureau. The inspection commenced in early March and was completed in May.

3.2 HMIC’S EMERGING FINDINGS

3.2.1 On 21 June 2000, Mr Taylor held a briefing meeting with Office Bearers from ACPOS where he outlined his emerging 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. Due to the significant public interest in this finding, Mr Taylor intimated that it was his intention to make this information public, together with his finding that he would be unable to endorse the SCRO Fingerprint Bureau as being efficient and effective.
3.3 THE PRESIDENTIAL REVIEW GROUP

3.3.1 In light of this information ACPOS established a Presidential Review Group (APRG, however referred to by HMIC as APRT) to co-ordinate the Scottish Police Service’s response to HMIC’s findings. In turn, two teams were formed to give a detailed examination of the issues emerging from HMIC’s advance statement. Mr Kenny McInnes, Deputy Chief Constable, Fife Constabulary, was appointed to lead a Change Management Review Team (CMRT) in undertaking a 90 day scrutiny of the SCRO Fingerprint Bureau and this is the report compiled by that team. A brief resume of the work being carried out by the other team, led by Mr Jim Mackay, Deputy Chief Constable, Tayside Police, is provided at Chapter 11.6.

3.4 THE REPORT

3.4.1 The first part of this report illustrates the background to the SCRO Fingerprint Bureau, its role within the fingerprint service in Scotland and its relationship with police forces and the Scottish Executive.

3.4.2 The SCRO Fingerprint Bureau has been the subject of a number of reviews in recent years and these are described in some detail at Chapter 7.

3.4.3 Chapters 8-12 provide a summary of the circumstances of the period leading to HMIC’s inspection, the ACPOS response and the approach taken by the CMRT. HMIC’s findings are addressed at Chapters 13 and 14. The CMRT frames its response to associated recommendations and suggestions around the key focus areas identified by HMIC. A précis of the CMRT’s detailed response is presented again in tabular form at Appendix ‘A’.

3.4.4 The future structure of the fingerprint service in Scotland is one of the strategic issues identified by HMIC as being central to its satisfactory development. Chapters 15-17 develop this complex issue to a conclusion and some views on the future of Information Technology for fingerprint services are provided at Chapter 18 before the CMRT’s findings are summarised at Chapters 19-20 and Appendix ‘I’.

3.5 THE 8-FORCE STANDARD WORKING GROUP

3.5.1 The 8-Force Standard Working Group (8FSG) emerged following publication of the second Leishman Management Consulting report in 1999 (Chapter 7.4) and had only begun to consider a way forward for fingerprint services in Scotland when the events unfolding at SCRO caused its progress to be suspended. Given that it is a forum for senior practitioners in the scenes of crime/fingerprint identification field from each force in Scotland, it is considered to be a key mechanism in delivering many of the changes proposed both by HMIC and this report. In particular there is scope for the creation of practitioner led sub-groups to evaluate critically and take forward specific issues, with the involvement initially of the Project Management Team, established to oversee the APRG’s response to HMIC’s Inspection Report.

3.5.2 On 26 September, the Working Group was reconvened under the chairmanship of Mr McInnes, Deputy Chief Constable, Fife Constabulary and head of the CMRT. The meeting addressed all HMIC’s recommendations and suggestions relating to standards and an agreed mechanism was established for taking forward relevant issues on a common basis across all bureaux.

3.5.3 Participation in this forum will lead to significant additional work commitments by force representatives and will require the support of all Chief Constables.
4 BACKGROUND TO FINGERPRINT SERVICES IN SCOTLAND

4.1 Prior to 1960 many Scottish forces had well established fingerprint bureaux, some dating back to the early 1930s. Each of these bureaux undertook casework (comparison of crime scene marks to local fingerprint collections) and maintained a local fingerprint collection. An overview of fingerprint evidence and the role of the fingerprint expert is provided at Appendix ‘B’.

4.2 In 1960 following a review of the criminal record arrangements in Scotland, SCRO was established in Glasgow, as a Common Police Service, on the approval of the then Secretary of State for Scotland. The primary function of SCRO, at that time, was as a central repository for criminal records in Scotland, including the maintenance of a national fingerprint collection.

4.3 Whilst fingerprint bureaux were retained locally, force amalgamation in 1975 and other developments in policing since, have reshaped the provision of fingerprint services in Scotland to the hybrid structure evident today (Chapter 5).

4.4 In 1991, the introduction of Automatic Fingerprint Recognition (AFR) as an aid to fingerprint comparison, initially at SCRO and latterly at key locations in Edinburgh, Perth and Aberdeen, again influenced service provision in Scotland, dramatically increasing the speed and search capability of hitherto manual facilities within bureaux. The subsequent development of the electronic capture of fingerprint impressions, through the Livescan Tenprints system introduced in 1997, and the roll-out to strategic locations within forces, extended the scope of AFR to include the potential for ‘real time’ identification of persons in custody. Consequently, a new Livescan Tenprints service was established at SCRO providing a 24 hour facility to all forces in Scotland, capable of verifying the identity of persons in custody by electronic fingerprint comparison.

4.5 Today, SCRO continues to act as a central repository for fingerprints in Scotland, maintaining a national fingerprint collection of some 350,000 records. It provides a 24 hour Livescan Tenprints service to all forces; undertakes all casework for Strathclyde Police and Dumfries and Galloway Constabulary and provides a full backup service to the sole fingerprint expert at Northern Constabulary.

4.6 The remaining forces – Central Scotland Police, Fife Constabulary, Tayside Police, Grampian Police and Lothian and Borders Police – have each retained their own fingerprint bureau and are self sufficient, in terms of casework, including the application of AFR through the distributed facilities.
4.7 In terms of overall service, at present, the following charts outline the provision in Scotland along with the proportional use of fingerprint services at SCRO:

**Fingerprint Experts**  
*authorised whole post equivalents*

**SCRO Casework 1999/2000**

**SCRO Tenprints Service 1999/2000**  
*(usage by Force)*
5  SCRO FINGERPRINT BUREAU

5.1  STATUS OF SCRO AS AN ORGANISATION

5.1.1  SCRO 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. In the case of SCRO, the Executive Committee, which comprises the eight Chief Constables, a senior representative of the Scottish Executive Justice Division and a representative of the Convention of Scottish Local Authorities (COSLA), fulfils this function. A representative of HMIC also attends in the role of assessor.

5.2  SPAN OF MANAGEMENT CONTROL WITHIN SCRO

5.2.1  The management team of SCRO is led by the Director, currently a police officer of chief superintendent rank and the Deputy Director who is of superintendent rank. The current post holders are both on secondment from Strathclyde Police. The Fingerprint Bureau is led by a police officer of chief inspector rank, currently seconded from Lothian & Borders Police. The organisation as a whole comprises 18 police officers and 98 support staff. Of that total the Fingerprint Bureau accounts for 60% of the support staff and 22% of the police staff.

5.2.2  The Head of the Fingerprint Bureau is assisted by a Deputy, Quality Assurance Officer, Acting Training Officer and Principal Fingerprint Officer in managing this major unit of SCRO.

5.3  STRUCTURAL FIT OF FINGERPRINT BUREAU WITHIN SCRO

5.3.1  The Fingerprint Bureau is the main component of SCRO, however, all of the branches are interdependent on each other. The other branches are:

- **The Computer Section** – maintains the Criminal History System (CHS) and Police National Computer (PNC) interface allowing access to information from 600 terminals across Scotland, together with the AFR System accessed across 4 sites and the Livescan system at 33 sites.

- **User Support Bureau** – provides 24 hour support and advice on accessing information through the CHS and PNC systems. In addition, the Bureau currently processes criminal conviction disclosures for agencies whose prospective employees may have opportunities for substantial access to children. This role will change with the emerging Part V facility outlined below.

- **Research & Development Section** – conducts operational and organisational research within SCRO to ensure effective use of resources, together with assessing innovative suggestions for improvements to the service. It has a major role in the Integration of the Scottish Criminal Justice Information Systems (ISCJIS) project with live links now in place between SCRO and fifteen Procurator Fiscal Offices.

5.3.2  A major emerging branch of the organisation is that relating to Part V of the Police Act 1997. This Act will provide wider rights of access to criminal record information from throughout the UK with the objective of strengthening safeguards for the protection of children and vulnerable adults. Currently a project team is developing the processes required to implement the procedure, which has the potential to require a further 60 personnel to provide the service. This component of service will be provided on behalf of The Scottish Executive who will directly fund it.
5.4 FUNCTIONS OF THE FINGERPRINT BUREAU

5.4.1 Central Repository - Upon its creation in 1960, the primary function of SCRO was to maintain records. Events and developments over the years have taken some of these record responsibilities elsewhere - for example the motor vehicle index is now administered by the Driver and Vehicle Licensing Agency - or significantly affected how records are maintained, for example the use of the PNC and CHS. For fingerprints, however, there remains an obligation which has changed little in that period and that is to maintain a national collection of finger and palm prints for persons convicted of crimes and offences in Scotland. The maintenance of the files is a significant task, given that each file may contain many actual fingerprint forms.

5.4.2 Currently that single collection is held both in paper format and electronically on the AFR System and comprises approximately 350,000 records. In addition, those forces which operate fingerprint bureaux hold a local collection relative only to persons arrested in their force areas. Structures are in place between SCRO and these force bureaux to notify them of records which require to be weeded. However, both at SCRO and at force bureaux, resources have in the past been insufficient to keep this process up to date. This aspect is further discussed at Section 13.

5.5 LIVESCAN and AFR

5.5.1 AFR - The AFR System comprises two distinct databases, one which contains the Tenprints and one which contains unidentified marks taken from scenes of crimes. A Tenprint is the term used to refer to an individual’s set of record fingerprints. An individual may have many sets of Tenprints held on paper but only one set on the AFR system. Each time a new Tenprint form arrives it is compared to any existing file on the AFR system. If the new set or any individual finger is of better quality than that existing on the system, the AFR file is updated to ensure it is working with the best quality information available.

The search facilities available are:
- tenprint to tenprint – to confirm identification
- mark to tenprint – to identify possible individuals responsible for crime
- tenprint to mark – to match outstanding crime marks to an individual
- mark to mark – to link different crimes together.

5.5.2 The marks and Tenprints are loaded onto the AFR system and fingerprint experts use the facilities to create lists of possible matches. They view these on screen before making the final analysis by eye using the original paper Tenprint form. Currently, due to workload pressure and access time on the AFR workstations, mark to mark searches are not routinely carried out.

5.5.3 There are 10 workstations in Scotland, with 6 being in SCRO, 1 at Lothian & Borders Police Headquarters in Edinburgh, 1 in Grampian Police Headquarters in Aberdeen and 2 situated in Perth police office in the Tayside Police area. The siting of the 2 workstations at Perth is a relatively recent development and was designed to allow access to this technology to the fingerprint bureaux of Tayside, Central Scotland and Fife.

5.5.4 An analysis of the use of the workstations has indicated that those at Perth are under-utilised while there is a demand for this facility at SCRO. It is believed that this is due to the compromise of three force bureaux having to travel to Perth to use the facility. While the structural position is being considered, the CMRT considers that with the addition of one further workstation, all fingerprint bureaux could have a workstation installed in their office.

5.5.5 Whilst difficult to justify in terms of current usage, the CMRT questions the value of fingerprint experts from Tayside, Fife and Central Scotland bureaux having to travel to carry out mark comparisons using AFR. Staff are clearly frustrated with the current arrangement and there is reason to believe that the under-utilisation is partly due to the arrangements at Perth.
5.5.6 For an interim period of 2 – 4 years (Section 17.1) there would be value in making provision for an additional AFR workstation and to distribute one to each of the bureaux at Dundee, Stirling and Glenrothes. This would incur equipment, communication and relocation costs. However, before entering into a change of contract with SAGEM, it is important that consideration is given to the long-term strategy for fingerprint technology in Scotland (Chapter 18). An additional workstation, deployed in this manner, however, could be sensibly redeployed at Pacific Quay as satisfactory progress is made towards centralisation.

5.5.7 The distribution of AFR terminals to Dundee, Stirling and Glenrothes could assist SCRO in the interim by providing more capacity for fingerprint experts working within these bureaux to carry out SCRO work.

5.5.8 While there is a strong demand for time on the workstations at SCRO and an additional terminal will help this situation, the analysis also reveals that the time available on the existing terminals could be better managed which would make more efficient use of the system. SCRO management is aware of this shortcoming. However, it does not have the resources available at the moment to progress this issue.

5.5.9 Livescan - Livescan is a system which allows an individual’s fingerprints to be taken by optical and electronic scanning. The resultant Tenprint is sent as data via communications links to SCRO. At SCRO the incoming Tenprint is processed and where that individual is already on the AFR system, the identity is checked to confirm that names and fingerprints match.

5.5.10 Currently there are 33 Livescan locations in Scotland and their usage varies. There is scope for forces to review, in conjunction with SCRO, their Livescan locations to ensure optimal use is being made of this valuable facility which should be located at the offices where most prisoners are processed. The quality of the input is variable and the Livescan Manager, currently an Inspector on secondment from Tayside Police, liaises with sites over quality control. Experience has shown that, when the duty to Livescan prisoners is restricted to a few individuals rather than all arresting officers, the quality is significantly enhanced as they become more practiced and adept at the skill. This is an important issue as the success of AFR lies with the quality of the Tenprints collection. The better the quality the more likely that matches will be found and crime detected.

5.5.11 When introduced on 1 April 1997, SCRO undertook to provide a 24 hour service which would, where possible, process the Tenprints and confirm identity back to the Livescan location within two hours of their receipt. In 1999/2000 this was achieved in 95.5% of cases. However, this level of service came at a price.

5.5.12 The process requires significant staff resourcing to ensure that it operates within the target timescale involving the receipt of Tenprints, from Livescan, by staff who then process them onto AFR and send back a result. Of interest here is the development of Livescan in England and Wales as part of the National Fingerprint Identification Service (NAFIS) (Chapter 18) which is capable of working semi-automatically when necessary, and while the automated results do not carry the same degree of certainty as those with an operator check, they appear to be sufficiently accurate and safe to allow arresting officers to use as a main strand of an identification process. Consequently, the NAFIS approach to Livescan, at present, is not to staff on a 24 hour basis.

5.5.13 The resource commitment to this service in terms of fingerprint experts was such that the mark identification demands were not being met and a significant backlog of work built up. Following a recommendation in the Leishman report of 1998, 16 new posts of Tenprint Identification Officer (TIO) were created. They were trained over a six month period in the Tenprints identification processes and were to be deployed in four teams on a rolling shift basis to service Livescan. This process, however, still involves the abstraction of fingerprint experts who are required to verify the work of the TIOs.
5.5.14 It was always proposed that in due course a supervisory grade TIO would be developed which would allow them to fulfil the verification process in all but the most challenging of cases. Unfortunately the establishment of these posts is only now beginning to take place with one of the principle difficulties being the retention of TIOs.

5.5.15 It appears the combination of shifts, salary grading and a lack of progress in the development of the supervisory role has caused many of the original 16 to leave for alternative employment. At present the complement of TIOs has been reduced to 9 with the gap having to be filled by fingerprint experts. This abstraction from a bureau already under strength in fingerprint experts is causing an ever increasing backlog of mark examination cases to accrue. Given that training for these posts takes six months there is no fast solution. SCRO management is progressing the issue in an effort to maintain the 24 hour Livescan service.

5.5.16 The resourcing of the Livescan service from 1997 is central to the difficulties that have faced SCRO since that time.

5.6 CASEWORK

5.6.1 This is the core work of the fingerprint bureau involving the matching of marks from scenes of crime to the Tenprints of known individuals. Unlike the other services, SCRO does not routinely provide this service to all Scottish forces. With the exception of Dumfries & Galloway Constabulary and Strathclyde Police all other forces have their own fingerprint bureaux. The Northern Constabulary bureau has only one fingerprint expert and consequently most of that force’s work comes to SCRO.

5.6.2 Until relatively recently, AFR facilities were not available to the forces of Grampian, Tayside, Fife and Central Scotland. Consequently, marks were submitted to SCRO for AFR searching from these forces. The siting of the terminals at Aberdeen and Perth in March 1999 allowed these forces to undertake their own AFR work and reduced the demands on overstretched SCRO personnel.

5.6.3 As a consequence, the bulk of casework carried out within SCRO is on behalf of Strathclyde Police, and this is shown graphically in Chapter 4.

5.7 RELATIONSHIP WITH STRATHCLYDE POLICE

5.7.1 The relationship with Strathclyde Police is historically a close one, and has its origins in the establishment of SCRO in the City of Glasgow Police Headquarters in 1960. Throughout periods of structural change, SCRO has remained housed within the headquarters of the City of Glasgow Police, and its successor, Strathclyde Police. The accommodation currently occupied by SCRO is leased from Strathclyde Joint Police Board.

5.7.2 Despite having its own budget and accountability mechanisms, SCRO does not have the legal capacity to be an employer. Consequently, the solution of convenience is for Strathclyde Joint Police Board to be the employer of the SCRO support staff with a charge of 4.4% of the pay-bill being levied on SCRO as an administration charge for the use of Strathclyde Police’s personnel and training services.

5.7.3 This relationship, while convenient, is not without its tensions, not least of these being the process which requires to be undertaken to recruit additional staff. SCRO may have made a case for and obtained approval for additional or changed posts from the Executive Committee responsible for the governance of SCRO. While it has secured funding from its own budget, recruitment, which is undertaken by Strathclyde Police, cannot commence until a suitable report on the application is submitted by Strathclyde Police for approval to the Joint Police Board. While it is clearly recognised that the processes demanded by The Board are for its own determination, the time taken for this additional layer of scrutiny can be frustrating to an organisation trying to respond to business pressures in an extremely competitive employment market and impedes the effective and efficient management of the organisation.
5.7.4 A curious anomaly which came to the attention of the CMRT stemmed from SCRO staff being Strathclyde Joint Police Board Employees, and related to trade union duties. It was found that a fingerprint expert had exercised provisions in the conditions of employment which provide for facilities to be granted to certain employees who are engaged on duties in connection with their representation of a recognised trade union. Provision had previously been made allowing this person to spend 50% of his time on such duties and he was now wishing to take up a position which would require him to be engaged full time on union duties.

5.7.5 Notwithstanding the abstraction of a valuable resource from the Bureau at a period of extreme difficulty, the anomaly was that this person would be representing the interests of the staff, not only of SCRO, but also of Strathclyde Police and Strathclyde Fire Brigade, while his employee costs are met from SCRO’s budget, funded by the Scottish Executive and all police authorities. This situation is now being addressed by Strathclyde Police Personnel Department together with SCRO, the individual concerned and the trade union.

5.7.6 Another factor which generates a perception of closeness with Strathclyde Police is the appointment of the Director (previously termed Head of SCRO) and his deputy, posts which have historically always been filled by Strathclyde Police officers. In addition, until recently the Director made regular reports to the Assistant Chief Constable responsible for crime within Strathclyde Police. This was an historical link, which had its basis in the management oversight arrangements of SCRO. Its basis is questioned in HMIC’s report and the matter has already been addressed by the Director, who advises the CMRT that this arrangement has been discontinued.

5.7.7 The historical links with Strathclyde Police are natural, as are the convenient arrangements put in place to accommodate SCRO. However, the perception this creates can be harmful to the professional integrity, standing and development of an organisation, particularly one which is trying to move forward from a difficult period in its history. As such, the CMRT believes there is a clear need to put in place a different structure that is more visible, independent and self-supporting.

5.8 PACIFIC QUAY

5.8.1 One of the first opportunities for SCRO to stand on its own has presented itself as a consequence of the provision of services on behalf of the Scottish Executive in relation to Part V of the Police Act 1997 (Section 5.3.2).

5.8.2 The accommodation in Strathclyde Police Headquarters leased to SCRO is insufficient for the organisation’s needs. The additional space which will be required to administer the Part V function is significant and with no opportunity of securing additional accommodation at Police Headquarters, it was decided to source alternative accommodation that would cater for the whole organisation.

5.8.3 New premises have now been leased in a major development site at Pacific Quay, Glasgow, which have been developed to suit the organisation’s needs. The building, which will be ready for occupation in early October, will give SCRO staff a significantly improved working environment and will be a major step in demonstrating independence.

5.9 CURRENT ISSUES IN THE BUREAU

5.9.1 Staffing - In the year 1995/6 a full compliment of 36 fingerprint experts was achieved, however, this has not been sustained, gradually falling from 34 in 1996/7 to the present level of 30.5 posts. Whilst the figure of 36 allowed for a normal level of abstractions, the lower number of 30.5 seriously impacted upon the resiliency of the Bureau. Internal appointments and abstractions resulted in an effective operating level of 24.5 experts.
5.9.2 On 3 August 2000, the 4 SCRO fingerprint experts involved in the Shirley McKie case were precautionarily suspended by the Director following written direction from the President of ACPOS. This reduced the current working establishment to 20.5: some 43% below the level required to provide a full service. The suspended personnel were dedicated to mark examination work. Since then a fingerprint expert has been recruited by the Bureau raising the working level to 21.5.

5.9.3 This combination of factors has seriously impacted upon the service delivery of SCRO, leading to a rising backlog which at 1 October stood at some 3600 cases, 500 from 1998, the remainder dating back to February 2000, the bulk of which relate to Strathclyde Police.

5.9.4 Verification - On 22 June 2000, following the announcement of HMIC's emerging 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.

5.9.5 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 the President of ACPOS.

5.9.6 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 and this will continue until Christmas 2000.

5.9.7 As of 1 October, 678 cases involving 2350 marks containing 3574 impressions have been independently verified. These include cases which were due to be heard at Court and also new identifications.

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

5.9.9 Morale - Staff morale has clearly been affected by these events and publication of HMIC’s report. Ongoing developments will continue to attract media attention and public interest. However, staff gave a commitment to co-operate fully with the work of the APRG 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 in maintaining motivation to continue to provide a professional service.

5.9.10 The situation is being carefully managed by the Director and other senior management within SCRO and other options for fingerprint expert cover are being pursued including the use of additional independent experts from other UK bureaux. On 2 October a fingerprint expert from the Metropolitan Police commenced a mutual aid attachment to the SCRO Fingerprint Bureau and it is hoped this external support can be added to.
6 CURRENT FUNDING ARRANGEMENTS FOR FINGERPRINT SERVICES IN SCOTLAND

6.1 Fingerprint services are funded in two distinct ways in Scotland. Those forces which operate their own force fingerprint bureau fund that service entirely from within their budgets. SCRO is a common police service and as such is funded by the Scottish Executive. However, like all Common Police Services, 50% of the budget is recovered from all Scottish police forces. The percentage paid by each force is calculated by a formula related to crime rate on the basis that the forces with the most crime will make most use of the services. The current proportion paid by each force is shown below.

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<th>SCRO Funding Budget Allocation</th>
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<tr>
<td>Scottish Executive</td>
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<td>Tayside</td>
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<td>Dumfries &amp; Galloway</td>
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<tr>
<td>Central</td>
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<td>Fife</td>
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<td>Grampian</td>
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<td>Lothian &amp; Borders</td>
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<td>Northern</td>
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<td>Strathclyde</td>
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6.2 In effect this means that those forces that operate and pay for a local fingerprint bureau also pay a pro-rata proportion of the cost of running the SCRO Fingerprint Bureau, without benefiting fully from the use of its facilities. This fact has been taken into consideration by the CMRT when considering alternative structures for the provision of fingerprint services in Scotland. These are discussed at Chapter 15 and 16.

6.3 A clearer reflection of actual costs for the full range of fingerprint services across Scotland is represented below.

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Current Staff Costs for all Fingerprint Services by Organisation

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7 REVIEWS OF SCRO

7.1 INTRODUCTION

7.1.1 Since 1996, and excluding the work of the CMRT, there have been four strategic and managerial reviews of SCRO. Whilst each, in turn, has had a particular focus, collectively they signify a long standing and well recognised drive towards fundamental reorganisation. These earlier reviews have provided a valuable basis for the work of the CMRT and many facets of this report will, not unnaturally, reflect upon the findings there. This section aims to provide a brief overview of each of the earlier reviews as they impact upon this report.

7.2 SCOTTISH FINGERPRINT SERVICE WORKING GROUP (SFSWG)

7.2.1 In a paper presented to the (then) SCRO Development Standing Committee in 1996, the Head of SCRO raised concern over ‘impending difficulties’ within the Fingerprint Bureau at SCRO which ‘required urgent resolution to prevent a serious reduction to the quality of service provided by SCRO’. In response, the SFSWG was established under the lead of Mr Hamilton, Chief Constable, Fife Constabulary, to:

'examine, among other things, the potential impact of AFR, Livescan and other technical developments on fingerprint services in Scotland and to make appropriate recommendations for the future'.

7.2.2 In an interim report, the SFSWG identified that the problems raised by SCRO were significant to the overall structure and management of fingerprint services in Scotland and suggested that minor adjustments to the existing system would be insufficient. The SFSWG then pursued a more strategic analysis considering the merits and demerits of four options; no change, growth at the centre, central control and devolved control.

7.2.3 In concluding, the SFSWG determined a proposal to implement a model of devolved control for the fingerprint service in Scotland. In addition, it recommended:

- development of a system of management information
- a move towards parity in terms of pay and conditions across Scotland
- the preparation of an implementation strategy, as the next phase of development, incorporating the re-launch and marketing of a new fingerprint service for Scotland.

7.3 LEISHMAN MANAGEMENT CONSULTING – STAGE 1 REVIEW

7.3.1 In consequence of the SFSWG’s recommendations, an Implementation Group was established under the chair of Mr Hamilton and Leishman Management Consulting were engaged to assist in the development of an implementation strategy.

7.3.2 The principal objective agreed with the consultants was:

'a defined and structured approach to the process of change ...(which) will focus on a level of devolution of control appropriate to the efficient, effective and economic delivery of fingerprint services (in Scotland)'.

7.3.3 In recognising a ‘staffing crisis’ within the SCRO Fingerprint Bureau, attributed largely to the advent of Livescan (Section 5.5.1), it was deemed necessary to adopt a staged approach to the consultancy. Stage 1 would examine present structure, work practices, staffing levels and grades within SCRO, consider the ability of the Bureau to meet workload requirements and make appropriate recommendations. Stage 2 would consider the longer and more strategic outlook to progression of the SFSWG review, in the context of an implementation plan.
7.3.4 In concluding in December 1998, the consultants listed the following priority actions:

- increase overall capacity to handle Tenprints and mark work (through shift working, additional terminals and the introduction of Tenprint Identification Officers)
- the temporary suspension of submission of inked palm prints to SCRO
- consideration of re-grading experts within SCRO.

7.4 LEISHMAN MANAGEMENT CONSULTING – STAGE 2 REVIEW

7.4.1 The objective of this stage was to:-

'specify objectives that the chosen option (for the fingerprint service in Scotland) should be able to deliver and in so doing further define a recommended option for change'.

7.4.2 This would include the development of recommendations and action plans to introduce systems and processes and establish a timetable for implementation.

7.4.3 In concluding, the consultants’ report advised that ‘to achieve best value will require a move to central management and delivery of fingerprint services in Scotland’. It promoted a more modern structure of management to ‘enable the SCRO fingerprint service to respond to the needs of those it services’, suggesting that the best alternative option (at that time) was the incorporation of all fingerprint services in Scotland within SCRO under a new Common Police Service management arrangement.

7.4.4 It was also ventured that if such a move was seen as ‘a step too far’ then, ‘as a minimum, central management should be introduced (with distributed delivery)’.

7.5 STRATEGIC REVIEW OF SCRO

7.5.1 In 1999 a further strategic review of SCRO was commissioned by the (then) SCRO Controlling Committee. The primary aim was to;

'examine the strategic direction and executive control of SCRO with a view to the next five years and the implementation of the Police Act 1997 - Part V; the implementation of the Scottish Criminal Justice Information System; and economy, efficiency and effectiveness'.

7.5.2 Although not directly focussed on the Fingerprint Bureau within SCRO, a number of the recommendations made are pertinent to the work of the CMRT, viz.:

- that the executive structure should be amended to a management committee which will facilitate more effective and efficient decision making
- that greater autonomy in the sphere of strategy, decision making and implementation be devolved from Controlling and Standing Committee level to the management of SCRO
- that consideration be given to SCRO within an enhanced Common Police Service model
- review the organisational structure to reflect the changing nature of demands placed on SCRO
- consider civilianising the role of Deputy Director of SCRO
- create a data quality/security manager and unit with a remit to verify the accuracy and quality of data held at SCRO.
7.6 THE 8 FORCE STANDARD WORKING GROUP (8FSG)

7.6.1 As a consequence of the Leishman Stage 2 report, the Controlling Committee agreed that as an initial step in testing the concept of a 'centralised' model, force bureaux and the SCRO Fingerprint Bureau should agree standardised practices. Mr Hamilton agreed to consult Forces, progress policies towards standardisation of procedures and develop protocols to be referred to as the 'Eight Force Fingerprint Standards'.

7.6.2 The first meeting of the 8FSG was hosted by Mr Hamilton in November 1999. At that meeting it was agreed that a strategy, under which the concept of the 'Eight Force Fingerprint Standards' could be progressed, would be developed. Whilst such a strategy document was drafted, events surrounding the McKie case (Section 8) overtook progression of the draft document and the planned reconvention of the 8FSG.

7.6.3 Notwithstanding, following publication of the HMIC’s Primary Inspection Report on the SCRO Fingerprint Bureau in September 2000, the 8FSG was reconvened under the chair of Mr McInnes (Deputy Chief Constable, Fife and CMRT leader) on 26 September with a view to permanent re-establishment and a renewed drive towards the development of common and agreed standards across fingerprint bureaux in Scotland.

7.6.4 The focus of that meeting was the HMIC’s recommendations and suggestions (Chapters 13 and Appendix 'A'), as they could be applied to all fingerprint bureaux in Scotland, and the development of ideas on how best those issues could be taken forward under the 8FSG.

7.7 IMPACT OF THE REVIEWS

7.7.1 Clearly, even in the short summaries above, there were significant elements of commonality evident in the findings of each group. All have been conducted under the collective charge of Chief Officers, yet it is apparent that there has been only limited action resulting from each review.
8 THE ASBURY AND MCKIE CASES

8.1 On 8 January, 1997, Marion Ross was found murdered within her home at 43 Irvine Road, Kilmarnock. A police enquiry commenced and included Shirley McKie, then a Detective Constable in Strathclyde Police, as part of the enquiry team. During the course of the investigation, fingerprint evidence was secured and submitted the SCRO Fingerprint Bureau for examination.

8.2 Amongst the conclusions made by the SCRO fingerprint experts, from the evidence submitted, were:

- an identification of Shirley McKie, from a mark found within the house of Mrs Ross
- an identification of David Asbury, from a mark found within the house of Mrs Ross
- an identification of Marion Ross, from a mark found on a tin within the house of David Asbury.

8.3 As a consequence of the police investigation, David Asbury was arrested for the murder of Marion Ross. He was subsequently convicted on 12 May 1997 and sentenced to life imprisonment.

8.4 During the trial of David Asbury, the issue of the SCRO fingerprint experts’ identification of Shirley McKie was raised. In her testimony to the court, Shirley McKie maintained her consistently held stance that she had not entered the house of Marion Ross. As a consequence, Shirley McKie was later charged with perjury and tried at the High Court in Glasgow. Clearly the crucial element of evidence in this case was the latent fingerprint impression which had been recovered from within the deceased’s house and identified by the SCRO fingerprint experts as being that of Shirley McKie.

8.5 In the course of the trial, Shirley McKie’s Counsel cited two independent fingerprint experts from America who gave evidence which opposed the conclusions made by the SCRO fingerprint experts. The American experts concluded that the fingerprint recovered from the house of Marion Ross was not that of Shirley McKie.

8.6 On 14 May 1999 the case of HMA v Shirley McKie concluded with Shirley McKie being found ‘Not Guilty’ to the charge of perjury.

8.7 On 22 June, following an independent assessment (Chapter 10) HMIC publicly confirmed that the mark found within the house of Marion Ross and identified by the fingerprint experts from SCRO as being that of Shirley McKie was not that of Shirley McKie.

8.8 On 22 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 evidence.

8.9 Other than in this 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.
9 COMMENCEMENT OF HMIC PRIMARY INSPECTION OF SCRO FINGERPRINT BUREAU 2000

9.1 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.

9.2 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.

9.3 The issues, which were to 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 were to be published to demonstrate the public accountability of the inspection processes.

9.4 The inspection commenced in early March and was completed in May.
10 HMIC PRIMARY INSPECTION - EMERGING FINDINGS

10.1 On 21 June 2000, Mr Taylor, HMCIC, held a briefing meeting with Office Bearers from ACPOS where he outlined the preliminary findings of his Inspection of the SCRO Fingerprint Bureau. In particular, he advised that the disputed fingerprint in the Shirley McKie case had been examined, at his request, by two independent fingerprint experts, from The Netherlands and Norway. These experts had concluded that the mark found within the house of Marion Ross and earlier identified by SCRO fingerprint experts as being that of Shirley McKie had definitely not been made by Shirley McKie. In essence, the findings of these experts concurred with those of the American fingerprint experts who had acted on behalf of the defence during the trial of Shirley McKie for perjury. In addition, HMCIC 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.

10.2 Accordingly, due to the significant public interest, Mr Taylor publicly announced his emerging findings, on 22 June, in advance of his formal report.
11 ACPOS PRESIDENTIAL REVIEW GROUP (APRG)

11.1 REMIT

11.1.1 In light of the HMCIC’s ‘emerging findings’, 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 President of ACPOS
- Mr William Robertson, Chief Constable, Northern Constabulary and immediate past President of ACPOS
- Sir Roy Cameron, Chief Constable, Lothian & Borders Police and Honorary Secretary of ACPOS
- Mr John Hamilton, Chief Constable, Fife Constabulary.

11.1.2 The agreed remit of the Review Group is:

1. To review:
   - personnel, training and competency
   - structure
   - resources
   - procedures, processes
   - quality control
   to accelerate the ongoing and future development of SCRO, in the light of HMCIC’s Primary Inspection, the Leishman Reports, the SCRO Strategic Review and any recommendations arising from the Policing Review.

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.

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

11.1.4 Mr Jim Mackay, Deputy Chief Constable of Tayside Police, was appointed to lead the investigation of the circumstances surrounding the fingerprint identification, while Mr Kenny McInnes, Deputy Chief Constable, Fife Constabulary, was appointed to lead the CMRT in undertaking a 90-day scrutiny of SCRO.

11.1.5 ACPOS Council and the Executive Committee of SCRO ratified the establishment of the APRG and the teams at meetings held on 3 July 2000. The obligation placed on each team, to prepare initial reports to allow the APRG to produce an interim report to coincide with the publication of the full inspection report of HMCIC, was met on 14 September 2000.
11.2 THE MACKAY INQUIRY REMIT

11.2.1 The remit given to Mr Mackay's team 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.'

11.2.2 A full enquiry process, incorporating HOLMES 2 (Home Office Large Major Enquiry System) computer, was established on Monday, 3 July 2000 at Auchterarder Police Station and follows a three phase plan:

1. collation of all relevant documentation, productions and statements;
2. analysis of all available material and information and
3. production of a full report.

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

11.2.4 The early part of this enquiry centred on the fingerprint evidence associated with the McKie case. However, in mid September, and following an independent assessment of other fingerprint evidence associated with the Asbury case, the Crown re-emphasised the importance of considering all fingerprint evidence associated with both cases.

11.2.5 As this is an active criminal enquiry, it would be inappropriate to offer further detail at this stage. It is anticipated, however, that a full report will be submitted to Mr Gilchrist during October, 2000.

11.3 THE CHANGE MANAGEMENT REVIEW TEAM REMIT (CMRT)

11.3.1 The original remit given to the team led by Mr McInnes is:

'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.'

11.3.2 This broad remit was subsequently developed in detail in consultation with Mr Rae and covers all elements of the APRG remit not covered by Mr Mackay's remit. It takes forward, following liaison with Mr Mackay's inquiry, Crown Office, the Scottish Executive, recognised experts and relevant consultants, the findings of the SFSWG, Leishman Management Consulting, the SCRO Strategic Review Team (all Chapter 7) and the Steering Group set up to review the Police and Fire Service structure.

11.3.3 The CMRT aimed to provide the APRG with an action plan to allow early implementation of measures necessary to ensure a fully effective and efficient fingerprint service for the Scottish Police Service and include references to management, staffing, resources, standards of performance and quality control issues.

11.3.4 In particular, the CMRT undertook to liaise with HMCIC to familiarise itself with the emerging findings from HMIC's Inspection of the SCRO Fingerprint Bureau and provide an interim report to the APRG coinciding with the publication of HMIC's final report. The CMRT's final report was to include a detailed response to HMIC's recommendations and suggestions.
11.3.5 The Interim Report of the APRG, published on 14 September, outlines the initial phase of the CMRT’s work. The remainder of this report, however, concentrates on the fuller research and findings of the CMRT, giving consideration to HMIC’s recommendations and suggestions and drawing together the detail necessary to consider the future options for fingerprint services in Scotland.

11.3.6 Membership of the CMRT included:

- Detective Superintendent Richard Munro, Fife Constabulary
- Chief Inspector Andrew Laing, Lothian & Borders Police and
- Chief Inspector Alistair Finlay, Strathclyde Police.

11.3.7 In recognition of the need to maintain momentum, and in view of the limited resources available to the SCRO Fingerprint Bureau at this time, agreement has been reached on the establishment of a Project Management Team. That Team will assist in taking forward the necessary actions identified in this report under the direction of a Project Board.
12 CHANGE MANAGEMENT REVIEW TEAM APPROACH

12.1 At an early stage the CMRT liaised with HMIC and quickly developed a clear understanding of the emerging findings. This information was used to prioritise the time available and ensure that the CMRT could provide appropriate guidance to the APRG in responding fully and positively to HMIC’s recommendations and suggestions.

12.2 HMIC’s findings provided a very clear focus for the CMRT and it was through this early liaison that it was able to establish a basis, and a framework, for subsequent research. In broad terms, the issues highlighted by HMIC could be sub-divided as relating to internal management matters, often with a wider application to all fingerprint bureaux, and strategic management considerations looking at the long-term implications for the fingerprint service in Scotland.

12.3 Regarding ‘Internal Management’, liaison with HMIC led the CMRT to consider the following issues which appear as focus areas within HMIC’s Inspection Report:

- structure within the bureau
- corporate identity and independence
- procedural guidelines
- administrative support
- supervision
- training
- competency testing
- quality assurance
- standards
- audit
- openness and accountability
- conflict resolution.

12.4 At the ‘Strategic Management’ level, the issues of oversight arrangements, re-structuring of Common Police Services, increased resourcing and the introduction of the non-numeric standard are cited by HMIC as matters where change is required but which are beyond the direct responsibility of SCRO Fingerprint Bureau management.

12.5 The detail of each of these topics, as they relate to HMIC’s published Primary Inspection Report on the SCRO Fingerprint Bureau, are explored fully in Chapters 13 and 14 of this report.

12.6 To supplement the work of HMIC, the CMRT made full use of the abundance of research material available to it. This included earlier reports by the Scottish Fingerprint Service Working Group (1998), Leishman Management Consulting (1998 and 1999), the SCRO Strategic Review Team (1999) (all Chapter 7) and the submission by ACPOS to the review of the Police and Fire Service structure (2000) referred to in the CMRT’s remit.

12.7 Visits to the National Training Centre for Scientific Support to Crime Investigation (NTC) at Durham and the Greater Manchester Police Fingerprint Bureau allowed the CMRT to consult with experts and extend their knowledge and understanding of current issues within the ‘fingerprint world’.

12.8 Members of the CMRT carried out extensive consultation within the SCRO Fingerprint Bureau, including discussions with the Director and Deputy Director of SCRO and the Head of the Fingerprint Bureau there. The CMRT consulted with staff from all other fingerprint bureaux in Scotland and the Identification Bureaux of Strathclyde Police and Dumfries and Galloway Constabulary. The consultation process included meetings with Chief Constables and senior representatives of the Justice Department of the Scottish Executive and extended to include fingerprint experts from other countries and liaison with Crown Office representatives on matters of evidence, including those referred to in HMIC’s Inspection Report.
13. HMIC REPORT - INTERNAL MANAGEMENT ISSUES

13.1 INTRODUCTION

13.1.1 The Executive Summary of HMIC’s Inspection Report refers to “focus areas for improvement” in respect of processes and systems within SCRO Fingerprint Bureau and force bureaux. These labels (Chapter 12) have been used as convenient sub-headings by CMRT to address relevant HMIC recommendations and suggestions.

13.2 STRUCTURE WITHIN THE BUREAU

13.2.1 The CMRT has fully considered the internal structure of the Bureau but leaves discussion of the matter to ensuing chapters which considers the strategic issues regarding structure raised by HMIC. The approach to an internal SCRO Fingerprint Bureau structure will depend on its place within a Scottish fingerprint service.

13.2.2 The internal organisation of the SCRO Fingerprint Bureau is currently reassessed on a daily basis, given the critical levels of staff. As staffing levels improve to a more satisfactory level, it will be important that SCRO management fully apply the principles contained in this report to the short-term structure of the Bureau.

13.3 CORPORATE IDENTITY AND INDEPENDENCE

13.3.1 While the issue of independence within the identification and verification process is discussed at Section 13.4, matters of corporate identity and independence as part of the wider strategic discussion regarding the Scottish fingerprint service are considered in ensuing chapters. However, it is recognised that in the short term, issues relating to a corporate identity policy (Recommendation 22), an agreed protocol between SCRO and forces in respect of the impact on SCRO of force operations and initiatives (Recommendation 7), data on sickness absence (Recommendation 9), a strategy to assist in the detection and prevention of stress related illness (Recommendation 10) and a media policy and media liaison officer (Suggestion 20) will all have to be addressed by SCRO.

13.3.2 Before moving to a consideration of the wider strategic issues, it is worth developing here the links between SCRO and Strathclyde Police. This is referred to at Section 5.5 and HMIC uses the example of the job description of the Director of SCRO (Suggestion 2) to highlight the need for a clear separation between the work of SCRO as a common police service, funded by all forces, and the management direction of Strathclyde Police. The links are understandably strong with physical co-location, the predominance of Strathclyde Police case work within the Fingerprint Bureau, the arrangements for the employment of SCRO support staff by Strathclyde Joint Police Board and the history of appointment of Strathclyde Police officers to head posts within SCRO.

13.3.3 The wearing of Strathclyde Police identification within SCRO (other than by seconded police officers from other forces who wear their own identification) simply adds to the perception that the two organisations have a special relationship, different from that enjoyed by other forces, and ‘undermines the national and strategic importance of the SCRO Fingerprint Bureau as a key provider of fingerprint services to all of the Scottish police forces and the wider criminal justice system in Scotland’ (HMIC).

13.3.4 Already the Director of SCRO has addressed HMIC’s suggestion and a clearer separation exists between the two organisations. However, while acknowledging the support provided by Strathclyde Joint Police Board in embracing the employment of civilian support staff within SCRO, a situation which is likely to be preserved in the short to medium term in the absence of a proper legislative footing for Common Police Services, it is vital that a clear distinction is maintained between SCRO and Strathclyde Police.

13.3.5 The move to Pacific Quay in October 2000 will provide physical separation and presents an opportunity for SCRO to be re-marketed as the independent organisation it must be.
13.4 PROCEDURAL GUIDELINES

13.4.1 National Procedures - Although fingerprint officers throughout Scotland undertake a similar training programme before qualifying as experts, and working practices are broadly consistent, there is some variation between bureaux. Variations include those which impact considerably on the services’ interface with the judicial system, such as the disclosure of all findings of fingerprint examination and the method of presentation of evidence in Court.

13.4.2 HMIC recommends the production of a National Guidance Manual on Fingerprint Standards and Procedures to be issued to all fingerprint staff (Recommendation 12). This void had been recognised prior to HMIC’s inspection and was one of the main areas of discussion for the 8FSG. Until recently, such common procedural guidelines were also unavailable in England and Wales. Such guidelines, however, are vital in the move to a non-numeric standard, which has prompted their creation there.

13.4.3 The work carried out by representatives from all Scottish fingerprint bureaux on the ‘Eight Force Standard’ was aimed at drawing together a set of processes and procedures, which could be adopted by every fingerprint officer in Scotland. This project started promisingly and with the reforming of this group following the Presidential Review there is the potential to create suitable guidance in a reasonably short timescale. The strengths of the various bureaux should be utilised fully, drawing on individual skills and aptitudes in order to provide guidance, which is both practical and unambiguous. It is crucial that fingerprint practitioners are heavily involved in the process.

13.4.4 In the production of guidance it will be necessary to draw on the work already undertaken by the ACPO Project Group on Fingerprints in England and Wales, the Interpol European Expert Group on Fingerprint Identification (IEEGFI) and the expertise of the National Training Centre at Durham. In addition, work is now almost complete on an ISO Procedures Manual in respect of the SCRO Fingerprint Bureau accreditation application. This system which the Review Team saw in operation at the Greater Manchester Police Fingerprint Bureau has much to commend it. The 8FSG will have to carefully consider the position of the ISO Manual and any Scottish Procedures Manual to ensure they are complimentary. SCRO has had the benefit of advice on their ISO application from consultants and full use of consultancy advice will be important in the way the 8FSG progresses this matter.

13.4.5 The manual should be a dynamic document, as it will require to be constantly updated and should be produced in a form which will facilitate this. Section 13.5 refers to a computerised Office Management System which may form a suitable structure to support manuals of guidance in electronic format. This would have the advantage of all access points being updated and reducing the opportunity for staff referring to out of date guidance.

13.4.6 Crown Office will require to be represented on the group during deliberations on matters which may directly affect the judicial system such as the presentation of evidence in court, and at a meeting with the CMRT has agreed to be present for the discussion of relevant issues. In addition, HMIC highlighted the need for consideration of human rights legislation when compiling this guidance and recommends liaison with the ACPOS working group overseeing this development in Scotland (Recommendation 24). This recommendation was specifically addressed to SCRO and it has already made the necessary contact and is now working to ensure its current processes are compatible with the thrust of the legislation. There would be value in SCRO sharing its experience with other bureaux.
13.4.7 The Identification Process - The prime objective of a fingerprint bureau is to identify individuals through their fingerprints. Given that a misidentification was the catalyst to this Review, and HMIC’s recommendation that practices be reviewed with a view to introducing a system which increases the independence within the identification/verification process (Recommendation 23), considerable time has been spent examining the current process, those processes used elsewhere both in the UK and Europe, and setting those in the context of independence and integrity outlined in Chapter 2. What follows in this section is an analysis of that research and recommendations for revising this central and crucial process. At Section 13.12 the CMRT examine the separate process of conflict resolution when experts do not agree on findings.

13.4.8 The procedures currently adopted by the SCRO Fingerprint Bureau in the identification of marks are similar to that of other UK bureaux. The fingerprint officer who is to conduct the examination of a mark receives a case envelope, which contains a photograph of the mark or marks to be examined, and details of any suspects or persons to be eliminated. A form (Form 13B), submitted by the scenes of crime officer (SOCO) who collected the marks, is attached to the front of the envelope giving details of the scene examination and any suspects or elimination prints. An initial assessment is made of the marks to establish if they are of sufficient quality to individualise. If they are not, this is recorded and no further action is taken with them.

13.4.9 If a mark has been identified, the fingerprint expert initials the back of the photograph of the mark and indicates to which finger the mark relates. After examination of all case material, the case envelope is endorsed with details of the marks identified against each suspect, details of which other marks contain insufficient detail for identification, marks eliminated, and those still outstanding. If there is anything extraordinary about the marks, or if they were viewed on the comparator (a projection device to view marks enlarged), this can be noted in a diary page. Within SCRO Fingerprint Bureau, historically the Special Cases Section (dedicated to serious crime) have made greatest use of a diary page and also made brief notes on a Major Incident Worksheet. SCRO management advises that this practice has recently been extended to other sections in SCRO Fingerprint Bureau. Elsewhere, however, very few fingerprint officers in Scotland make notes during the identification process other than the minimum required to record identification.

13.4.10 The case envelope containing the photograph of the mark, the Form 13B, the tenprints of any identified persons and the diary page, if one has been used, are then forwarded for verification of the identification. The Special Cases Section passes it to the Section Supervisor to allocate for verification but the other sections have a more ad-hoc arrangement, either passing it to someone sitting nearby, or to the Section Supervisor for allocation depending on individual preferences. In the case of a non-expert (trainee) making the initial identification, three fingerprint experts are required to undertake the identification process.

13.4.11 The fingerprint expert who conducts the first verification does so knowing who carried out the initial identification, the individual who has been identified and the finger or fingers the identification relates to. They will also see the diary page, if one has been initiated. If verified, the fingerprint expert will endorse the back of the photographed mark. The same process is repeated when the first verifier forwards the envelope and contents to a second fingerprint expert for verification. If verified the second expert endorses the photographed mark and case envelope accordingly. The Special Cases Section usually use the Section Supervisor as the second verifier but this practice is not adopted rigorously in the other sections. Marks identified as relating to elimination prints are not subject to verification apart from in the Special Cases Section. At the end of this process the original identifying officer completes all documentation and passes it to the verifying experts for endorsement.
13.4.12 In order to ensure that fingerprint experts approach the identification process in as independent a manner as possible, the CMRT believes the integrity of the process must be maintained with those undertaking the verification role not knowing the identity of who carried out either the initial identification or any previous verification. It is recognised that members of a team working in close proximity may find it difficult to achieve complete anonymity, but the necessity for experts to come to their own conclusions without any influence, conscious or unconscious, is of paramount importance to the transparency of the process.

13.4.13 The independence of identifying and verifying officers could be achieved by:

- Using a small team to undertake all verifications. This team would not be part of the identifying teams and would maintain a degree of autonomy from them. Those verifying would be senior staff with a wide breadth of experience and credibility and within a large bureau could have a regular change of membership. Small bureaux may achieve this degree of independence in the verification process by having their most senior expert conducting all second verifications.

- Using an Administrative Assistant at a central point for distributing cases for identification and verification. After identification all documentation bearing signatures or initials would be retained before the mark was passed for verification. This would include passing other photographed marks that had not been marked.

- Identifying and verifying officers making notes on separate diary pages which could be held at a central point after each stage until the end of the identification process. Although it is recommended that notes be made in respect of every identification, these would be more comprehensive where the quality of the marks under examination was poor.

13.4.14 While it is possible to ensure that those undertaking the verification role are unaware of the identity of the person who conducted the identification, it is not practical to keep the result of the identification from the verifiers. To do so would mean that verifiers had to embark on the entire identification process, which can be extremely lengthy, adding considerable time and effort to the procedure. It is essential however that those verifying make their own determinations and view the process as one of independent scrutiny and not merely confirmation. In structural terms, this process lends itself to a larger bureau where there is the greatest opportunity to pass cases among a pool of experts.

13.4.15 The drive to ensure the submission of elimination prints with cases has increased the workload of fingerprint bureaux. It is not suggested that elimination prints be subjected to the same process as outlined above unless there is an element of doubt due to the quality of the mark being examined. It is suggested that the 8FSG rationalise practices in bureaux, maintaining accuracy and integrity at the forefront of its considerations.

13.4.16 It is clear that identification procedures vary throughout Scotland and it is recommended that the work started by the 8FSG be re-energised. This would enable the principle of independence to be incorporated in the national guidance manual (Section 13.4.2) and implemented in all bureaux in an appropriate manner according to their size and ensure that there were written procedures relating to each element of the identification process, including dispute resolution (Section 13.12). Part of this work should be a consideration of the use of different searches on AFR, e.g. mark to mark (Suggestion 8) and the resource audit to determine the appropriate number of AFR terminals necessary to provide an agreed level of service (Suggestion 6).

13.4.17 Elimination Prints - Elimination prints are obtained from persons who have legitimate access to the scene of a crime. The submission of elimination prints allows fingerprint officers to compare marks gathered at a crime scene against the elimination prints, and disregard them for evidential purposes if they match. This allows fingerprint officers to focus their efforts on the outstanding marks in the belief that they relate to the perpetrator of the crime.
13.4.18 If all elimination prints are not submitted with the scenes of crime marks, the work of fingerprint officers increases considerably. Valuable time is spent searching the AFR database for prints that relate to people with legitimate access to the crime scene whose prints, in all probability, are not part of the database. In such cases the crime scene marks cannot be added to the ‘outstanding marks’ collection on the AFR database as doubts exist as to which marks, if any, relate to the perpetrator of the crime. HMIC would support SCRO in highlighting the importance of submitting elimination prints as a matter of routine and suggests that the setting of targets in this respect may assist. (Suggestion 10).

13.4.19 In 1998/1999 only 6.3% of the marks received by SCRO were eliminated. This rose in 1999/2000 to 9.1% of all marks. It is not possible to establish accurately the percentage of cases which are submitted with elimination prints, as in many cases the elimination prints arrive at spasmodic intervals after the initial case submission. From past research carried out, however, it has been established that elimination prints are submitted in approximately 30% of cases.

13.4.20 Between February and May 2000, Strathclyde Police tried to increase the submission of elimination prints through the use of Self Elimination Forms. These forms were left at the scenes of crime for the victims, and those who had legitimate access to the property, to take their own fingerprints on the forms supplied and forward them to Strathclyde Police Identification Bureau. Although the submission of elimination prints increased during the period, this was believed to be due to the heightened awareness of the problem by SOCOs who increased the number of conventional elimination forms submitted. The value of Self Elimination Forms was therefore inconclusive, exacerbated by the forms being unusable in 15% of cases.

13.4.21 It is apparent that those outwith the fingerprint world lack an appreciation of the significance of ensuring that all relevant elimination prints are submitted with each fingerprint case. Fingerprint officers are acutely aware of the savings in time that can be made in a case examination if elimination prints are submitted at the earliest opportunity.

13.4.22 Clearly, Self Elimination Forms have some limited use and it is suggested that forces continue to monitor their use and identify the critical success or failure factors accordingly. Precise monitoring of the submission of elimination prints varies throughout Scotland. In order to increase submission levels, it is recommended that Fingerprint Bureaux maintain accurate records, which will identify the level of submission with cases and the subsequent elimination of marks. In conjunction with individual forces, fingerprint bureaux should set targets for submission levels and provide regular performance indicators to forces. Targets should be set at a realistic level, rising incrementally as awareness of the value of elimination prints submission increases. Target levels and performance indicators could be determined by the 8FSG.

13.4.23 Dual Role Fingerprint Experts/SOCOs - There is a debate around the appropriateness of the dual role (Fingerprint Expert/Scenes of Crime Officer) that HMIC suggests should be part of the CMRT review. As part of that review the issue of whether police officers should into the future, be trained as fingerprint experts, or the whole cadre of experts be comprised wholly from support staff, should be addressed (Suggestion 5).

13.4.24 Fingerprint officers working in SCRO do not perform any duties other than those relating directly to their core function. In the other Scottish bureaux many fingerprint officers perform other roles. These roles are mainly scenes of crime examination, photography and crime scene management. With the exception of Grampian Police, whose fingerprint officers and SOCOs rotate on an annual basis, the others mix their fingerprint work with their other roles.
13.4.25 SCRO and other Scottish fingerprint bureaux employ police officers as fingerprint officers many of whom also carry a supervisory responsibility. Some forces have indicated that they do not intend to recruit any more police officers as fingerprint officers but intend to retain those who are, as most are approaching the end of their police service. The training required to attain the status of fingerprint expert is significant and must be considered against the long-term return that the service will receive. Similarly the professional training enjoyed by a police officer is with a view to a long-term return. Employment as a fingerprint officer is not the best use of this training, the vast majority of which is unnecessary for the role.

13.4.26 The main argument in favour of the dual fingerprint/SOCO role is that through familiarity with scenes of crime examination and lifting marks, the skills of fingerprint officers are enhanced as they are considering fingerprint examination in a more holistic manner. Those practising in this way believe that the nuances of fingerprint work are such that a detailed knowledge of the precise way marks are collected from a crime scene assists fingerprint experts in reaching their conclusions. The work of fingerprint officers is reduced as the officers with dual role only collect marks that are fit for comparison, screening out others.

13.4.27 It is recognised that fingerprint examination requires a high degree of concentration over prolonged periods. Supporters of the dual role believe that providing variety motivates officers by enriching their role and alleviating boredom. In addition many fingerprint officers believe that their understanding of fingerprints is improved by their involvement in processing marks. Using chemical processes and enhancement techniques to process marks allows fingerprint officers to gain knowledge and understanding which can assist them during the identification process.

13.4.28 Opponents of the dual fingerprint/scenes of crime role articulate that there is an integrity issue with evidence gatherers also being the examiners of that evidence. Although the integrity of individuals is not being questioned, the external perception of the process is clearly important.

13.4.29 Developments with DNA and greater awareness of contamination issues over the past five years have meant that the role of SOCOs has become more varied, requiring additional skills and a greater level of expertise. In view of this it is postulated that it is difficult for individuals to maintain a high degree of skill and expertise in the full range of techniques in the roles of both fingerprint officer and SOCO. This may become a stronger argument with the introduction of the non-numeric standard of fingerprint evidence.

13.4.30 The CMRT recognises the value of fingerprint officers having a good understanding of scenes of crime work. Knowledge and experience of how marks are gathered at the scene of a crime will assist during the examination process. In order to maintain an understanding of both functions, it is suggested that fingerprint officers and SOCOs switch roles and work in each other’s area of responsibility on an annual basis for a week or other period to be determined by management. Likewise, there is considerable merit in fingerprint officers processing marks, or at least having the ability to do so. Where possible there is value in fingerprint bureaux incorporating a Chemical Treatment Unit. An added bonus of this is the job variety opportunities that are provided for fingerprint officers.

13.4.31 While there are no intrinsic objections to the concept of officers fulfilling the dual role, there should be a clear separation of the roles. Officers who conduct the examination of a scene and gather evidence should not then examine the marks. This ensures that both roles are seen as independent processes and integrity is preserved. Although there are no objections to the dual role being performed as separate functions, it is recognised that a change to the structure of fingerprint delivery in Scotland may mean that some individuals will have to make a choice between the two roles. This could cause a temporary shortage of fingerprint officers, as it appears that the role of SOCO is more attractive to some. This attraction is due to the more varied role and the financial incentives of shift working and on-call allowances. In order to maintain a sufficient number of fingerprint officers in Scotland during the transitional period it is considered that those currently performing a dual role do not suffer financially by choosing to serve as fingerprint officers.
13.4.32 It is the view of the CMRT that police fingerprint officers should be phased out and replaced by support staff. This allows both the police officers and support staff to progress their own career opportunities in a structure which does not limit their ability and potential.

13.4.33 **Fingerprinting in General** - The HMIC report makes a number of observations and recommendations about fingerprinting in general which can be regarded as procedural matters and are discussed here.

13.4.34 One of these specific to SCRO relates to the development of a **protocol to ensure SCRO is involved in the planning stages of force operations and initiatives** (Recommendation). This reflects the pressures that can be put on the SCRO Fingerprint Bureau by a force initiative significantly increasing either or both the number of marks or tenprints being submitted for processing. In such circumstances it is clearly good practice for there to be consensus on both sides of the level of support SCRO can provide for the period of the operation without affecting its ability to provide agreed service levels to all forces. A letter outlining this issue has been sent by the ACPOS President to the Chairman of the Crime Standing Committee, for dissemination to forces.

13.4.35 A specific suggestion relates to the creation of **new service level agreements between SCRO and the eight Scottish forces** (Suggestion 3). Again, this is an issue which will be pursued by SCRO management, although it is impractical to consider at present. Such is the current strain on the resources of the bureau, assistance is being sought, both from Scottish forces and elsewhere in the UK to support SCRO through a difficult period. As soon as some degree of long term stability is secured this issue should be progressed.

13.4.36 At Section 3.14 of its Report, HMIC rehearses a full account of the interpretation of the legislation giving the authority to take fingerprints, and in particular the powers of police support staff to take such impressions. The difficulty centres on the wording of the legislation which does not expressly refer to police support staff being suitably empowered. There has been debate on the interpretation of the legislation and Crown Counsel have given an opinion on the interpretation that its provisions do extend to support staff. HMIC suggests that **forces take cognisance of this view and make fuller use of support staff for fingerprinting** (Suggestion 7). The lack of progress by Forces on this matter since the advice was circulated in June 1998 perhaps reflects, notwithstanding Crown Counsel’s interpretation, a lack of comfort with the provisions as they stand. A suitable amendment to the legislation would remove the reliance on this more challengeable interpretation and provide the certainty to allow Chief Constables to approach this matter with increased confidence. This is a matter which could be pursued by ACPOS Crime Standing Committee. In the absence of amended legislation however, it is important for forces to clarify their position.

13.4.37 The view expressed by HMIC **that the policy of taking fingerprints from all persons where the law allows should be pursued with vigour** (Suggestion 9) is supported. The effectiveness of the AFR system very much depends on the size and quality of its database and every opportunity to develop this should be seized.

13.4.38 The use of fingerprint evidence operates under a legal fiction in that, in order not to disclose previous convictions (and the fingerprint collection is comprised of those convicted), the set of fingerprints that will be compared for evidential purposes will be those taken upon arrest for the crime in question. This means that a person can be arrested for a crime on the basis of a fingerprint expert individualising a mark against the file fingerprints. However, for court purposes the only link of identification is the set of fingerprints taken on arrest for the crime. The fiction of how an individual was initially identified is accepted as it would disclose evidence of previous bad character.
13.4.39 The difficulty arises when having made the initial identification, if the fingerprints taken on arrest are of a poor quality, legal identification for the purposes of prosecution may not be possible. The prospect then arises of being unable to proceed against a known accused through lack of legal identification. To remedy this, Section 19 of the Criminal Procedure (Scotland) Act 1995 allows for the re-taking of fingerprints (and other samples) where those initially taken were insufficient or deficient for the purposes of analysis. **HMIC suggests that greater awareness of this section is required by all staff involved in fingerprinting** (Suggestion 11)

13.4.40 The observations of the CMRT confirm this view in part only. It is strongly suggested by fingerprint staff that the principle stumbling block to more extensive usage of this provision is a lack of acceptance of its provisions by individual Procurators Fiscal who are reluctant to proceed with cases utilising this provision. This is an issue which Forces may wish to pursue in dialogue with their appropriate Procurators Fiscal together with ACPOS Crime Standing Committee raising the matter with Crown Office.

**13.5 ADMINISTRATIVE SUPPORT**

13.5.1 This section of the report examines the administrative support functions of SCRO and complements Section 13.4 (national guidance manual) in as much as detailed working practices in an accessible format are essential. Given the number and variation of administrative processes that are undertaken in the SCRO Fingerprint Bureau, it is surprising that a comprehensive process manual does not yet exist. This has been fully recognised by the staff at SCRO but it appears there has not been sufficient capacity of resource to allow time for its compilation. It is understood that the ISO Procedures Manual now nearing completion will fill this void, at least to some degree. The challenge, however, will be to devise and record administrative processes which can be applied across Scotland. Again this is a matter which is best accomplished by the 8FSG.

13.5.2 **The Office Management System -** The Leishman Management Consulting Report of June 1999 recommended the introduction of an office management information system (OMS) incorporating automated case tracking. This lack of management information to allow work scheduling, resource management and statistical data compilation had been recognised by SCRO and was re-emphasised by HMIC (Recommendation 11).

13.5.3 It is understood that the necessary funding to start to move the project forward has only recently been identified. Currently the SCRO Fingerprint Bureau is using a very limited personal computer based OMS which gives no opportunity for case tracking and it clearly does not service the needs of the Bureau.

13.5.4 The limited funding which was made available recently to develop a new OMS allowed SCRO to try to progress this issue. The company selected to develop a suitable package has as yet been unable to deliver a working trial. It is considered that if the recommendations of this report are taken forward in terms of structure and procedures the OMS system may require to be more advanced than that originally contemplated. SCRO is alert to this issue.

13.5.5 It is considered that the office management system will be of a sufficient size and complexity to justify the adoption of a project management approach to the design and procurement as advocated in the HMIC thematic report ‘Getting IT Right’ (1999). Its purchase must be complementary to the Scottish IS/IT strategy and involve the computer systems section of SCRO as it will require to maintain the system.
13.5.6 While it is not intended to give a detailed account of what it is considered the OMS will perform, suffice to say, it is considered that it will compliment the identification process outlined at Section 13.4. In particular, it is envisaged that there would be a central administrative point which will manage workloads and direct the path of individual cases. Consideration should be given to the use of bar code technology as a means of tracking files. The system should also be able to generate necessary statistical information easily. There may be added value aspects to this project, for example, it may be that the system could provide a platform for the reference/procedures manuals referred to in Section 13.4 which could be updated on the network server to ensure the information was universally up to date.

13.5.7 Documentation - The main document in respect of mark identification is the case envelope. Currently, photographs of marks are contained in case envelopes of A5 size. These envelopes are pre-printed in a format to allow a record to be maintained of their processing. In addition, the ‘Form 13’ completed by the SOCO is attached to the envelope. This form is of multiple parts and allows one part of it to be used as a reply to the officer dealing with the case, giving the result of the examination.

13.5.8 The CMRT has seen an example of a case file used by Greater Manchester Police and sees advantages in developing the SCRO documentation around its lines. It should be made clear that the Greater Manchester documentation is not seen as an ideal, however, it is a starting point to develop this issue and should be seen as a component of the OMS and identification process.

13.5.9 Its main advantages are:

- it is slightly longer than A4 size, allowing it to contain A4 paper, the standard output from computer printers;
- it is constructed of cardboard rather than paper and as such appears more durable and to offer more protection to the contents;
- it provides a larger surface area for data recording and/or computer generated labels; and
- it incorporates the detail provided by the SOCO, presently on the separate ‘Form 13’

13.5.10 The actual design of the envelope would be for the practitioners themselves to decide in conjunction with the amendments to processes and procedures suggested. It may be appropriate for force SOCOs to complete the relevant sections of the envelope prior to submitting it, complete with the mark photographs, to the fingerprint bureau for examination.

13.5.11 Beyond these specific matters there is a clear need to rationalise the different processes that exist across the Scottish bureaux towards developing common operating procedures and standards as a precursor to moving towards a revised structure. Clearly, this would entail common data inputs such as agreed formats for force reference numbers, in addition to the processing of marks and tenprints. In the SCRO Fingerprint Bureau there are a number of different ways in which tenprint forms are treated depending on their origin and the crime or offence to which they refer. Some of these procedures are quite specific. For example, there is a particular process for Tenprints which refer to cases of Drunk and Incapable from ‘K’ Division of Strathclyde Police. These processes should be subject to close scrutiny to ensure they are the most effective way of working.

13.5.12 Currently SCRO provides all Scottish Forces with the forms associated with fingerprinting and involves the ordering, storage and distribution of these forms to forces. This appears to be an unnecessary administrative burden on the Bureau and while the format should remain common and in the control of SCRO, it appears more sensible that forces make arrangements to satisfy their own stationary needs either locally or by central arrangement with the printers.
13.5.13 Weeding - Another major administrative task of the SCRO Fingerprint Bureau is the maintenance of the national fingerprint collection - one of the original reasons SCRO was created. All Tenprints whether recorded in ink or by Livescan arrive for processing and filing at SCRO where the definitive national collection of Tenprint forms is held. This collection requires ongoing maintenance to ensure that the fingerprints held are legally retained. Each Tenprint is associated with a conviction or pending trial, the details of which are on the CHS. Thus if an entry is to be deleted or amended on the CHS the associated set of fingerprints both on paper and on AFR must be similarly treated. This operation is referred to as weeding the collection.

13.5.14 It may be thought that with the advent of AFR there is little need for the paper collection, however, this is not the case. The expert in making an identification requires to compare the inked Tenprint to the latent mark in order to see the necessary detail to make the identification.

13.5.15 At present, the CHS generates a weeding list on a daily basis, however, is unable to generate a list comprising solely of those recorded by having had fingerprints taken. As such the weeding list has to be manually trawled for those having a fingerprint marker, and the details extracted for compilation of a fingerprint-weeding list. It generally takes an administration assistant a day to compile this list which is then picked from the collection the following morning. In addition, these details currently have to be sent to force bureaux to allow the weeding of local collections. It is considered that a development of the CHS could allow for the automatic generation of the fingerprint-weeding list, thus saving the work of the full time equivalent of one administration assistant. It is important that this work is carried out as a priority.

13.5.16 Six temporary administration assistants were recruited about 2 years ago to deal with a long-term backlog of filing. This task has been completed, but the assistants have remained fully employed keeping the collection up to date and it is clear that their temporary status requires to be made permanent to ensure the timeous and efficient processing of the tenprint collection. Unfortunately, this additional assistance has been insufficient to tackle an audit of the collection to ensure its legality in terms of data protection legislation. HMIC recommends that a specific effort be made to bring the weeding up to date (Recommendation 18). It is recognised by SCRO that resourcing in the past has been insufficient to allow the collection to be properly and efficiently maintained. Authority has recently been given for the recruitment of a further six temporary clerical posts specifically to tackle the auditing process. A scoping study has been carried out by the Bureau which calculates that it will take these six staff, two years to complete this task.

13.5.17 It is apparent that the national tenprint collection has suffered through lack of resourcing and while this is now being addressed, clearly it would be more efficient and effective to ensure that it is constantly maintained in a legal organised fashion.

13.5.18 Media Policy - HMIC suggests that SCRO develops a general media policy and appoints a media liaison officer as part of the corporate identity project (Suggestion 20). The need for SCRO to have the ability to respond swiftly and professionally to a demand for media services is of paramount importance. Aside of the demands raised by the McKie and Asbury cases, SCRO do not have a significant need for media services. They should, however, be able to access specialist media support as the need arises. It is considered appropriate therefore that such assistance should be outsourced in a way which allows responsiveness and flexibility.

13.6 SUPERVISION

13.6.1 While there are no specific recommendations made by HMIC under this heading, the theme cuts across many of the areas the CMRT has examined. In particular the structural modelling exercise (Appendix ‘E’) has tried to create suitable spans of control, for example, suggesting an increase in the supervisory level of administrative support services.
13.6.2 One area which may be suitably discussed under this heading involves HMIC recommendations that **action is taken to secure data which informs management of sickness absence levels in a manner which can be used to monitor trends, set targets and manage sickness absence** (Recommendation 9) and that a **strategy is introduced for staff within all fingerprint bureaux and identification branches to offer staff support and assist in the detection and prevention of stress related illness** (Recommendation 10).

13.6.3 In relation to the monitoring of sickness absence, SCRO has been able to tap into the processes which exist in relation to Strathclyde Police personnel. Although SCRO Fingerprint Bureau was following the absence management policy of its host force, full use was not being made of the computer based monitoring system used by Strathclyde Police and available to SCRO. A slight variation in the way SCRO processes its absence notifications has now allowed it to take advantage of these facilities, which monitor trends and produce management reports.

13.6.4 With regard to stress related illness, this is an increasingly significant issue for bureaux and one which the CMRT is fully aware of. While SOCOs may suffer from stress related illnesses due to the sometimes traumatic circumstances in which they may have to work, fingerprint experts can suffer similarly but through the intensity of the concentration required, coupled to the gravity of the consequences of making an error. There is the clear potential for an innocent person to lose his/her liberty and suffer greatly as a consequence of an erroneous identification of a fingerprint. There are, however, other factors which appear to contribute to this type of illness and a major issue must be pressure of work. SCRO has been under strain in terms of human resources for some time. This sustained pressure to deliver a service comes about by having a professional and proud workforce who care about the service they deliver, their key role in detecting crime and their contribution to making communities safer. Limited resources and the intensity of the work can contribute to this condition. It is an issue which SCRO management is acutely sensitive to, particularly as every abstraction increases the workload on the remaining staff.

13.6.5 Attending court to give evidence also generates significant pressure. This factor is recognised nationally and a significant amount of training is given to fingerprint experts in the presentation of evidence at court, however, it is something of a rarity for an expert actually to be called to give evidence. This infrequency of having to give evidence together with the knowledge of the criticality of that evidence and the professional standards required, contribute to it being a significant stress factor. This is an issue which is further discussed in the next section in relation to training. (13.7.36)

13.6.6 Working environment is also considered to have an effect on stress related illnesses, particularly in a detailed concentrated task such as fingerprint examination. In this regard HMIC commented that the current working conditions were less than ideal (paragraph 4.5.1). However, the move to new premises at Pacific Quay, Glasgow which will have taken place prior to the completion of this report, will create a much more suitable environment particularly in terms of light, noise, space and rest areas.

13.6.7 In the overall management of SCRO, close contact is maintained with the welfare officers of Strathclyde Police Occupational Health and Welfare Unit and full use made of their expertise and facilities. This includes information in respect of self-referral services and liaison in managing individual ‘back to work’ strategies for personnel. The whole issue is one which spans all fingerprint bureaux and the CMRT’s impression is that it is one of which management is acutely aware. Given the many factors which can contribute to stress in this particular workplace it is considered that the sharing of good practice in this regard will be a natural spin-off from the deliberations of the 8FSG.
13.7 TRAINING

13.7.1 HMIC makes a number of recommendations and suggestions about training and related matters which are considered in this section.

13.7.2 Authorisation as Expert - A key issue is the matter of authorisation as a fingerprint expert to which HMIC refers to in the following recommendations:

- Recommendation 5 - a move towards a competency-based standard
- Recommendation 6 - consideration of the concept of authorisation
- Recommendation 21 - a review of the current authorisation process

13.7.3 There has, for some time, been the provision in Scots Law for the recognition of ‘an expert witness’ and procedures to limit the necessity of those experts in attending court to provide non-contentious evidence. The Criminal Justice (Scotland) Act 1980, at Section 26(2) provided for the creation of a Register of Expert Forensic Scientists. Those on the register would be qualified to sign a joint report of evidence of fact following their professional examination of productions in relation to a particular case. This mechanism creates the rebuttable presumption of consensus between Crown and defence agent as to the admission of non-contentious evidence by report, and thus negates the requirement for these witnesses routinely to attend Court. Fingerprint examiners were included in those for whom the process was designed.

13.7.4 The current legislation pertaining to this facility is the Criminal Procedure (Scotland) Act 1995 at Section 280(5) which has extended the use of this facility from summary procedure to include solemn procedure. The criteria for inclusion on the register are non-statutory and were originally drawn up by a Working Group comprising ACPOS, Crown Office, The Scottish Office and police forensic scientists.

13.7.5 In respect of fingerprint experts the criteria were:

- 7 years continuous experience in a recognised Fingerprint Bureau (later reduced to five years).
- successful completion of the Advanced Fingerprint Course at the NTC Durham.
- completion of as many courses at NTC Durham as are appropriate.

13.7.6 A review of training by SCRO management in 1992 concluded that the Advanced NTC Durham Course was inappropriate for SCRO officers as it focused on the Criminal Justice processes in England and Wales. Consequently, ‘in-house’, ‘Advanced’ and ‘Expert’ courses were created by SCRO. The then Scottish Office agreed to accept them as fulfilling the training criteria for registration as an expert. A difficulty in establishing basic criteria for fingerprint officers, unlike most forensic science disciplines, is that their profession is not underpinned by a specific scientific tertiary educational qualification.

13.7.7 It has to be remembered that the purpose of registration as an ‘expert’ is purely an authority to submit written reports in lieu of oral evidence. Consequently, the criteria must satisfy the Court as to the competence of individuals being classed as ‘expert’ and thus needs to be accepted by the wider criminal justice community to be effective in operating the evidence by report provisions.

13.7.8 While this narrow interpretation of ‘an expert’ may be legally correct, it is reasonable to suggest that inclusion on the Register may be seen externally as an acknowledgement of that individual’s professional status outwith the specific provisions of the legislation. While it may be inappropriate for an individual to claim ‘expert’ status by virtue of inclusion on the Register, the reality is that this will occur. For the Register to ensure its credibility it must ensure the professional standards of those listed therein.

13.7.9 It is suggested that ACPOS Crime Standing Committee may wish to approach Crown Office and the Scottish Executive with a view to reviewing the criteria for inclusion on the Register as an ‘expert’ on a regular basis to ensure they remain valid and credible.
13.7.10 In this regard there are, and have been for some time, concerns about the criterion regarding length of experience. In order for there to be confidence in the professionalism of the writers of these reports, it is considered that there should be a move towards a transparent, competency based process of registration, which is consistent across the United Kingdom.

13.7.11 The justification for the time-based criterion would appear to have been made on the basis of obtaining sufficient experience of fingerprint examination techniques. This, however, will depend on the volume of work in the bureau that a particular expert works in and, over the period, different individuals could have widely varying experiences. Indeed, it is apparent that in different bureaux trainees will undertake differing roles depending on the size and structure of that department. It is clear that the amount of time spent on the analysis of fingerprints, could over the period, vary significantly, with the potential outcome of ‘expert’ status being accorded to significantly different experience levels.

13.7.12 Following a review of authorisation in England and Wales in the mid 1990’s, the time-based criterion was withdrawn. It was considered that competency based criteria were the only means of ensuring fairness and consistency both to trainees seeking to obtain expert status and also to the Courts. The situation in England and Wales provides further impetus for change in Scotland. The fingerprint evidential standard is currently the same throughout the United Kingdom, albeit England and Wales are more advanced in progressing to a non-numeric standard. Consequently, the training, qualifications and experience of fingerprint experts should be transferable between bureaux across the U.K.

13.7.13 Currently, this may not be the case in respect of ‘expert’ status, as it is conceivable that an individual may fulfil the English and Welsh criteria but not the Scottish, by not having the requisite five years experience. While such a situation may be unusual, it is not unknown. It could be argued that by retaining the time-based criterion, there exists the opportunity for a legal challenge in respect of European employment legislation designed to ensure the free movement of workers across the European Union.

13.7.14 Accordingly, it is suggested that ACPOS Crime Standing Committee offer competency based criteria to the Scottish Executive in respect of the requirements for registration as an ‘Expert’ in terms of Section 280(5) of the Criminal Procedure (Scotland) Act and seek consultation with the wider criminal justice community in respect of their acceptance and validity. It is further suggested that application for inclusion on the Register be formalised and require evidence of competency, not merely a letter from a Chief Constable or similar organisational head indicating the suitability of the fingerprint officer.

13.7.15 It is essential that the facility for the provision of evidence by joint report be maintained as it allows the agreement of essential but non-contentious evidence without the resource intensive requirement of personnel attending court. To allow the criminal justice system to have confidence in this system, it must have confidence in the professional expertise of those on the register who are authorised to use the facility.

13.7.16 Against this background it may be appropriate to note the emerging regulatory body, The Council for the Registration of Forensic Practitioners. The direction and philosophy of this new organisation is rehearsed at Section 13.10. Suffice to say in the context of the elements which may constitute an ‘expert’, registration with this body, having UK wide standards may be appropriate. Registration, which is subject to assessment and testing, including an element of external scrutiny, requires the individual to maintain high professional values and a fitness to practice. Assessment for continued registration would take place every four years. It is considered that making registration with the Council a necessary criterion of ‘expert’ status brings the consistency of externally accredited national standards desirable for the sustained credibility of the evidence by report provision.

13.7.17 It is suggested that registration with the Council for the Registration of Forensic Practitioners becomes a prerequisite of listing on the Scottish Executive Register of Expert Witnesses in respect of fingerprint examiners and is worthy of strong consideration for other forensic disciplines.
13.7.18 **National Training** - It is a condition of achieving expert status in England and Wales, that a satisfactory report is received from the NTC at Durham, that the nominee has satisfactorily completed all the appropriate training and is competent to be classed as an ‘expert’. It is suggested that a similar condition should apply universally in Scotland, and that derogations from the agreed national training should only be considered upon validation of an alternative programme by NTC, or similar suitable external training organisation.

13.7.19 The issue of training relates not only to the particular training required for fingerprint officers to reach ‘expert’ status, but also to the wide and diverse training needs of all staff at the SCRO Fingerprint Bureau.

13.7.20 Currently, the dual Quality Assurance/Training Officer role and an expert who has been designated as acting Training Officer, provide training at SCRO. Soon after the creation of the dual role it became clear that the training demands were having a detrimental effect on the ability of the officer to provide the vital quality assurance role, hence the creation of the acting training officer role to support the training function. The Leishman Management Consulting report of 1999 and HMIC recommended that the post and role of quality assurance officer and training officer be separated (Recommendation 2) recognising that the dual role was untenable for these crucial and demanding posts. The position of training officer has now been formalised within the establishment of the bureau and is currently being advertised.

13.7.21 In essence, however, it can be said that, with the appointment of the acting Training Officer, there was the opportunity for the Quality Assurance officer to devote himself solely to that core role. This has not been the case and both of these individuals remain significantly committed to training demands. This leads to the conclusion that only one person delivering training is insufficient for the demands of the Bureau. There is however, a difference between managing the training and delivering the training. The CMRT see the training officer’s role to be more a management role with responsibility for overseeing the diverse training needs, monitoring the quality of training and developing specific courses as necessary. There is, of course, a hands on training role. It is suggested that this should be complemented by support from the more senior members of the bureau being involved in the training process. Much of the specialised training is done ‘on the job’ either on a one to one basis, or in small groups and it is believed this responsibility can be shared across the bureau.

13.7.22 The now standard UK training in respect of fingerprint officers is delivered by the NTC at Durham. There are four courses completed over about four years, although the timescale can be less if the trainee shows particular aptitude. These comprise Initial, Intermediate, Advanced and Expert level fingerprint officer. All force bureaux in Scotland follow this programme as do bureaux in the rest of the UK with some of the larger bureaux supplementing this training with their own courses. As such, these bureaux tend to use the Advanced and Expert courses as a means of validating their own training. Until very recently, SCRO stood apart in the respect that it conducted its own in-house training, particularly at Advanced and Expert level. The reason behind this was that SCRO considered the courses supplied at Durham gave too much emphasis to English legislation, English court procedure and to mark development work which is not undertaken by SCRO.

13.7.23 The CMRT had the opportunity to visit the facility at Durham, where staff were keen to show a willingness to tailor their programme to suit a more Scottish approach if that was appropriate. They did, however, point out that delegates from outwith the UK also attend their courses and their goal was to teach skills which were not jurisdiction specific. Their view was that the skills required for court presentation should translate to any court where an expert is required to give evidence, and this appears to be a valid argument.
13.7.24 Clearly, the course appears to satisfy the needs of all other bureaux and as the course and teaching at SCRO has not been subject to external validation and scrutiny, this approach is no longer viewed as tenable. Accordingly, such training has now been suspended and SCRO trainees will follow the Durham training centre programme.

13.7.25 It is considered that this approach has a secondary benefit of allowing trainees a greater opportunity to make contact with other trainees at a similar level from both around the UK and abroad. This will broaden the perspective of the trainee and may assist in reducing a perceived introverted culture within SCRO. This accords with the view of HMIC articulated at Suggestion 17 that networking among staff from other bureaux should be encouraged among all fingerprint staff and contributes to addressing Suggestion 18 that there is a need for a more open and transparent culture within the organisation as a whole.

13.7.26 The offer from the Durham training centre to consider tailoring courses for specifically Scottish issues where appropriate is a welcome opportunity. It is suggested that the 8FSG assesses the correct level and form of training for fingerprint officers in Scotland including what training should take place in-house to supplement the national core courses, if this is necessary, by conducting a training needs assessment. This process should involve the support of expertise from force training departments which may best be co-ordinated through the auspices of ACPOS Personnel & Training Committee. This approach would address HMIC’s suggestions that a strategic re-assessment of how training is delivered is necessary (Suggestion 16) and consequently the number of training staff required taking account of the structures which emerge.

13.7.27 Uniquely, SCRO has a training commitment to Tenprint Identification Officers (TIO) who only operate at SCRO and are responsible for the operation of the Livescan service. In addition Tenprint Identification Supervisors are shortly to be appointed and again this will involve a degree of training. The course for training TIO’s was designed and delivered in-house by SCRO and appears comprehensive although there would be benefit in seeking external assessment to ensure its validity.

13.7.28 The course for TIO’s consists of 7 weeks theory and 19 weeks supervised on-the-job training. The initial intake of TIO’s was of 16 people which was a significant demand on the training staff for that period. Experience is now showing that the type of work, shifts and pay level of TIO’s are contributing to a considerable turnover of staff in this role. Consequently, this would appear to be an area where there will be an ongoing training demand and again it appears the recruitment and training is likely to be significant. Ideally, with forward planning, the intake of such trainees could be managed in the long term to allow them to be trained in more appropriate numbers.

13.7.29 As with any large organisation, there is a need for general training both to comply with employment legislation and for the operational effectiveness of the organisation. For SCRO this is currently provided by Strathclyde Police. In the main this works well. However, the value of reinforcing the separation of the organisations is argued elsewhere in this report. In essence SCRO should be viewed as a purchaser of training both from Strathclyde Police (who charge a 4.4% service charge of the SCRO pay-bill for their facilities) and from the Scottish Police College. It is also open to SCRO to take their purchasing elsewhere in the training market and this is an option that has been used recently to buy in specialist training on court presentation skills. This is a market which may become more important following any structural changes that may take place.

13.7.30 Strathclyde Joint Police Board is the employer of the non-police staff of SCRO. The consequence of this arrangement is that the Board as their employer, must ensure it fulfils its statutory responsibilities in respect of its employees, which includes, for example, necessary training on health and safety issues. This responsibility is delegated to the Chief Constable who ensures compliance through the personnel and training departments.
13.7.31 As such there are two management groups looking after the interests of SCRO staff. It is considered that while these staff remain employees of the Joint Board, there should be formalised and regular liaison between the personnel and training departments of Strathclyde Police and SCRO management. There must be a clear understanding of the responsibilities and needs of both groups and commitment to an agreed level of service in respect of training. It may be of value for SCRO to project their training needs annually and then enter into dialogue with their providers to develop a training plan on an annual basis, subject to regular revision throughout the year.

13.7.32 Continuing Professional Development - The CMRT places great store in the professional competency of the expertise found in the SCRO Fingerprint Bureau. However, it believes that there is a professional development responsibility placed on the organisation in respect of its staff and considers that it should be addressed by the introduction of regular refresher training for fingerprint experts. This would reflect the view of HMIC that regular refresher training should be incorporated into a national training standard for fingerprint experts to ensure that expertise is maintained at the highest level taking account of developments in theory and technology. (Recommendation 17)

13.7.33 There is a view among fingerprint experts that, once trained, no further ongoing training is necessary and professional skills are extended on the job by examining progressively more complex marks. This is not a view which the CMRT could support. This attitude is perhaps due to a narrow interpretation of refresher training which the CMRT sees as more appropriately termed ‘continuous professional development (CPD).

13.7.34 In recent months a number of training inputs have been arranged by the Bureau on court presentation skills, ridgeology and the emerging non-numeric standard. This has been universally welcomed by the staff and has had a beneficial effect on their morale, with staff seeing themselves being valued by the organisation. This a welcome introduction to CPD and one which should be built on in the future. The CMRT sees great value in a structured ongoing delivery of this type of training which could relate to different parts of fingerprint identification including technological advances, developments in recovering latent prints, legislative developments, presentations from other agencies involved in the criminal justice process, and case presentations. In addition it is considered there would be value in mutual exchanges being arranged between fingerprint experts and SOCOs. This would allow both disciplines to have a greater understanding of their needs and contribute to a higher quality of work by both groups (Section 13.4).

13.7.35 Once again these are issues which are not confined to SCRO and it is considered that there would be merit in the 8FSG considering the structure and content of CPD for fingerprint experts.

13.7.36 Court Presentation Skills - A major component of the current training for fingerprint experts relates to court presentation skills and has figured successfully in recent CPD at SCRO. It is an area of training that HMIC recommended be given a new impetus (Recommendation 16) following consideration of the presentation skills used by SCRO experts and the defence experts during the Shirley McKie trial.

13.7.37 This observation arose following the evidence at that trial of an American fingerprint expert, who is also a regular public speaker. His skills in delivering his evidence were clearly more developed than the witnesses from SCRO. It is, however, worth of note that no criticism has been levelled at the standard or style of presentation of the SCRO experts’ evidence. The further work commissioned by HMIC suggests that it was the actual evidence itself, not merely its presentation, which was the significant factor in this case. Notwithstanding that position, the CMRT explored this issue in some detail and found varying practices across bureaux.
13.7.38 A number of different approaches have been described and individually commended including:

- the use of marked-up enlarged photographs to show points of comparison of the mark in question
- use of a generic visual aid to demonstrate the principles of fingerprint examination
- no visual aids used on the basis that they can overcomplicate the issue
- use of two witnesses, the first of which has particular public speaking skills and describes to the court the science of fingerprint comparison, while the second provides the actual evidence for the case
- restricting court appearances to a small core of experts who build an expertise of evidence presentation in court
- the full disclosure of all case marks including eliminated and outstanding marks.

13.7.39 While the CMRT consider it is not in a position to give any prescriptive view on this matter, there are some points which require to be highlighted.

13.7.40 It emerged that there is a practice allowing fingerprint experts who make an initial identification and verification not to be the witnesses who give evidence in court. In SCRO this occurs in the situation where two experts cannot attend court on medical grounds, and also on other occasions as a matter of convenience. In these cases other experts who had not previously been involved in the case would be asked to examine the marks, confirm they agreed with the identification, prepare the necessary statements and attend court when required. The CMRT does not consider this to be good practice. The fingerprint expert’s role includes the preparation of evidence for court and the giving of that evidence. As such, it is considered that fingerprint experts should follow a case from identification to trial and only in extreme situations should another expert re-examine and substitute in court for the initial identifier. This maintains the identifying experts accountability for the case.

13.7.41 In relation to visual aids used in court, the CMRT was made aware of the practice of cropping photographic enlargements so that only the relevant part of a mark and fingerprint were shown. While this may reveal the necessary level of detail, to do so without showing the whole image is contrary to principles of disclosure and transparency and may lead to criticism. This practice has now been discontinued by SCRO, a move which the CMRT supports.

13.7.42 When considering this issue, Crown Office was consulted by the CMRT as to its view on the best presentation of evidence, however, it considered this was a matter for the individuals giving their testimony and the relevant Procurator Fiscal. There does, however, appear to be merit in the development of an awareness strategy for solicitors, procurators fiscal and advocates to increase their understanding of fingerprint evidence and how it can be presented. There is a view that only by appropriate questioning in the court can the best evidence be elucidated.

13.7.43 The importance of this aspect of the fingerprint expert's work, and the stress and anxiety it can cause, is recognised by the profession. Court presentation skills, including detailed questioning on the theory and science behind fingerprint examination, form a major part of the national training course, with students undergoing a series of mock trials with the aim of both setting standards and giving the individual confidence in his/her own abilities. Recently, this was built upon by SCRO who purchased additional training for their Bureau from a firm of experts in this field. This initiative was very well received by all the staff who rated it as an extremely valuable exercise.
13.7.44 Given that court presentation is a key area of the expert’s role and recognising the
diversity of approaches, it is considered that such training should be progressed by the 8FSG.
Additionally, Crown Office indicated they would welcome the opportunity to comment on any
proposals put forward by the 8FSG designed to bring both consistency, quality and best
practice to the presentation of fingerprint evidence in court. Thereafter, the concept of
‘demystification’ seminars or similar should be explored for legal professionals to give greater
awareness and understanding of the concepts and presentational options available. This will
in any case have to be considered as part of the preparation for the introduction of the non-
numeric standard.

13.7.45 At an early meeting of the 8FSG, arranged by the CMRT, there was clear support
for the standardisation of processes, procedures and training. Training is considered crucial
to all areas of operation and there was clear support for a Training Forum, to be formed to
progress and develop all training issues in respect of fingerprinting, and this approach is
warmly supported by the CMRT.

13.8 COMPETENCY TESTING

13.8.1 During the course of the CMRT’s research, the testing of fingerprint experts on an
ongoing basis was variously referred to as both ‘competency’ and ‘proficiency’ testing. Given
the distinct absence of such provision (Section 13.8), these references were made,
predominantly, in the context of tests which still require to be developed, rather than tests
which were currently applied or, indeed, available.

13.8.2 The clearest distinction between proficiency and competency was made at NTC,
Durham, where proficiency was explained as a focused assessment of an individuals’ ability
to carry out proficiently a narrow band of tasks, such as fingerprint examinations.
Competency, however, was distinguished as an individuals’ ability to carry out proficiently the
entire series of duties which make up the whole part of their job. In the case of the fingerprint
expert, this would include fingerprint examination, development of marks, administrative
duties, preparation of material for court purposes, presentation of evidence at court, and so
forth.

13.8.3 Whilst the dearth of available testing services suggests that a distinction in terms is
unnecessary, the growing need, and drive towards continuous professional development
within the fingerprint world has the potential to lead to the development of both types of test.
For the purposes of this report, then, the distinction made by the NTC has been applied.

13.8.4 The fundamental principle which applies wholly to the work of the fingerprint expert
is one of integrity and independence (Chapter 2). Whilst that principle is enduring, its
importance has taken on a new dimension as a consequence of the issues raised in the
cases associated with the murder of Marion Ross (Chapter 8). HMIC emphasises the need
for openness and accountability (Section 8.14). In the context of proficiency and competency
testing, this must include the provision, at the very least, of external validation of an experts
ongoing ability to meet the demands of the role. This is reflected by HMIC who recommends
that the external provision of competency testing for experts is an aspect that the
APRT needs to pursue with vigour to seek an early, sustainable and defensible
programme. (Recommendation14).

13.8.5 In 1996 SCRO designed and implemented annual proficiency testing for its
fingerprint experts. It is understood that this was a ground breaking exercise in respect of
fingerprint bureaux in the UK. The tests aim to:

- provide a quality assurance measure
- test the proficiency of experts in fingerprint comparison
- identify weaknesses and training issues.

13.8.6 The test was administered and checked internally, by the most senior fingerprint
personnel in the bureau. This was a commendable initiative.
13.8.7 Following recent evaluation, the test was redesigned, taking into account the views of those who had participated in the exercise. In recognising the need for, and value in, external validation, the redesigned test was submitted for assessment to both the Federal Bureau of Investigation (FBI) in the USA and to the NTC at Durham. Whilst not critical of the aims of SCRO, the FBI suggested that the test was too stringent, in that it should aim to establish competency rather than the degree of expertise. The NTC at Durham, however, saw the test as ‘a fair test of identification skills’. It is of note that several force bureaux in Scotland have had access to the SCRO proficiency test. It was evident, anecdotally at least, from the interviews conducted with bureau staff by the CMRT, that the test was challenging.

13.8.8 An integral part of the SCRO proficiency testing process was a procedure for dealing with non-conformance (including erroneous identification) during the test. The procedure was developed by a staff focus group at SCRO Fingerprint Bureau in consultation with UNISON. The establishment of this procedure provides a solid foundation upon which to address HMIC’s recommendation that a common procedure, subject to validation by an external body, be put in place in all fingerprint bureaux to deal with failure in the course of competency testing. (Recommendation 20)

13.8.9 It is recognised that, with the exception of the SCRO test, no other validated proficiency or competency test exists within the fingerprint service in the UK. That said, the NTC at Durham has expressed some interest in developing testing services. Progression of that notion, however, has been postponed, pending the deliberations of the fingerprint subgroup of the Council for the Registration for Forensic Practitioners (Section 13.10.1).

13.8.10 The only known alternative is to be found outwith the UK in a service provided by Collaborative Testing Services, Inc. (CTS), a commercial organisation based in the United States. The service, in this respect, is deemed by the fingerprint service in the UK as a proficiency test, centring solely on fingerprint examination work. CTS runs its fingerprint testing service twice annually. A test, comprising a series of latent marks and photographed prints, is forwarded to applicants for local completion. The completed test is then returned to CTS for assessment and evaluation. At present this service attracts a fee of £172 for each individual sitting the test. Tayside Police have used this service and other force bureaux in Scotland have also expressed a significant interest.

13.8.11 In light of HMIC’s comments (paragraph 6.5.3), SCRO management have suspended the use of the internally based proficiency test. An application has been made to CTS to test all fingerprint experts at SCRO during the next administration of the test in January 2000, at a cost in the region of £5000. This is a positive step by the management of SCRO and directly addresses HMIC’s recommendation that all fingerprint experts within SCRO Fingerprint Bureau should undergo competency testing provided and managed by an external provider as soon as possible (Recommendation 19). The CMRT supports the concept of external provision of both proficiency and competency testing for fingerprint experts but recognises that such provision is significantly limited at present.

13.8.12 Building on the positive response of SCRO, the CTS Proficiency Test should be administered individually to all SCRO fingerprint experts annually, pending the development of a fuller competency test by the Council for the Registration of Forensic Practitioners (CRFP) (Section 13.10.1), and SCRO management should make budgetary provision for this. Once the CRFP has developed testing and applied it to its registration process, then it may be appropriate to administer the CTS test in each year that an expert does not register or re-register.

13.8.13 Such provision should be considered by all other Scottish bureaux together with a protocol for dealing with non-conformance during proficiency and competency testing. This is an issue which is currently being developed by the 8FSG having regard to the existing SCRO procedure.
13.9 QUALITY ASSURANCE & AUDIT

13.9.1 As with the collation of all evidence, it is essential that procedures are in place to ensure the integrity of the chain of evidence and of the evidence itself. Given the specialism of individual forensic practices, there is a clear need to openly demonstrate integrity through the application of quality standards and rigorous compliance testing. Whilst historically based in industry, quality control processes have evolved to a stage where they are readily applicable to, and specifically designed for, ‘service’ settings.

13.9.2 Within the fingerprint service in Scotland, there is evidence to suggest significant variations in standards under current practice. This is reflected upon in the SFSWG report, (Section 7) and was observed consistently during the CMRT’s consultation phase. Quality assurance systems offer the potential for standardisation.

13.9.3 ISO 9002 - ISO 9002 is a worldwide quality assurance system, regulated by the International Standards Organisation and, more locally, by the United Kingdom Accreditation Services (UKAS). In terms of fingerprint bureaux, ISO 9002 is an appropriate quality assurance model to aspire to. The system requires an organisation to establish, maintain and conform to a quality policy statement and procedural and quality manuals. Compliance testing is undertaken initially by ‘independent’ internal auditors who, on a day-to-day basis, form part of the work force, and externally by accredited auditors appointed in the UK by UKAS.

13.9.4 Where the CRFP offers the potential to control standards in terms of individual proficiency and competency, ISO 9002 does so at an organisational level. As compliance processes, both are complimentary and the adoption of one without the other detracts from the other’s effectiveness. As consideration of the move towards a non-numeric standard continues (Section 13.10.1) it is essential that preparatory work is undertaken to ensure that processes and procedures are adequate, provide safeguards for staff and are sufficiently well tested to withstand close scrutiny, as can be expected during the course of legal challenge. ISO 9002 offers fingerprint bureaux the opportunity to establish a defensible platform for progression towards a non-numeric standard. It is of note that some 14 forces in England have already adopted ISO 9002 in preparation for the introduction of a non-numeric standard.

13.9.5 HMIC recognises the potential benefits to be gained from commonly applied standards and suggests that all bureaux agree common Quality Assurance processes using the co-ordinating influence of this (CRFP) body. (Suggestion 13). The CMRT has had the opportunity of discussing this issue with the CRFP and understand that such a co-ordinating role is outwith their scope and not something they would wish to develop at this stage.

13.9.6 In recognising the benefits which a quality assurance system has to offer, SCRO enlisted the services of Bill Wood Associates, a quality assurance consultancy, to assist them in a move towards an accredited system under ISO 9002. As a first phase to introduction throughout SCRO, the Fingerprint Bureau was selected as the ‘pathfinder’ and progress has taken the Bureau to the point where it is anticipated that it will be externally assessed by early December 2000.

13.9.7 Although assisted by a Consultant, introduction of ISO 9002 within the Fingerprint Bureau was properly seen as a function of the Quality Assurance Officer. Developments within the Bureau, however, coupled with the ongoing training imposition placed on the Quality Assurance Officer (Section 13.7.20) have seen that function shift to a temporary Inspector, initially brought to assist the Head of Bureau with project work.

13.9.8 Once fully adopted as SCRO’s quality assurance system, the role of the Quality Assurance Officer will extend to the co-ordination and administration of the ISO process, including internal audits, follow up procedures and maintenance of the manuals. As an estimate, the Consultant believes this will equate to the work of half a post for a fingerprint bureau with the current ‘authorised establishment’ of SCRO. In the view of the consultant, the intention to extend the ISO standard to all departments within SCRO creates potential for the ISO 9002 workload, alone, to absorb one whole post.
13.9.9 It should be noted that, in the opinion of the Consultant, the ISO co-ordinator does not have to be a qualified fingerprint expert. He/she should, however, have a good knowledge of the work of the bureau. Equally there is no need for the ISO co-ordinator to be qualified in Quality Management Systems and it is unlikely that the scale or scope of the role at SCRO Fingerprint Bureau would justify such expertise.

13.9.10 The cost of implementation, including the Consultant’s fees, is approximately £6000 for the Fingerprint Bureau, with an ongoing annual cost estimated at £1000 per annum for re-accreditation.

13.9.11 Whilst it is known that a number of bureaux south of the border have progressed ISO 9002 as a quality assurance system, no other bureau in Scotland has done so. During the CMRT’s consultation phase, there was widespread recognition of the benefits of such a system. However, its appropriateness to small bureaux, given the ‘independent’ dimension of the internal audit and a small bureau’s ability to cope with the added workload were seen as barriers to its introduction.

13.9.12 The Role of the Quality Assurance Officer at SCRO - The importance of quality assurance systems in ensuring that standards are set and maintained and, in so doing, that the integrity of evidence, staff and the Bureau are sustained, is clear. There must, however, be recognition that such systems generate a significant workload. Accordingly it is important to make provision to deal with that workload.

13.9.13 The combined post of Quality Assurance/Training Officer (Section 13.7.20) was created within the SCRO Fingerprint Bureau in 1996 and filled internally by a fingerprint expert. The core activities included:

- evaluation, implementation and validation of quality assurance within the fingerprint bureau
- assisting the Deputy Head of Bureau (then the Assistant Chief Fingerprint Officer) in undertaking special project work
- provision of fingerprint training in all aspects of fingerprint comparison and identification, up to and including expert status.

13.9.14 The quality assurance checks, which form a significant part of this post, include:

- scrutiny of the identification and verification process, completed case documentation, tenprint forms and submission of evidence
- competency testing
- case audits
- random audits
- test searching of marks and tenprints.

13.9.15 Given the size of the Bureau, this is not an insignificant task, even in terms of time alone. It is evident, however, that the demand for training quickly eroded the potential to fulfil the quality assurance aspects of the role, to the extent that there has been no scope in the last 2 years to address the final three checks listed above. This is recognised by HMIC who suggests that the APRT give the audit issue early attention (HMIC Report paragraph 8.6.3).

13.9.16 Both Leishman Managing Consulting in 1999 and HMIC have recommended that the role of Quality Assurance Officer and Training Officer be separated (Recommendation 2). SCRO’s 2000/2001 budget makes provision for the creation of these separate posts with the new Training Officer position recently being advertised in the Police Review. The CMRT welcomes this.
13.9.17 Recent developments at SCRO, however, which have impacted upon the availability of fingerprint experts, have caused the SCRO management to draw the Quality Assurance Officer away from his core functions. The transposition of project management responsibility for the introduction of ISO 9002 from the Quality Assurance Officer offered tangible confirmation of this. The CMRT have been advised by SCRO management that the Quality Assurance officer has recently resumed control of the process.

13.9.18 To provide a defensible and sustainable position, it is considered essential that the job description and person specification of the Quality Assurance post be reviewed as soon as possible, in order to define clearly the importance and priorities of that role. This should coincide with the introduction of the new Training Officer post. (Section 13.7.21).

13.9.19 Potential exists to introduce a single Quality Assurance post to service all of the departments within SCRO and this should not be discounted for the future. However, given the need to re-establish full ‘quality control’ checks, in line with the quality assurance demands of the existing job description, and the impending implementation of ISO 9002 it is considered unwise to dilute the role or importance of the Quality Assurance post within the SCRO Fingerprint Bureau. It is understood that this is in keeping with the views of SCRO management at this point.

13.9.20 This position should be monitored and reviewed by SCRO management, having regard to the potential for a new structure for fingerprint services in Scotland.

13.9.21 Blind Trialing - The concept of ‘blind trialing’ reflects the commercial practice of ‘mystery shopping’. The principle is that a transaction or series of transactions are generated from a controlled source (i.e. by or on behalf of the management) with a view to testing systems, procedures, compliance, standards and quality of delivery. HMIC suggests that ‘blind trials’ are another tool worthy of consideration by fingerprint bureaux (Suggestion 14)

13.9.22 Whilst the practice is understood to have been introduced on a limited scale within some forensic science services, the CMRT found little evidence of its application within fingerprint bureaux. The issue was consistently raised during the CMRT’s period of consultation but was met with general reserve. One force bureau had, however, experimented and saw a potential place for blind trialing within the fingerprint service, if managed carefully.

13.9.23 The reservations of others centred on the complexity and control of the tests. In particular, the need to create ‘false’ computer and case records on the CHS, potentially PNC and local force computers and, consequently the proper management and control of that information were of concern to them.

13.9.24 Whilst the concept has merit, it must be more fully considered in terms of the renewed emphasis which is being placed on openness and accountability within SCRO; including the introduction of CTS proficiency testing (Section 13.8), the move towards CRFP registration of experts, implementation of the ISO 9002 Quality Assurance system and the proposed realignment of responsibilities to a full time Quality Assurance Officer (Section 13.10.1). Satisfactory development of these matters should be regarded as a high priority in assuring the highest standards within the Fingerprint Bureau. Further research is necessary to consider the fuller implications and scope the level of effort required to manage safely a programme of blind trialing and it would be appropriate for the 8FSG to consider the issue in due course, as part of its wider remit.
13.10 STANDARDS

13.10.1 The Council for the Registration of Forensic Practitioners (CRFP) - The CRFP is an independent regulatory body whose objective is to promote public confidence in forensic practice in the UK, through the publication of a register of competent forensic practitioners. It was formed following a number of high profile miscarriages of justice in the 1970's and reports in 1993 by the Royal Commission on Criminal Justice and the House of Lords Select Committee on Science and Technology. A system of registration for forensic practitioners was recommended and after consideration of the options, the Home Secretary in 1998 announced the inception of the CRFP.

13.10.2 Although membership will be voluntary (from the perspective of the CRFP), periodic re-registration and a process to address those who fail to meet the necessary standards will be incorporated into their practices. This will include a range of options, from the right to offer advice through to removal from the Register.

13.10.3 Fingerprint examination is one aspect of the CRFP's interest. Although established in 1999, the CRFP are still progressing the necessary administrative arrangements across a broad range of forensic services in preparation for opening the Register in October 2000.

13.10.4 As part of that process, a fingerprint sub-group was established to consider the specific requirements for registration, as they would apply to fingerprint experts. The work of the sub-group has included the consideration of a fuller competency test being designed, externally managed and applied as a pre-requisite to registration or re-registration. Details have not yet been concluded, however, it is hoped that the Register will open to fingerprint experts by the end of this year. It is proposed that registration will be based on an assessment of a submission from the applicant including:

- details of their qualifications and career to date
- a short portfolio of case work
- two work based references
- a declaration of conformance with the application process.

Subsequently, experts will be required to re-register every four years.

13.10.5 The anticipated cost of registration is £125 per expert, per year. It is understood that, in England and Wales, the ACPO Crime Committee has agreed in principle that the cost of registration should be borne by employers, rather than employees.

13.10.6 Although extension of the scheme to fingerprint experts may be slightly delayed, the potential benefits offered by the CRFP are recognised by HMIC who recommends that the APRT look closely at the development of the National Council for Registration of Forensic Practitioners and give consideration as to how Scotland can capitalise on this new Council (Recommendation 25)

13.10.7 Until recently, SCRO has been represented on the sub-group and the continued participation of a Scottish representative is of vital importance. With a view to broadening overall responsibility of fingerprint policy across Scotland the 8FSG should consider a nomination for continued representation. This was raised at its meeting in September.

13.10.8 Full support should be offered by the 8FSG to the CRFP’s fingerprint sub-group in developing a balanced competency test for fingerprint experts.

13.10.9 Bearing in mind the potential importance of CRFP registration for fingerprint experts, it is considered that CRFP registration should be pursued as a matter of urgency by SCRO management on behalf of their fingerprint experts. The Executive Committee of SCRO should consider making budgetary provision for the payment of CRFP registration fees, now and in the future, and in line with arrangements in England and Wales.
13.10.10 Similarly, other force bureaux should pursue CRFP registration on behalf of their fingerprint experts. The issue of fees is likely to impact on a range of forensic service personnel and it is important that ACPOS Crime Standing Committee gives early consideration to the position of all forensic practitioners in Scotland in respect of the CRFP. It should be noted that in Section 13.7.17 registration with the CRFP is suggested as a prerequisite of listing on the Scottish Executive Register of Expert Witnesses in respect of Fingerprint Examiners.

13.10.11 Non-Numeric Standard - HMIC recommends that managing the change to a non-numeric standard should be addressed at a very early point by the APRT – Recommendation 15.

13.10.12 Since 1924, in Great Britain, fingerprint impressions have been identified as relating to the fingerprint of a known person, only where a minimum of 16 points or characteristics have been found in agreement and sequence. The figure of 16 has no scientific basis and was decided after a case where it was believed that two fingerprints had 10 points in agreement. This was subsequently found not to be the case, one of the prints having been tampered with.

13.10.13 Elsewhere in the world different numeric standards exist with jurisdictions accepting evidence of identification with as few as 8 characteristics.

13.10.14 Fingerprint experts state that in practice, in many instances, it is clear that at a stage before 16 points in agreement and sequence have been found, an identification can be made. In other cases, due to the poor quality of a mark under examination, fingerprint experts may be unable to find 16 points of similarity, but are able, in their opinion, to find a sufficient number to give a positive identification. It is for these reasons that there has been a move to a non-numeric standard where an expert can express an opinion based on suitable expertise and experience.

13.10.15 Champod and Evett, in a paper published in July 2000, on ‘A Probabilistic Approach to Fingerprint Evidence’ state, “All comparisons that fall between the extremes of definite inclusion and definite exclusion are classified as ‘inconclusive’. It is our view, that much evidence is denied to courts because of this policy.” It is the duty of the police service to provide the Crown with the best available evidence. An arbitrary 16 point standard excludes a significant number of cases from being considered as evidence due to them being classed as ‘inconclusive’ or ‘insufficient’. It is argued that such cases should be presented to the court and weighted according to the individual circumstances in the manner of other evidence. Champod and Evett postulate that transparency is preferable to obscurity. If fingerprint experts are able to form an opinion of identification this should be disclosed to the prosecuting authority regardless of a numeric standard. It is argued that the numeric standard curtails the ability of an expert to give evidence even when certain of identification and therefore diminishes their professional standing.

13.10.16 In December 1996, a project board was set up in England and Wales to manage the change to a non-numeric standard. It was identified that in advance of the change all bureaux should undergo a number of internal activities, such as documenting their procedures and putting in place audit processes. This process of self-examination allowed standards to be determined and ensured that a corporate approach was adopted to the change process. Consultation took place with a range of stakeholders including the Crown Prosecution Service, the Home Office and others within the criminal justice system. Training was identified as being of crucial importance, both in relation to the identification process and in court presentation. The extent of the preparation has meant that the implementation date has been delayed from April 2000, originally to October 2000, and now to early in 2001.

13.10.17 Scotland has been represented on the Project Board in England and Wales as it was anticipated that Scotland would follow England and Wales in the transition to the non-numeric standard. The early work of the 8FSG at the end of 1999 considered the move to the non-numeric standard and formed a sub-group to progress the issue. Further work was halted due to the events surrounding the inspection of SCRO Fingerprint Bureau.
13.10.18 Discussion took place with Crown Office representatives at the Standing Committee on Expert Evidence and subsequently Draft Lord Advocate’s Guidelines on Fingerprint Evidence were produced in September 1999. The Draft Guidelines indicated a willingness to review the current situation and move towards a non-numeric standard cautioning that the transition must be accompanied by an appropriate training programme, required standards of competence, auditing and quality assurance.

13.10.19 It is apparent that a considerable amount of work must be undertaken before the non-numeric standard can be introduced in Scotland. The approach taken in England and Wales is to ensure that all of the ‘building blocks’ to a successful implementation are in place before making the move. This measured approach should be mirrored in Scotland.

13.10.20 Force bureaux and the SCRO Fingerprint Bureau have different working practices and procedures. These should be rationalised before the transition to a non-numeric standard is made. The work of the 8FSG, which recommenced in September 2000, will be instrumental in bringing about uniformity of standards.

13.10.21 To advance the change to a non-numeric standard it is essential that at an early opportunity a project board, similar to the model employed in England and Wales, be set up to manage the change. The board can learn from the knowledge and expertise gained by the Project Board in England and Wales to assist in managing the change, involving all stakeholders as appropriate. In order to ensure the change is given the requisite impetus, it is suggested that ACPOS Crime Standing Committee monitor the work of the Project Board during the transition.

13.10.22 It is apparent from the English and Welsh experience that the transition will take some time, but some work has already been undertaken and considerable knowledge and experience of the main issues already exist in the Scottish fingerprint service.

13.10.23 The work of the Project Board will be vital to the advancement of the fingerprint service in Scotland and must be underpinned by the ethos that departure from the 16 point standard to a non-numeric standard must in no way compromise the confidence which has existed for a considerable time in fingerprint evidence.

13.10.24 Statistical Information and Performance Indicators – At suggestion 15 HMIC suggests that the APRT give the issue of gathering common statistical performance information early attention. All bureaux in Scotland maintain some statistical information. There is, however, a disparate approach adopted across the country with some bureaux only recording number of marks processed and others number of cases, for example. There was agreement by the 8FSG at the end of 1999 that there was a need to rationalise statistical gathering, but this has not yet occurred.

13.10.25 It is only by the adoption of a common approach by all bureaux that benchmarking and comparison of performance on a ‘like for like’ basis can take place. Appendix ‘D’ outlines the comprehensive range of performance indicators that are collected quarterly in England and Wales.

13.10.26 The 8FSG should continue their work on the development of statistical information and performance indicators to allow ACPOS Crime Standing Committee to determine an appropriate approach enabling collection of this information from April 2001.

13.11 OPENNESS, ACCOUNTABILITY and ETHICS

13.11.1 A main thread of HMIC’s Primary Inspection Report is the need for SCRO Fingerprint Bureau to move away from a historically introspective culture. In doing so it must become more open and engender the principles of transparency and accountability. The wider process of development already underway within the SCRO Fingerprint Bureau and many of changes consequent to HMIC’s Primary Inspection Report will set the foundation for long term sustainable change, not only within the bureau, but also throughout the fingerprint service in Scotland.
13.11.2 That renewed emphasis includes many of the aspects already discussed in this report, such as CTS proficiency testing (Section 13.8), CRFP registration of experts (Section 13.1.1), ISO 9002 Quality Assurance system (Section 13.9.3) and redefinition of quality assurance responsibilities (Section 13.9.12).

13.11.3 Those aspects must be complimented by ongoing membership of groups which influence and consider fingerprint examination, evidence and the role of the expert, in a wider forum, both nationally and internationally. The reconvention of the 8FSG, continued membership of the CRFP’s fingerprint sub-group (Section 13.10.1) and of the IEEGFI are all essential to that process. This interaction realises the potential of these groups to positively influence the fingerprint service in Scotland.

13.11.4 At Suggestion 19 HMIC suggests that the adoption of a code of ethics should be an integral part of the change proposed for SCRO. Whilst the efforts towards a more robust quality assurance system and the application of proficiency and competency testing are clearly linked to openness and accountability, the introduction of a code of ethics would outwardly demonstrate a willingness and intention, on the part of SCRO Fingerprint Bureau, to aspire to the highest standards of integrity and independence required of a fingerprint bureau (Chapter 2).

13.11.5 At their 29th European Regional Conference in May 2000, the IEEGFI discussed the issue of ethics as an imperative to fingerprint services and fingerprint experts. In concluding, the Group acknowledged the work of the CRFP in this area. As a consequence of that work, the IEEGFI has developed a ‘Code of Ethical Good Conduct Guidelines for Forensic Practitioners’ which should be an important consideration for all fingerprint bureaux. A copy of the Code is included at Appendix ‘C’.

13.11.6 The CMRT is fully supportive of HMIC’s direction towards a more open and accountable service and believes that such direction applies beyond SCRO to the whole fingerprint service in Scotland. A positive first step would be the introduction of a code of ethics and the IEEGFI Code provides a sound foundation for consideration, particularly given the close links with the CRFP. Adoption or adaptation of that code is being fully explored by the 8FSG.

13.12 CONFLICT RESOLUTION

13.12.1 The fundamental importance of the principles of integrity and independence are highlighted throughout this report and HMIC’s Primary Inspection Report. Recent events within the SCRO Fingerprint Bureau continue to emphasise the importance of these issues and the potential manifestations of shortcomings in procedures and an introspective environment. There is a need, therefore, to ensure that stringent safeguards are built into the process of fingerprint identification and verification and that measures are developed to openly address areas of conflict.

13.12.2 The mark identification process is described at Section 13.4.7. This section seeks to deal with potential conflicts of opinion in that process (disputed identifications), and when the identification is found to be plainly wrong (erroneous identifications).

13.12.3 Disputed Identifications - The term ‘disputed identifications’ relates to the situation where fingerprint officers disagree as to whether or not there are sufficient common points between a mark (latent fingerprint) and an individual’s fingerprint in sequence and agreement to positively identify the mark.

13.12.4 Disputes arise when one expert can find sufficient points in sequence and agreement but the other expert, while perhaps agreeing that the mark does indeed relate to an individual, considers that there is insufficient detail to give a positive identification for Court purposes. A fingerprint officer examining a mark for verification purposes and considering there to be insufficient points of similarity to positively identify it, will enter into a discussion with the identifying officer. During the discussion both parties will explain the reason for their findings in the hope of finding common ground.
13.12.5 On occasions, the mark and fingerprint impression are viewed on the comparator and marked up to illustrate how the identification was made. The practice that is now adopted in SCRO Fingerprint Bureau is for the mark to be cleared from the screen to allow the verifying officer to examine it to establish if, after discussion, identification can be made. If the identification is confirmed, the mark is passed for second verification, or in the case of the dispute being by the second verifier, the process is complete. Practice varies as to what, if anything, is recorded on the diary sheets (Section 13.4.9). Most bureaux do not record anything in such an event.

13.12.6 If the dispute between the identifying officer and either of the verifiers is not resolved, the matter is referred to the Quality Assurance Officer and the Head of Bureau is informed. A resolution is then sought between all parties which may involve other experts examining the mark. No formal record is kept in respect of the dispute other than what may have been recorded on the diary page.

13.12.7 With regards to this process HMIC recommends the establishment of a national policy which encapsulates an independent review process to deal with all erroneous and disputed fingerprint identifications. (Recommendation 13)

13.12.8 An 'erroneous identification' is termed as one where the identifying fingerprint officer has clearly made an error and wrongly identified the mark under examination. This is obviously one of the most serious mistakes a fingerprint officer can make. The erroneous identification can come to light through either of the verifying officers, although it is most likely to be identified by the first verifier. Empirical evidence shows that erroneous identifications occur very rarely.

13.12.9 Within SCRO Fingerprint Bureau the current procedures are that a fingerprint officer who becomes aware of an erroneous identification should bring it to the attention of the Quality Assurance Officer who will in turn inform the Head of Bureau. The Head of Bureau will make the Deputy Director aware and a full review may be conducted by the Deputy Head of Bureau (the most senior fingerprint expert in the Bureau), who will attempt to establish how the identification was made and to determine if there is an underlying reason, such as a welfare problem or a training need. Details of any findings are entered in the individual’s personal file and any necessary remedial action taken. Although not formalised, the Quality Assurance Officer retains all associated papers.

13.12.10 Future errors by the same individual may cause Strathclyde Police Support Staff Disciplinary Procedures to be invoked. No formal procedures exist in other Scottish bureaux to deal with erroneous identifications.

13.12.11 In support of the HMIC’s conclusions, the CMRT, during the consultation phase, found significant variances in practice across bureaux in Scotland, some of which were predicated by the limitations of size in the smaller bureaux. Nonetheless, there is significant scope, now and in the future, to introduce processes and procedures which would strengthen the principles of integrity and independence in the identification and verification process.

13.12.12 It is recognised that disputes inevitably occur between experts from time to time. Disputes are as a result of fingerprint officers differing in their expert opinions, and can sometimes be resolved after discussion between the parties concerned. Such discussions can be interpreted as compromising the integrity of individual experts as they may be subjected to undue influence to make an identification or verification.

13.12.13 As these informal discussions are considered by fingerprint officers in bureaux throughout the United Kingdom as being a necessary part of the identification process, steps should be taken to ensure transparency. Such procedures will be part of the 8FSG’s deliberations in respect of processes and the production of a guidance manual. However, given the criticality of this matter the CMRT outlines below a procedure for consideration of adoption.
13.12.14 If the identification process as outlined in Section 13.4.7 is adhered to, verifiers will not know the identity of the identifying officer until the end of the process. Notes made at the time should be kept on the diary pages (or on an enhanced Office Management System) and only viewed together when all are completed. Any dispute would then be discussed between the parties and fully recorded. If a resolution is achieved, this should be noted along with the full details of the reasons for the original dispute and how the resolution came about.

13.12.15 If no resolution is achieved, or if the original dispute was of considerable significance, the matter should be referred to the Quality Assurance Officer in the first place and thereafter to the Head of Bureau. It is recommended as good practice that the Quality Assurance Officer retain a log of such disputes to allow scrutiny of the cases by any auditors. The ISO 9002 process, which the SCRO Fingerprint Bureau is moving towards, has a procedure whereby such disputes are recorded as ‘Non-Conformances’ which would fulfil the criterion of maintaining a record of such events.

13.12.16 It is not considered acceptable practice for the opinion of an expert to be disregarded if in disagreement with others. The mark should not be shown around a bureau in order to achieve identification by three experts. If after a discussion, as outlined above, an expert does not make identification, it should not be taken any further.

13.12.17 In cases where a dispute is resolved, full details should be recorded and the Procurator Fiscal informed of the nature of the dispute and allowed access to the diary pages or any other relevant documentation if desired. This allows an additional independent element in the process and ensures integrity is maintained.

13.12.18 **Erroneous Identifications** - The essential element in dealing with erroneous identifications is transparency. When mistakes do occur, for whatever reason, it is imperative that they are dealt with in a rigorous fashion, which can withstand external scrutiny. If fingerprint officers conducting the verification fulfil their role in a methodical and independent manner, they should immediately establish that the initial identification was erroneous. This should be fully documented on a diary page (or on the enhanced Office Management System) before being taken to the Quality Assurance Officer, or other senior fingerprint officer, who should immediately bring it to the attention of the Head of Bureau.

An internal review should follow to determine the cause of the erroneous identification. A full written record of the review should be maintained. In most cases the most senior fingerprint officer in the bureau, providing he or she has had no prior involvement in the case, would undertake the review. Consideration should be given, where the situation dictates, to the use of external fingerprint experts.

13.12.20 The person who made the erroneous identification should be suspended from making further identifications until the cause of the error is established, taking account of the circumstances of the case and the individual’s personal record. If the matter is satisfactorily resolved through training, or otherwise by tackling the reason for the error, the fingerprint officer can be permitted to conduct identifications again under close monitoring for a period to be determined by management. Full details should be entered in the individual’s personal file.

13.12.21 Details of the erroneous identification and subsequent review should be entered on a log that allows full scrutiny by external auditors. As indicated above, the ISO 9002 process would require a ‘Non-Conformance’ notice to be raised in addition to any other action that may be initiated.

13.12.22 With regard to this process, HMIC suggests that the **Council for the Registration of Forensic Practitioners** may provide a suitable reference point for benchmarking the policy and the independent review process to deal with disputed and erroneous fingerprint identifications (Suggestion 12). The CMRT has discussed this proposal with the CRFP who have indicated that this is not a role the Council considers appropriate at this time in its development. However, this may change as it evolves.
13.12.23 It has been suggested by the NTC, Durham, that HMIC in England and Wales should have an Inspector dedicated to Scientific Support. It is unlikely that there would be scope for such a role in Scotland, but HMIC may wish to include scrutiny of fingerprint procedures as part of its regular inspection programme.

13.12.24 Should an erroneous identification be notified to the Procurator Fiscal, the Procurator Fiscal concerned or Crown Office should be informed as soon as this comes to light. In these circumstances it is recommended that a senior officer, making use of fingerprint experts from outwith the bureau, conduct an external enquiry into the sequence of events leading to the erroneous identification. This situation is obviously more serious, impacting on the criminal justice process, as the mark has not only been wrongly identified but also erroneously verified by two other experts.

13.12.25 While the importance of independent scrutiny is recognised, it is essential that an open culture be encouraged where mistakes of whatever nature are immediately identified and highlighted. If a fear exists that a genuine mistake will result in serious consequences, the outcome may be that individuals are less willing to bring departures from recognised procedures or bad practice to the attention of supervisory staff.
14 HMIC REPORT - STRATEGIC MANAGEMENT

14.1 HMIC refers to issues which lie outside the responsibility of the SCRO Fingerprint Bureau management to resolve. These are referred to in its executive summary as oversight arrangements, re-structuring of Common Police Services, increased resourcing and the introduction of the non-numeric standard.

14.2 While the CMRT recognises the wider strategic significance of the introduction of a non-numeric standard of fingerprint evidence to the Scottish criminal justice system, it is a matter which requires to be addressed whatever overall approach is taken in providing a fingerprint service for Scotland and accordingly it has been dealt with under ‘Standards’ at Section 13.10.11. However, reference is made in ensuing chapters as to its impact on the structural options available for the service.

14.3 HMIC recommends consideration of a centralised model for a national fingerprint service (Recommendation 3). Other elements which feature within HMIC’s recommendations and suggestions and which will influence or be influenced by the way in which the fingerprint service in Scotland is delivered, are a review of AFR terminal locations (Recommendation 8), an audit of AFR terminals (Suggestion 6), addressing the appropriate number of training staff (Suggestion 4) and a scoping study of staff levels (Recommendation 4), all with a view to maximising the value of fingerprint evidence, including mark to mark searching (Suggestion 8). These elements are influenced by consideration of the appropriateness of the dual role of fingerprint officers (Suggestion 5) and will in time be influenced by the gathering of common statistical performance information (Suggestion 15).

14.4 Some of these matters, are already discussed at Chapter 13 but all are relevant to the subject matter developed in ensuing chapters which deal with strengths and weaknesses of the various structural options open to the Scottish Police Service. The CMRT is convinced that the current hybrid arrangement which is described at Section 5.4 is unsustainable if, in the short term, the SCRO Fingerprint Bureau is to be fully effective and efficient, and, in the long term, the fingerprint service in Scotland is to provide the optimum level of support for policing and the criminal justice system.
15 STRUCTURAL OPTIONS

15.1 INTRODUCTION

15.1.1 This chapter attempts to clarify the pressures for change, identify options for the management and delivery of a fully effective and efficient fingerprint service in Scotland and address the key issues which must be considered in assessing their overall impact.

15.1.2 HMIC cites efficiency as the driver in seeking rationalisation of the current structure and refers to the Hamilton and Leishman reports (Chapter 7) in support of this argument. Bearing in mind the critical state of recruitment and retention of staff within the SCRO Fingerprint Bureau, a situation worsened by suspensions arising from Mr Mackay’s enquiry, human resource levels must be a major focus of attention when considering efficiency.

15.1.3 However, in the light of HMIC’s recommendations and suggestions relating to processes and following on from the McKie case, it is vital to consider the most appropriate structure within which suitable management arrangements can be applied to ensure that misidentifications do not occur in the future.

15.1.4 Taken together there is a clear need to reconsider the structure of the fingerprint service. However, prior to establishing the range of structural options it is important to reflect briefly once more on the development of the service to date.

15.1.5 The current hybrid arrangements occurred naturally following the introduction of SCRO in 1960 (Chapter 4). It was not until 1991 that the strategic delivery of fingerprint services was substantially altered, with the introduction of AFR and subsequently Livescan equipment. At that time, with high expectation of an enhanced service, there was not felt to be a need for an associated change in the overall relationship between bureaux.

15.1.6 It was not until the resourcing difficulties within the SCRO Fingerprint Bureau, arising from the provision of a national 24 hour Livescan Tenprints service, that it was felt necessary to consider rationalisation. This was addressed by the recommendations contained in the Hamilton and Leishman reports. However, recommendations for structural change were not implemented. Around this time the provision of AFR workstations at Aberdeen and Perth, in addition to those at Glasgow and Edinburgh, and the roll-out of Livescan equipment, in spite of the difficulties within SCRO, improved the fingerprint service provided to Grampian, Tayside, Central Scotland and Fife forces.

15.1.7 Now these forces (and Lothian and Borders who already had AFR) provide their own full mark comparison service using remote AFR workstations and receive an efficient identification service by means of the 24 hour Livescan Tenprints service provided by SCRO. Bearing in mind the comfort for these forces of local provision of fingerprint services by staff who are clearly accountable to their respective Chief Constables and can provide a quick response to deal with urgent cases, any change in structure affecting these forces would require to offer clear benefits.

15.1.8 To put these issues into perspective in a Scottish context, however, it is important to understand that the SCRO Fingerprint Bureau processes the vast majority of scenes of crime marks in Scotland and the forces for which it provides a full fingerprint service represent 53% of all Groups 1-5 crime recorded. Without sufficient resources to provide an efficient service within the SCRO Fingerprint Bureau there can be no basis for an efficient ‘national fingerprint service’.
15.2 PREVIOUS REPORTS

15.2.1 The structural options for the fingerprint service in Scotland are many and varied. The most useful start point is Leishman (Section 7.3) which suggests the following:

- **Status Quo** - central organisation for Scottish database. Central Tenprints Service. Local mark comparison service for Strathclyde, Dumfries and Galloway and Northern. Other forces provide own mark comparison services.

- **Central Management/Central Delivery** - all services for Scotland managed and delivered from a single, central location.

- **Central Management and Tenprints Service/Devolved Marks Delivery** - all services managed by central organisation with Tenprints service delivered centrally. Marks service delivered at number of regional locations but managed by central organisation.

- **Central Infrastructure and Tenprints Service/Local Marks Service** - central organisation retains responsibility for providing information and communications technology to run Scottish databases and delivers Tenprints services centrally. Marks service provided by local force or consortia of forces.
Leishman goes on to provide a table showing the relative strengths of each option. This is reproduced below.

<table>
<thead>
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<th>For</th>
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<tr>
<td><strong>Status Quo</strong></td>
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- no disruption to existing staff, systems and procedures. | - competition for resources across Scotland with associated additional costs 
- duplication of some processes between SCRO and local FPBs 
- lack of central control of policy, procedures, training and quality 
- underutilisation of AFR workstations 
- lack of flexibility to resource peaks and troughs in workload 
- inability to demonstrate achievement of best value |
| **Central Management/Central Delivery** | 
- resources controlled centrally 
- central control of policy, procedures, training and quality 
- maximum flexibility to resource peaks and troughs in workload 
- maximum utilisation of AFR workstations | 
- loss of local control 
- loss of local contact/communication 
- possible delays resulting from need to send marks to central location 
- need for experts to attend courts remote from central location 
- perceived loss of accountability by forces 
- most disruption to existing staff, systems and procedures |
| **Central Management and Tenprints Service/Devolved Marks Delivery** | 
- resources controlled centrally 
- central control of policy, procedures, training and quality | 
- loss of local control 
- some loss of local contact/communication 
- difficulties in managing remote locations 
- less flexibility to resource peaks and troughs in workload 
- lower utilisation of AFR workstations |
| **Central Infrastructure and Tenprints Service/Local Marks Service** | 
- local prioritisation and control of marks examination 
- ease of local contact/communication | 
- competition for resources across Scotland with associated additional costs 
- lack of central control of policy, procedures, training and quality 
- under-utilisation of AFR workstations 
- lack of flexibility to resource peaks and troughs in workload 
- difficulty in co-ordinating Scottish and UK links 
- difficult to demonstrate achievement of best value 
- need for Strathclyde and D&G to set up local FPBs |
15.2.3 HMIC refers to three types of options:

- **Status Quo** - with greater separation between national and local responsibilities.

- **National Fingerprint Bureau** - removed from the police service and serving the criminal justice service as a whole.

- **Common Police Service** - a centralised model with devolved elements would be part of an over-arching Common Police Service arrangement.

15.2.4 Both HMIC and Leishman propose a centralised model although, unlike Leishman, HMIC suggests devolved elements as a primary consideration, at least in the immediate and short term. However, some discussion on key issues is provided prior to forming any conclusion.

15.3 **INTEGRITY**

15.3.1 As outlined at Chapter 2 of this report, the CMRT regards integrity as an imperative against which all other considerations about procedures or structure are predicated. It is vital to confidence in fingerprint identification in Scotland that the processes are highly visible and can withstand the closest scrutiny. In achieving that goal the CMRT has suggested developments to processes and procedures outlined elsewhere in this report. For such processes to be effective, particularly in respect of independence within the identification and verification process (Section 13.4.7), it is considered that there should be a minimum number of fingerprint experts to constitute a bureau.

15.3.2 Without any criticism as to the personal integrity of staff working in smaller bureaux, it questions the sustainability at least of the bureaux at Central Scotland and Fife and the arrangement at Northern which employs only one fingerprint expert. While marginally bigger, the bureaux at Grampian and Tayside may also have difficulty in building in the necessary independent element as part of their identification and verification processes.

15.4 **FUNDING**

15.4.1 Currently, the cost of providing the SCRO Fingerprint Bureau is borne 50% by the Scottish Executive with the remaining 50% borne pro-rata by crime rate, by the eight Scottish forces (Chapter 6). In addition, those forces which operate their own fingerprint bureaux bear these costs themselves. Analysis of current staff costs for all fingerprint services by force is reflected in the chart below.

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Current Staff Costs for all Fingerprint Services by Organisation
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- **Scottish Executive**: 33%
- **Central**: 4%
- **Dumfries & Galloway**: 1%
- **Fife**: 6%
- **Grampian**: 11%
- **Lothian & Borders**: 17%
- **Northern**: 2%
- **Tayside**: 10%
- **Strathclyde**: 16%
15.4.2 Bearing in mind the distribution of workloads relating to the fingerprint services currently provided by SCRO (Chapter 4), there is a clear need to put the funding of the fingerprint service overall onto an equitable basis, linked to the service provided for each force.

15.5 CULTURE

15.5.1 The culture of SCRO has been criticised as being introspective, internalised and elitist and although this may be more perception than fact, the assessment of how an organisation is regarded is critical to its progress and development, both for the people in the organisation and agencies interacting with it. However, during the consultation phase, the CMRT became aware that a perception of insularity is one which applied to many bureaux.

15.5.2 The goal must be to create an organisational culture that has integrity at its heart, is professional, transparent, open to innovation and able to adapt to change. It is important that any barriers which may have arisen within the fingerprint community are broken down and it must be hoped that the 8FSG will provide a suitable opportunity to start this process.

15.5.3 The agreement that SCRO will use the NTC at Durham for all of its courses is an indication of positive change. It must be hoped that there will be increased interest from experts wishing to transfer from other bureaux and in so doing transfer skills and experience which will add momentum to any cultural change.

15.5.4 It is important, however, to recognise that SCRO is a very busy and highly productive bureau, with management and staff who displayed complete professionalism in their dealings with the CMRT during the scrutiny period.

15.6 STRATEGIC CONTROL

15.6.1 The current strategic control mechanisms were revised following a Strategic Review of SCRO in 1999 (Section 7.5) and comprise Executive and Management Committees. It is important to ensure that the strategic management structures of SCRO are sufficient for accountability purposes but responsive enough to allow the organisation to react efficiently and effectively to developments. The revised structure was developed to shorten the referral and decision making process and make the organisation more responsive.

15.6.2 While insufficient time has elapsed to determine if the new arrangements are to be satisfactory, the CMRT believes that there is merit in formalising a scheme of delegation from the Executive Committee to the Director which would lay out the clear roles and responsibilities to the relative parties. This is a matter which was being developed prior to HMIC's inspection. In addition, the restructuring of the Executive Committee into a leaner more responsive board of management is considered to be worthy of consideration even in the short term, in advance of any change to Common Police Services arrangements. For example, it is not believed to be necessary that each individual force is represented on the committee, but it should be a core ACPOS representation with perhaps increased representation from COSLA and the Scottish Executive and meet more frequently.

15.6.3 The Management Committee appears to offer little in terms of the management oversight of SCRO. A smaller, more focussed Executive Committee or Board with clear delegated responsibilities having been given to the Director, would leave scope for little, other than a consultative forum, which the Management Committee, bearing in mind the wide range of SCRO issues affecting forces, could suitably fulfil. In terms of fingerprints the practitioner forum involving heads of bureaux, which could develop from the 8FSG may be of benefit in ensuring there is a clear understanding of the needs and expectations of each force and the capacity for SCRO to deliver an agreed level of service with the full co-operation of other bureaux.
15.7 STRATEGIC MANAGEMENT

15.7.1 Traditionally, strategic management of SCRO has been delivered by senior police officers on central service secondment to the organisation. In terms of the Director and Deputy Director roles, they have in the past been filled by well qualified and thoroughly experienced officers nearing the end of their service. The current Director brings considerable skills and experience to the role. Recent incumbents have subsequently retired from post.

15.7.2 Post holders bring with them much experience, often of crime management or, on occasions, through holding less senior roles in SCRO at an earlier time in their career. Inevitably, the people occupying senior strategic positions will have their own style, priorities and vision as to the direction they believe the organisation should be taking. While selection of the right officer can ensure that an organisation remains vibrant and fresh, the usual appointment period of about three years can act to frustrate the development of the organisation.

15.7.3 The skills and experience profiles deemed suitable for the posts of Director and Deputy Director of SCRO, in the future, require review. The CMRT believes that consideration could be given to opening up these posts to non-police officers, perhaps with an information management or forensic science management background. Similar considerations can be made in respect of the Head of the SCRO Fingerprint Bureau.

15.7.4 The Head of Bureau post is at the level of chief inspector. Clearly there are issues for individuals wishing to develop their portfolio of experience and progress their policing careers while at the same time abstracting themselves from their forces for a period longer than three years.

15.7.5 Equally, in terms of planning and budgeting, three years is a relatively short period of time and it is perhaps only towards the end of the period of attachment that the changes and development envisaged begin to manifest themselves. While the business plan of an organisation goes some way in giving continuity of strategic direction, it is considered that the turnover in management is detrimental to the long term development of the organisation.

15.7.6 In addition, the injection of police officers into certain key posts creates a ceiling for the ambitions of SCRO support staff. The CMRT is aware that there are high calibre civilian managers in the fingerprint service throughout the UK who are actively involved in developing the service. It sees great advantage in the extension of this development to SCRO. As with the Director and Deputy Director posts, the skills and experience profile for the Head of Bureau should be reviewed.

15.8 PROXIMITY

15.8.1 A major consideration when reviewing the structure of the fingerprint service is the location of fingerprint experts and the role they should play in crime scene management.

15.8.2 While the efficiency of the fingerprint service requires good communication between fingerprint bureaux and senior investigating officers (SIOs) to ensure suitable prioritisation of mark comparisons (particularly where an enquiry involves a high volume of marks) the involvement of fingerprint experts in crime scene management varies across Scotland. In Strathclyde, Dumfries and Galloway and Northern it is extremely rare, while in other areas the closeness of fingerprint experts encourages their wider use. In those areas in particular, detective officers welcome that close relationship.

15.8.3 To a large extent this is influenced by, on the one hand, centralisation, eg SCRO, and on the other hand, the dual role of the fingerprint expert/SOCO (Section 13.4.23) employed within Grampian, Tayside, Central Scotland and Lothian and Borders. In any case the involvement of a fingerprint expert would be reserved for a very serious crime.
15.8.4 Guidance on proximity appears to be provided by the recent thematic inspection report, ‘Under the Microscope’ (HMIC – England and Wales), which makes the point within its Executive Summary, that ‘….force structures that divorce the fingerprint expert from the totality of the investigative process ……. should be dismantled’. However, when the thematic report is examined in detail, the view would appear to relate simply to good practice identified in scenes of crime officer attachments to a fingerprint bureau and the view taken by HMIC that ‘….the interchange of personnel can bring benefits to the investigative process…….’ The CMRT fully endorses this view.

15.8.5 The idea of extending this principle to the need to have fingerprint experts directly and routinely involved in crime scene management is a concept which the CMRT has more difficulty in understanding. SOCOs are experts in advising SIOs as to the most appropriate manner to preserve or lift fingerprint or palm marks at the scene of a crime. This expertise, as referred to by HMIC in England and Wales, can be enhanced by a close understanding of the needs of fingerprint experts.

15.8.6 In any case, location, anywhere in Scotland, should not be considered to be an insurmountable barrier, preventing the attendance of a fingerprint expert on the very rare occasion when this may be needed. The experience of outlying parts of Strathclyde and all forces who do not have forensic laboratories is important in this respect. However, in such circumstances it would be equally important to ensure that the integrity and independence of the fingerprint experts who subsequently examine marks found at a scene are not prejudiced.

15.8.7 Another issue raised in respect of proximity is court attendance. HMIC gives figures for the number of times a fingerprint expert attends court. In the last four years, this averages out at a total of 34 per year for all SCRO staff. A similar level is experienced for fingerprint experts from force bureaux. Even with the increased public interest generated by media coverage of the McKie case, there is no evidence of an increase in court attendance. However, it is acknowledged that a move towards a non-numeric standard of evidence (Section 13.10.11) could generate an increased demand on fingerprint experts.

15.8.8 While an increased pool of experts in a centralised bureau offers more flexibility for coverage of court attendance, the distances travelled would be increased. In any case, the experience in England and Wales with regard to the non-numeric standard in 2001 will be a useful indicator of increased court attendance and, with suitable preparation, involving all interested parties, it is possible that an increase might not materialise.

15.8.9 Any move towards centralisation would involve additional demands in transporting latent and inked impressions. This would have to be managed in a careful way, taking into consideration the current experience of Dumfries and Galloway and Northern in respect of fingerprints and all forces without forensic laboratories, who currently send productions to the four Scottish laboratories and beyond. In the future, the development of digital imaging should enhance our ability to communicate crime scene impressions.

15.9 ECONOMIES OF SCALE AND SCOPE

15.9.1 It is recognised that consolidation of services brings with it economies of scale by reducing duplication and overlap of function. The challenge in such circumstances is to maintain or improve services while minimising the on-cost factors. At present, there are clear overlaps and duplication of service in fingerprinting in Scotland at a time when the principles of Best Value are being applied to all aspects of the police service. For example, the duplication of work undertaken in maintaining a national Tenprints collection and six local collections is significant, while the pressures on smaller bureaux to commit to training and quality assurance in the same way as a larger organisation are more difficult to bear. These factors combine to suggest that a larger well managed organisation may have the ability to provide a quality service at a lower cost, provided it was able to fulfil the demands of its customers.
15.10 **RESILIENCE**

15.10.1 The ability of an organisation to cope with increased and specific demands or with degrees of abstraction from staff resources depends on its resilience. It is considered that the pooling of comparatively rare fingerprint expertise would give greater resilience to the fingerprint service in Scotland as a whole. This would allow the targeting of resources for the prioritisation of important cases while at the same time allowing for increased opportunities for training and development of staff and improving the overall quality of service provided.

15.10.2 A note of caution, however; the CMRT acknowledges that this benefit depends on a well managed and suitably resourced centralised model delivering the service it agrees with its customers. A weakness in a structure more centralised than at present would create even greater problems for fingerprint evidence in Scotland.

15.11 **PERSONNEL**

15.11.1 Sufficient fingerprint expert personnel are crucial to the operation of the service. SCRO has in the recent past experienced a loss of staff, often moving away for better terms and conditions or career development. To some extent this has been halted by increased remuneration but it is considered that there would be clear benefits in providing new arrangements with properly structured career and development paths making the organisation an attractive prospect for potential employees. The development, training and retention of fingerprint expertise is crucial to taking SCRO and the Scottish fingerprint service forward.

15.11.2 The CMRT recognises that significant effort, including enhanced salaries, would be required to attract sufficient numbers of fingerprint experts to the SCRO Fingerprint Bureau at a time when there appears to be a very competitive market within the UK.

15.12 **TECHNOLOGY**

15.12.1 Historically, the fingerprint expert used little technology to make comparisons between marks and Tenprints, with the traditional eyeglass being the most frequently used equipment. The most significant development in recent years, which has made an immeasurable contribution to the effectiveness of this skill, has been the advent of computerised AFR systems. The operation of the current Scottish system provided by SAGEM is more fully described at Section 5.5.1 and a view of future use of technology is expressed at Chapter 18. Today, access to AFR is crucial to the efficient and effective use of fingerprint expertise.

15.12.2 In terms of its relation to structural models, the CMRT considered the effectiveness of the current distribution of the workstations which gives fingerprint experts access to this technology. The assessment found that the workstations at SCRO were heavily used and there were complaints that experts had difficulty in getting access to a workstation when they wished. While this situation would improve with the provision of more workstations, equally, some degree of improvement could be made by more effective management of the demand on the existing provision. It is clear, however, that the workstations situated outwith SCRO are less heavily used, with the demand on the two situated at Perth appearing to be significantly light. In approaching a structural modelling exercise it was clear that different models could make more efficient and effective use of this technology.
16  STRUCTURAL OPTIONS – CONCLUSIONS

16.1  THE PROBLEM

16.1.1  The fact that the SCRO Fingerprint Bureau has been under intense pressure since 1997 is inescapable. There is a resourcing issue within the SCRO Fingerprint Bureau which will now require the recruitment of 10 fingerprint experts, 7 fingerprint trainees and 13 TIOs and bring it to a strength which is likely to enable it to carry out its current responsibilities. This is against a competing fingerprint expert market in Scotland which has, in the past, mitigated against SCRO, and a wider UK fingerprint expert market which currently appears to have limited recruitment potential.

16.1.2  Irrespective of any option being selected, this problem must be addressed as a top priority. Without adequate resources within the SCRO Fingerprint Bureau, a full service cannot be provided, backlogs will continue and revised procedures cannot be successfully implemented. Against a background of intense pressure within a very busy and productive bureau, the risk of misidentification or other error must be greater. This is an issue of concern to the whole of the Scottish Police Service and the wider community it serves. The issue of staffing levels within the SCRO Fingerprint Bureau must be addressed without delay.

16.1.3  In advance of the Review Inspection to be carried out by HMIC in December, it will be necessary to have made significant steps towards resolving this problem, addressing backlogs according to a planned strategy involving clear targets.

16.2  STATUS QUO

16.2.1  The status quo is not favoured by Leishman or HMIC. It offers no solution to the staffing issues already described, it fails to take advantage of the potential for increased efficiency across the Scottish fingerprint service and provides only limited potential to respond to HMIC’s recommendations and suggestions.

16.2.2  Increased emphasis on a clear division between SCRO and Strathclyde Police, including more proportionate funding (Section 15.4), and changes to the Committee Structure (Section 15.6) would offer potential for more effective strategic control. The continued development of the 8FSG could improve procedural standards. However, the SCRO Fingerprint Bureau would remain, de facto, a Strathclyde Police Fingerprint Bureau, providing a continuing point of tension for SCRO management between force requirements and wider national considerations.

16.2.3  As with all options there would be a need to offer more money to attract sufficient fingerprint experts to the SCRO Fingerprint Bureau. In a competitive market for fingerprint experts in Scotland this may have an adverse impact on the ability of force bureaux to retain fingerprint experts or contribute to an escalation in salaries, without significantly assisting the SCRO Fingerprint Bureau.

16.2.4  Small bureaux (Section 15.3) would remain unless forces entered into collaborative arrangements.

16.3  CENTRAL MANAGEMENT/CENTRAL DELIVERY

16.3.1  This is Leishman’s preferred option which it argues on the basis of efficiency, in that it clearly provides for the best use of resources – both fingerprint experts and AFR workstations. In arguing its preferred option it addresses the potential weaknesses of such a structure:

- loss of local control
- loss of local contact/communication
- possible delays resulting from need to send marks to central location
- need for experts to attend Court from central location
- perceived loss of accountability by forces
- most disruption to existing staff, systems and procedures.
16.3.2  Leishman addresses these potential concerns, conceding only that in respect of court attendance, there is the possibility of increased use of fingerprint experts at court in the light of a move to a non-numeric standard. The whole issue of proximity of fingerprint experts is discussed at Section 15.8.

16.3.3  The most significant area of potential weakness is the disruption to existing staff in force bureaux across Scotland. This is a major consideration which would have to be addressed with openness, consistency and commitment, if this option is chosen. Without commitment, it carries a significant risk of failure.

16.3.4  An associated issue is the potential value of the 8FSG. There is a clear willingness to work together towards standard processes at this time. An open commitment to a central delivery option could cause difficulty in the development of that group, necessitating a more centrally driven approach to standards from the outset. In the long term, however, a practitioner group involving senior SOCO representaitves and the centralised fingerprint service achieved would be of great value in determining scenes of crime standards for fingerprints.

16.3.5  However, time has moved on from Leishman's report. The staffing problems at the SCRO Fingerprint Bureau are more acute and there is an increased awareness of the procedural issues which must be addressed to ensure that the integrity of fingerprint evidence is placed as the top priority. In the light of this realisation, in the wake of the McKie case, one of the positive benefits of this model, referred to by Leishman, becomes even more appealing, i.e. the central control of policy, procedures, training and quality.

16.4  CENTRAL MANAGEMENT AND TENPRINTS SERVICE/DEVOLVED MARKS DELIVERY

16.4.1  This was the option favoured by the Hamilton report as a pragmatic solution to the emerging staffing difficulties within the SCRO Fingerprint Bureau. It is also presented by HMIC as a preferred option, at least in the immediate and short term.

16.4.2  Leishman's report identified that it was a more costly option than the Central Management/Central Delivery option and the CMRT concurs with this view (Appendix 'E').

16.4.3  The CMRT recognises the pragmatic advantages of this option, reducing significantly, although not removing, the potential weaknesses associated with change. However Leishman identifies that it also dilutes the benefits attributable to a central delivery model:

- less flexibility in use of resources
- less utilisation of AFR workstations
- difficulties in managing remote locations

16.4.4  An underlying consideration with this model is the number of devolved points of service that it embraces. Leishman's illustrative model referred to four, Glasgow, Edinburgh, Perth and Aberdeen, but in reality, it would be more sensible if it were to be Glasgow, Edinburgh, Dundee and Aberdeen and the CMRT would favour Glasgow, Edinburgh plus only one bureau in the north east to provide maximum flexibility and efficiency. An added attractiveness regarding these locations is the potential co-location with forensic science laboratories, offering scope for closer links in the future. (Section 16.6.11).

16.4.5  The CMRT has costed this latter option and estimates that it would be approximately £¼ million more expensive than a central delivery model per annum in staff salaries alone. Due to additional management and administration costs, additional points of delivery, as part of a devolved option, eg to include two bureaux in the North-East, would incur an even higher cost.
16.4.6 It must be remembered that this is a compromise option. Arguments about proximity referred to at Section 13.6 would also apply to 5 Forces if a 3-centre model was adopted. To be accommodated it would have to find suitable premises. If capital expenditure associated with a new build was to be avoided, this might be achieved by an expansion of facilities at Aberdeen or Dundee and Edinburgh, or other existing offices in the North East and East, although the availability of space has not been discussed with Chief Constables. However, the use of police buildings brings with it the potential to impede the management of resources from the centre by the very association with individual forces which this report addresses in respect of SCRO and Strathclyde Police.

16.4.7 In terms of staff it would cause less of an impact than with a centralised service but it would still require close attention to human resource issues in respect of fingerprint experts who would have to consider relocation to continue their profession. Nor could it be considered as providing a half-way house towards a central delivery model, as it would simply delay the more significant human resource issues associated with a later move.

16.4.8 It would also require standardisation in respect of the fingerprint expert role. A continuation of the dual role of fingerprint expert/SOCO in two offices, say, while the role was confined to that of fingerprint expert alone in the other would continue to provide a distorted market in Scotland for fingerprint experts. Bearing in mind the regional nature of this model a pure fingerprint expert role is likely to be the only practical solution (Section 13.4.23).

16.4.9 However, the availability of fingerprint experts within the future fingerprint service for Scotland is central to its success and, accordingly, this option must be considered.

16.5 CENTRAL INFRASTRUCTURE AND TENPRINTS SERVICE/LOCAL MARKS SERVICE

16.5.1 This option is not favoured by Leishman or HMIC. It offers least by way of central influence on policy, procedures, training and quality, although it has a certain attractiveness in terms of the clear accountability of staff to respective Chief Constables.

16.5.2 A local marks service would leave the responsibility of creating a fingerprint bureau in Glasgow to Strathclyde Police. Bearing in mind the imminent move to Pacific Quay with all the advantages of separation between SCRO and Strathclyde Police, this would be difficult and the alternative of introducing Strathclyde Police staff to Pacific Quay could be deemed to be a retrograde step, removing the benefits of clear corporate identity which the move has promised.

16.5.3 As with the status quo, small bureaux would remain unless forces entered into collaborative arrangements and the distortion of the market for fingerprint experts in Scotland would remain.

16.6 CONCLUSIONS

16.6.1 The CMRT concludes that the clear separation of SCRO and Strathclyde Police and the rationalisation of funding would allow a structure within which the SCRO Fingerprint Bureau can develop. Indeed either of the two options at Sections 16.2 and 16.5 would allow most of HMIC’s recommendations and suggestions to be addressed. This could be supported by the work of the 8FSG.

16.6.2 However, the retention of small bureaux does not substantially tackle the issue of independence in the identification and verification process and would deny the Scottish police service and the community at large any significant improvement. The CMRT considers that only a national fingerprint service, centrally managed, can achieve that.

16.6.3 The CMRT favours the Central Management/Central Delivery option but recognises the major challenges and potential risks that it involves.
16.6.4 The challenge is to move from a position of 22 fingerprint experts (allowing for all current abstractions), 5 fingerprint trainees and 9 tenprint identification officers who will enter Pacific Quay on 9 October and be providing a reduced service under the current model, to a position of 68 fingerprint experts, 25 fingerprint trainees, 16 tenprint identification officers and 4 tenprint supervisors (Appendix ‘E’), providing a full service under the revised model, by encouraging as many of the existing fingerprint experts in Scotland (42 outside SCRO) to relocate or travel.

16.6.5 The risks refer to the need for commitment and openness at the outset, with the potential consequence that the total number of fingerprint experts in Scottish bureaux reduces, presenting a greater problem than that which currently exists.

16.6.6 Progress towards this model would require a fine balancing act and could only be achieved over a number of years. However, if it is understood that the first phase of this option must be the recruitment and retention of staff to adequate levels to provide the full service which SCRO is currently expected to provide, then it is clear that the first phase (possibly over 6 months or one year) can be used to confirm the potential for the long-term aim of a fully centralised model (Chapter 17). At least in the early stages, movement to a centralised structure should be driven by a dedicated project management approach, building on arrangements already put in place to manage the action necessary to respond to HMIC’s recommendations and suggestions (Section 17.12).

16.6.7 Bearing in mind the current staffing difficulties within the SCRO Fingerprint Bureau, SCRO’s lack of distinctive corporate identity and its relationship with Strathclyde Police, there may be reservations about SCRO’s ability to deliver this new structure. However, it is important to consider this structure within the necessary oversight arrangements for the SCRO Fingerprint Bureau which must be put in place as soon as possible.

16.6.8 A national fingerprint service can only be achieved when there is a proper legislative basis for the employment of its own staff. In this regard the comments of the Justice Minister, Mr Jim Wallace, on 14 September 2000, accepting the need for a fundamental overhaul of SCRO and Common Police Services generally, are to be welcomed. The CMRT believes that the approach taken in England and Wales in creating National Police Services maintained by Service Authorities, e.g. the National Criminal Intelligence Service (NCIS), and the National Crime Squad (NCS), following the creation of a legislative framework provided by The Police Act 1997, is worthy of consideration. However, it is acknowledged that this matter would best be taken forward by ACPOS in consultation with the Scottish Executive and COSLA, with the support of specialist consultants, in order that the most appropriate manner of delivering the service is achieved and that the staged approach necessary to achieve it is identified. This should be progressed without delay.

16.6.9 The CMRT sees no value in separating the functions currently performed by SCRO. They each require complete integrity and a degree of independence from forces as they each serve the wider criminal justice system rather than just the police service. This has been made even clearer in recent years with the increasing influence that ISCJIS has on the role played by the CHS of SCRO and with the preparation for Part V of the Police Act 1997, a service which will be provided by the Passport Agency in England and Wales.

16.6.10 The fingerprint service continues to have the police as its major customer, albeit that some forces in England and Wales provide services for HM Customs and Excise, the Department of Social Security and the National Crime Squad. There is, however, little justification in senior posts within the SCRO Fingerprint Bureau, or indeed SCRO, remaining the preserve of police officers. Necessary day-to-day links with police forces could be adequately provided by key police liaison officers. Clearly it would be important to make these changes in a phased manner to allow for experience to be maintained and continuity to be preserved.
16.6.11 The CMRT is firmly of the view that the Scottish fingerprint service should be part of a new National Identification Service for Scotland, with three services; fingerprints, criminal history (records) and Part V (vetting). In time it could become linked with forensic science services to provide one organisation which delivers all physical evidence types as part of a Scottish forensic science strategy, building on an earlier review carried out by ACPOS. These are matters, which should be taken fully into account in considering a name change for SCRO.

16.6.12 However the CMRT questions the value of this organisation becoming part of a wider ‘ninth police force’ bearing in mind the disparate nature of the services which it would be likely to support. The size of SCRO alone should be sufficient to justify the establishment of human resource, finance, data protection and information security functions. Indeed some of these roles are currently being considered for SCRO.

16.6.13 It is against this backdrop of a separate National Identification Service for Scotland that the fully centralised option should be considered. The potential prize is a vastly improved fingerprint service, founded on the maintenance of unimpeachable standards and the integrity of evidence at the centre of the criminal justice system in Scotland; a service which could be the envy of other fingerprint bureaux in the UK and command a voice within the future development of fingerprint evidence in the UK and worldwide.
17 TOWARDS A CENTRALISED MODEL

17.1 A PHASED APPROACH

17.1.1 The move towards a Central Management/Central Delivery model would require to be carefully managed. In the circumstances a ‘big bang’ approach is inappropriate. On the one hand, recruitment of staff to the SCRO Fingerprint Bureau cannot be delayed but on the other hand employment issues and legislation for Common Police Services will take time to resolve. A phased approach is needed to allow for these significant practical considerations.

17.2 FUNDING

17.2.1 Clearly, as has been explored at Chapter 6, the funding arrangements for fingerprint services in Scotland are entirely anomalous. Determination of a more appropriate funding formula is a key issue in taking forward the fingerprint service in Scotland, irrespective of structure (Section 15.4).

17.2.2 To secure an appropriate response to the demand for fingerprint services in Scotland it must be acknowledged that additional funding is required; a matter underscored, in relation to the SCRO Fingerprint Bureau, in HMIC’s Report. The recent announcement by the Scottish Executive of additional funding is welcomed.

17.2.3 A fundamental element in providing a suitably resourced fingerprint service in Scotland is the reinstatement of the SCRO Fingerprint Bureau as effective and efficient in terms of HMIC’s determination.

17.2.4 In the first instance, as a precursor to future development across Scotland, it is necessary to ensure the reinstatement and subsequent maintenance of that position. Secondly, there is the need to reconsider the funding arrangements for the fingerprint service in Scotland delivered centrally. Thirdly, there must be recognition of, and a commitment to, the cost of change; that is, the costs inherent with ongoing review and restructuring, some, but undoubtedly not all, of which are outlined in this chapter of the Report.

17.2.5 Although unconnected with the move to a centralised model, it is appropriate to consider here an anomaly which currently exists in terms of the funding of Livescan equipment. Leasing and communication costs of £530,000 are currently met from outwith SCRO’s budget. The CMRT has included this in the estimated costs of a Central Management/Central Delivery model, over the first four years, as laid out at Appendix ‘F’.

17.3 MANAGEMENT OF A CENTRALISED FINGERPRINT BUREAU

17.3.1 There is no question, in the minds of the CMRT, that the police service, as the major customer of a centralised bureau, should be strongly represented at strategic management level. However, the CMRT believes that the Head of the SCRO Fingerprint Bureau should be a civilian manager who has experience as a fingerprint expert or a forensic scientist.

17.3.2 Selection of an appropriate individual, who has the necessary understanding of fingerprint services, but whose strengths are strongly biased towards management, is crucial. Whilst it could be reasonably argued that the appropriate timing of such an appointment would be as an immediate precursor to the final transition to a centralised service, there is merit in considering a much earlier appointment. Indeed, the benefit of appointment in the immediate future would be the ability to understand and influence the ultimate shape and structure of the service and to build around him/her an organisation for which he/she would be accountable in the future; arguments which counter the criticisms of transitional management in the past. Such an argument can be extended to the post of Head of Scottish Fingerprint Service under a fully centralised model (Appendix ‘E’). This would enable the proper project management approach necessary to develop the centralised fingerprint service. (Section 16.6.6)
17.3.3 Scope for early appointment is likely to arise in spring 2001, when the current Head of Bureau, a chief inspector, completes his period of secondment.

17.3.4 It is also proposed that the appointment of a senior police liaison officer be considered at the point of civilisation, in order to strengthen and maintain the essential links between remote forces and the centralised service. The police liaison role is shown in the Central Management/Central Delivery model at Appendix ‘E’.

17.3.5 The wider demands of SCRO, particularly as an enlarged organisation incorporating the centralisation of fingerprint services, would require its own support services of finance, human resources, data protection and so forth. Currently these responsibilities fall to the Director and Deputy Director.

17.3.6 In moving towards a centralised service, an early appointment of a human resource specialist would be of considerable advantage in engineering the solutions necessary to make determined and satisfactory progress towards change. (Section 17.8)

17.4 PERSONNEL

17.4.1 Of all of the issues which have the potential to impede progress, those associated with recruitment, relocation and retention of fingerprint experts are the most complex and, unless managed strategically from the outset, pose the greatest threat to successful transition to a fully centralised service.

17.4.2 The specialised field of fingerprint examination determines the existence of constrained market conditions for expert services. Coupled with a significant ‘apprenticeship’ of 5 years, it is a market where long term succession planning is essential and where demand for experts is likely to outstrip supply consistently. It is a market which simply cannot respond to a sudden increase in demand.

17.4.3 Whilst the market conditions which prevail are discussed in detail later in this section, it became patently evident, during the CMRT’s consultation phase, that all Scottish bureaux have experienced difficulty in recruiting qualified experts in recent years. This is acutely the case at SCRO which has been consistently under strength for more than two years.

17.4.4 Encouragingly, the same cannot be said of trainees, TIOs, fingerprint clerks and administrative support staff.

17.4.5 Whilst there are examples of experts moving between force bureaux in Scotland, this is simply a redistribution of expertise, rather than a supplement to existing provision in Scottish terms. There are limited examples of recruitment from England, Wales and Ireland. Recently SCRO recruited an expert from the RUC. Unfortunately these movements are countered by equal, if not greater, instances of migration from Scotland.

17.4.6 There are currently 72 experts employed in fingerprint bureaux across Scotland. Whilst some are police officers, many are employed in dual roles; positions which attract enhanced remuneration. The predicted number of experts required for a fully functional centralised service is 63 (Appendix ‘E’). In addition, the roles of Head of Service, Deputy Head of Service, Training Officer, Training Assistant and Quality Assurance Officer are all identified as potentially requiring expert status. In total, then, some 68 experts (almost the entire Scottish pool) would be required.

17.4.7 Although SCRO has the largest authorised establishment of 34 experts, the reality of ‘experts in post’ (including 4 experts who are currently suspended) is more accurately reflected at 26. In the move towards centralisation then this number would require to be bolstered by some 42 experts.
17.4.8 Whilst it is important to consider the market conditions which prevail, it is equally important to recognise that a proactive, and perhaps aggressive, recruitment campaign will draw a response from other employers, given the market conditions which exist. Unusually for a public sector environment, there is a genuine potential for market forces to play a full part, and this is reflected in the application of ‘market rate enhancements’ to salaries offered in English force bureaux already.

17.5 MARKET CONDITIONS

17.5.1 Although the barriers to recruitment and retention are outlined here, it is important to recognise the potential attractiveness which a new Scottish fingerprint service has to offer. The opportunity to exercise an aggressive recruitment campaign, drawing on the developing conditions which prevail in Scotland, should not be underestimated and these are explored later in this section. These barriers, however, must be fully considered and their importance to the overall development of a Scottish fingerprint service understood, before the strategy for recruitment and retention can be developed.

17.5.2 Clearly salaries are an important issue and, while the general parity continues across Scotland following the 1999 SCRO review, market conditions in England are beginning to skew remuneration packages, adversely for Scotland. A comparative table for salaries in the UK, highlighting Scottish Forces, is contained at Appendix ‘G’.

17.5.3 During the CMRT consultation phase, the potential of relocation was tested with force fingerprint experts and crime managers. It is important to recognise that the issue was raised ‘cold’. In those circumstances, the response was perhaps predictable; a general and shared resistance, with experts reflecting on their domestic circumstances and managers immediately considering options for retention of those staff in alternative crime scene roles.

17.5.4 A second issue was a general perception of SCRO as an organisation in turmoil, with poor working conditions and an excessive backlog. It was not viewed as an attractive organisation.

17.5.5 Those experts employed in a dual role saw an attraction in retaining their role, in that, it attracted enhanced remuneration – through multi-skilling, callout and shift allowances – and offered greater work satisfaction through variety and challenge.

17.5.6 Nonetheless, the potential to recruit within Scotland should not be discounted and the positive aspects of a Scottish fingerprint service are outlined, in more detail, at the end of this section. A robust recruitment campaign, including relocation packages, the attraction of promoted posts, the vision of a ‘new horizon’ for the Scottish fingerprint service, and an understanding of the reality of centralisation to experts currently employed in force bureaux are all positive inducements. It is accepted by the CMRT, however, that force bureaux within Scotland are unlikely to satisfy the entire demand of a centralised service for experts and it will be necessary to extend any recruitment campaign elsewhere.

17.5.7 A significant pool of experts exists in bureaux in England, Wales and the RUC. They have readily transferable skills and would require little adjustment to meet the requirements of the Scottish system.

17.5.8 Market conditions in England and Wales, however, are keenly competitive. As a reflection, the recruitment pages of a recent ‘Police Review’ held adverts for three bureaux, two of which were offering a ‘market rate enhancement’ of £2000 - £3000 per annum (10% - 15% of top rate salary) for an expert. Enquiries confirmed that this was as an incentive to recruitment in a difficult market.
17.5.9 Not only does this present implications for recruitment to a centralised Scottish service, but also for recruitment in general. Indeed, if unchecked, it has the potential to further undermine service provision in Scotland by drawing on Scottish experts resigned to the inevitability of centralisation, but who see England as more attractive, financially or otherwise. It places an added emphasis on the management of communication regarding the future plans for the Scottish fingerprint service and a particular importance on the management of existing fingerprint experts.

17.5.10 In contrast, the RUC is downsizing its operation. It is understood that this extends to the fingerprint bureau and creates potential to release a number of experts into the ‘open market’. It is also understood that the strategy is to return those experts who are police officers to uniformed duties. Nonetheless, when taken in the context of an overall tactic of redundancy, then a positive recruitment campaign may, in time, yield results. Recent tentative enquiries, however, suggest limited interest being expressed at this time.

17.5.11 Language barriers aside, the potential to tap into the wider fingerprint world should not be discounted. Whilst standards of evidence may differ, the techniques of fingerprint identification are largely similar and may only require some limited retraining. Indeed, the work of the IEEGFI (Section 13.4.4) aims to enhance compatibility across Europe.

17.6 INTERNAL DEVELOPMENT OF STAFF

17.6.1 HMIC raises concern regarding ‘introspection’ at SCRO. However, given the limited opportunity for external recruitment of experts in such a constrained market place, ‘growing your own’ experts is not only an essential part of succession planning but the only real means of sustaining and increasing the pool of experts in future years. This applies across all fingerprint bureaux.

17.6.2 Notwithstanding HMIC’s concerns here, they will be significantly addressed by the adoption of external training and proficiency testing, by participation in national and international working groups and through the recruitment, as far as is possible, of fingerprint experts from other bureaux.

17.6.3 Whilst the training of experts historically takes 5 years, a move towards a competency based qualification has the potential to reduce this (Section 13.7.2). Trainees, however, can be, and are, extremely productive from an early stage. Given the nuances of the fingerprint world, trainees are predominantly introduced to bureaux as part of an overall succession plan for that bureau, whether by design or default. Trainees are, as a rule, then absorbed into their home bureau and do not provide a likely source of additional experts for the market place.

17.6.4 It is of note that whilst 10 trainees have been included in the centralised model (Appendix ‘E’) the existing Head of Bureau at SCRO believes that the structure of experts within that model would be capable of sustaining double that number of trainees without difficulty. This will be an important consideration in the phased contingency approach and in planning the growth of available experts in future years.

17.7 A POSITIVE APPROACH TO RECRUITMENT

17.7.1 It is accepted by the CMRT that there are undoubted, and complex, challenges ahead, irrespective of the future model chosen. However, an emerging Scottish fingerprint service has the potential, not only to attract experts, but to draw quality candidates who see an advantage in being part of a large, progressive and well funded organisation.

17.7.2 The detail of relocation packages, assisted travel, market rate enhancements and retention and loyalty incentives would have to be fully considered. The importance of such issues in a competitively sensitive market place, however, cannot be under estimated.
17.7.3 A Scottish fingerprint service can also offer a history of leading edge technological advancement; location in a newly custom built facility; a career structure which expands through 10 posts, from fingerprint clerk to Head of Service; the opportunity of promoted posts including two of the most senior fingerprint posts in the UK and possibly Europe (Head of Service and Deputy); the status of one of the largest bureaux in Europe and an aspiring management philosophy committed to change, progress and achievement of the highest possible quality standards.

17.8 SPECIALIST SUPPORT

17.8.1 Whilst these elements outline some of the issues surrounding recruitment and retention, the importance of this issue is so great as to demand the attention of specialist support. It is suggested that ACPOS Personnel and Training Standing Committee be approached for assistance. In addition, consideration should be given to enlisting external human resource consultancy expertise and to establishing the human resource post within the new structure, as one of the first stages in progressing towards centralisation (Section 17.3).

17.8.2 However, the CMRT believes that these issues need not prevent a phased approach to central delivery. This could be achieved by concentrating on the recruitment of fingerprint experts for the SCRO Fingerprint Bureau and, at planned intervals, progressively transferring force bureaux, as the centralised service builds up to the levels necessary to cope with mark comparison for each force.

17.8.3 The CMRT is satisfied that, through the development of a phased but comprehensive and robust approach to recruitment, the difficulties outlined above can be largely overcome and that the migration towards centralisation, could be achieved within an acceptable timeframe. That said, such an approach will attract expenditure, not least in respect of market enhancements, relocation expenses and the provision of specialised human resource support. It would be essential to have an understanding of these costs developed and underwritten at an early stage of the phased approach. This is referred to at Appendix ‘F’.

17.9 ACCOMMODATION

17.9.1 In 1999 the Leishman Report (see Section 7.3) identified a space requirement of around 24,000 square feet for SCRO, taking into account the likely space requirements to accommodate a centrally delivered fingerprint service for Scotland and in the context of the need for expansion as a result of the integration of facilities for Part V of the Police Act 1997.

17.9.2 Since that time SCRO have secured a 25 year lease for custom built premises at Pacific Quay in Glasgow. These premises extend to 30,000 square feet and SCRO will take up occupancy from 9 October 2000. It is of note that approximately 2,500 square feet have been allocated, on a sub-let basis, to the Scottish Police Information Systems/Information Technology (SPIS) project.

17.9.3 Although the remaining 27,500 square feet exceeds the predicted requirement suggested by Leishman, a review (Appendix ‘H’) of the space allocated to the SCRO fingerprint bureau at present compared to that determined in the model for centralised service provision (Appendix ‘E’) identifies an additional space requirement for:

- 28 fingerprint officers
- 6 fingerprint clerks
- 3 administration posts and
- 3 AFR terminals (4, should the interim distribution at Section 5.5 be accepted).

17.9.4 The logistics and facilities manager believes that scope may exist to accommodate the administration posts within the main body of the office and that the AFR workstations could be facilitated by extending the existing AFR room into an adjacent ‘dead area’.
17.9.5 Whilst it must be borne in mind that any expansion would be in line with a phased approach (Section 17.1.1), questions would remain over the ability to extend existing provision to house an additional 28 fingerprint officers and 6 fingerprint clerks, leaving aside any consideration of establishing a chemical treatment unit (Section 13.4.30). A number of options, however, can readily be explored:

- The SPIS allocation of some 2,500 square feet equates to half of the 5,000 square feet provision for 44 fingerprint officers at present. Potential may exist to reconsider the necessity for SPIS to be accommodated within Pacific Quay and alternative options could be explored.

- Consideration is currently being given to ‘outsourcing’ the call centre capability associated with Part V service delivery. Should this be pursued to fruition then potential exists to free up a small part of the 4,000 square feet allocated for that service at Pacific Quay.

- The potential to introduce limited shift working for fingerprint officers could be explored, increasing the availability of work stations for fingerprint officers.

- The potential to expand into neighbouring buildings which are planned but have yet to be developed.

17.9.6 It is also of note, in considering the model for centralisation, that office accommodation has already been set aside for both a finance and human resource function at Pacific Quay.

17.9.7 Notwithstanding, and given this critical stage in the move to Pacific Quay, it should be recognised that discussions on accommodation have, so far, been limited and can, perhaps, be regarded as superficial. It is evident, however, that scope exists to consider the integration of a Scottish fingerprint service at Pacific Quay. Realising such potential could be instrumental in determining the appropriateness, in cost terms, of centralisation. It would therefore be important to conduct a detailed space audit of Pacific Quay, considering the foregoing and the fuller requirements of a centralised service, in the immediate future.

17.10 INTERIM ARRANGEMENTS

17.10.1 While the CMRT presents a practical way forward for the Scottish fingerprint service which depends on Common Police Services legislation to provide a basis for employment of its own staff, it acknowledges that its development at a time when resource levels within the SCRO Fingerprint Bureau are critical, will depend on existing working arrangements with Strathclyde Joint Police Board. This is likely to continue for 2 to 3 years.

17.10.2 An early priority would be the need for a meeting between the SCRO Executive Committee and the Joint Police Board to establish an agreement for the way in which SCRO business will be dealt with by the Joint Police Board. The innovative approach taken by Northern Constabulary to the use of consultants for job evaluation may be of interest in this regard.

17.11 CONTINGENCY ARRANGEMENTS

17.11.1 The essence of any strategy developed for the advancement of fingerprint services in Scotland must be the ability to sustain an acceptable level of service across Scotland throughout the period of change. It must be recognised, from the outset, that the balance between the needs of the Scottish Police Service, the requirements of local forces and the wishes of individuals within bureau is a delicate one and prone to upset, particularly in the current unsettled environment. It is essential to manage the process of change in an open and timely manner, ensuring clear communication, involving unions and staff associations.

17.11.2 Whilst a centralised model offers the greatest benefits, the CMRT also acknowledges that it is the most difficult and complex option to achieve from the starting point of the current structure.
17.11.3 Given the dynamics of the entire subject, including those deliberations which have not yet concluded (i.e. the overhaul of Common Police Services), it is vitally important to adopt a determined strategy within a framework of contingency arrangements.

17.11.4 As already stated, an essential element in providing a Scottish fingerprint service is a robust bureau in Glasgow and the first phase of a staged approach would confirm if the overall strategy was likely to succeed. Failure to attract significantly more fingerprint experts to Glasgow than at present would lead to a failure in any of the proposed options for a Scottish fingerprint service.

17.11.5 Bearing in mind the critical nature of such failure a target date of the end of May 2001, allowing six months assessment to have taken place, may be an appropriate point at which the final decision is taken to progress towards full centralisation.

17.11.6 An overview of contingency arrangements is provided in the following table.
### Phase I

**Primary Objective** - recruitment of a full complement of staff to the “SCRO” Fingerprint Bureau, in line with the model in Option 2 Phase I (Appendix ‘E’). This will be an important issue in re-establishing the SCRO Fingerprint Bureau as effective and efficient.

**Secondary Objective** - This should involve a move towards civilianisation and could include the appointment of a Head of Scottish Fingerprint Service (designate) and the establishment of a, human resource function within SCRO.

An immediate detailed assessment of accommodation would be required to confirm capacity for future growth.

Consultation with the Scottish Executive should commence to progress new arrangements for Common Police Services.

Interim arrangements for funding, employment and strategic control would need to be established.

**Risks** – essentially personnel, including:
- sustained attrition from SCRO
- migration from other force bureaux (given the move towards centralisation)
- poor response to recruitment campaign.

**Contingency** – maintain the status quo, concentrating on a longer term strategy of recruitment for SCRO, or adopt alternative option.

### Phase II

**Primary Objective** - Continued recruitment at SCRO towards the level outlined in Option 2 Phase II (see Appendix ‘E’).

This would also involve the Centralised (SCRO) bureau absorbing the caseload of other forces, leading to the transfer of force bureaux on a progressive basis in line with the increasing capacity at SCRO.

**Secondary Objective** – this would be reliant on successful progression of the primary and secondary issues at Phase I.

The interim arrangements for funding, employment and strategic control would require to continue until a legislative basis for Common Police Services had been established.

Re-siting of outlying AFR terminals would require to be phased, in line with bureaux transfers.

**Risks** – Personnel, including:
- migration from other force bureaux (given the move towards centralisation).
- poor response to ongoing recruitment campaign
- retaliatory recruitment campaigns from bureaux in England, Wales and Ireland
- slower than anticipated throughput of trainees
- lack of progress towards a new Common Police Service structure
- funding constraints
- failure to achieving full consensus amongst Chief Constables.

**Contingency** – reversion to status quo or adopt alternative option, but within the framework of a more fully established service in Scotland (given the effect of Phase I).
17.11.7 Whilst it is difficult to establish a clear timescale for this change to take place, it could easily take 5 years, given the likely emphasis on 'organic growth'. A recruitment profile for a centralised service might be as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Employed</th>
<th>Recruit</th>
<th>Trainee Qualifying</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Experts</td>
<td>Trainees</td>
<td>Experts</td>
<td>Trainees</td>
</tr>
<tr>
<td>0</td>
<td>26</td>
<td>5</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>1</td>
<td>36</td>
<td>10</td>
<td>10</td>
<td>7</td>
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<td>46</td>
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<tr>
<td>3</td>
<td>55</td>
<td>20</td>
<td>8</td>
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<td>4</td>
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<td>20</td>
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<td>5</td>
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</tbody>
</table>

In addition to recruitment, allowance has been made for absorption of trainees, as they qualify, and latterly on the basis that a competency based standard for expert qualification would apply. A 5% attrition rate has also been applied.

17.12 PROJECT BOARD

17.12.1 As referred to earlier in the report, a Project Management Team has been identified to progress the action plan established by the CMRT. This will work to a PRINCE 2 project management framework under the direction of a Project Board to be chaired by Mr John Hamilton, Chief Constable of Fife Constabulary.

17.12.2 Clearly the Project Board will require to give the complex matters associated with the move towards a centralised delivery model, a major commitment of time and effort.
18 INFORMATION TECHNOLOGY

18.1 Irrespective of the structure adopted for the provision of fingerprint services in Scotland, careful consideration needs to be given to the development of technology associated with fingerprint identification.

18.2 One of the major evidential losses is the inability to search routinely and compare palm marks left at scenes of crime. It is clear that palm marks are left at more crime scenes than fingerprints and often the quality of their detail is better than any fingerprints found. Palm prints have been taken with fingerprints for many years and form a component of the national collection at SCRO. However, their usefulness has always been limited to the situation where suspects are quoted for comparison, due to an inability to search the collection as a whole.

18.3 Technology is now emerging that will in the future be able to search a database of palmer impressions in a similar way that AFR revolutionised fingerprint comparison. This palm search facility is complemented by a palm capture facility to feed the database. The existing Livescan equipment is only able to capture impressions of fingers with the consequence that inked palmer impressions still have to be taken in all cases. This creates a major administrative task at SCRO as the inked palm impressions when delivered by mail have to be married to the Tenprint form for that individual, which arrive electronically by Livescan. Clearly an electronic system that could deliver both finger and palmer prints electronically at one time would be more efficient both to SCRO and the officers taking the impressions in police offices.

18.4 The introduction of AFR technology to the SCRO Fingerprint Bureau in 1991 was a bold step which showed vision at a time when development of its use in England and Wales was hesitant and making little progress. The subsequent extension of AFR workstations to Aberdeen and Perth has been successful in better utilising fingerprint expert availability in Grampian, Tayside, Fife and Central Scotland and demonstrates the power of technology in linking bureaux.

18.5 The move to Livescan, now available in 33 police offices in Scotland, greatly increased the capacity to capture fingerprints of persons in custody, providing the Scottish police service with the opportunity to give a fast identification service, encouraging forces to fingerprint all persons that they were permitted to do by law.

18.6 The technology, both AFR and Livescan, is currently provided by SAGEM SA. SAGEM provides a maintenance service, including the services of resident engineers, and a leasing arrangement for Livescan equipment which amounts to just over £34 million per annum. The maintenance contract for AFR equipment expires in 2007, although it can be terminated by SCRO giving 12 months notice to SAGEM. The arrangement for Livescan equipment expires in April 2002.

18.7 SCRO has just taken receipt of palm capture equipment from SAGEM for evaluation purposes. This was part of the initial contract. Bearing in mind the inefficiency of maintaining a palm print database and the difficulties associated with case work involving palm impressions there is clearly an attraction in pursuing the use of this technology.

18.8 A business case is currently being prepared by SCRO for the introduction of palm capture equipment to address the administrative difficulties referred to earlier in this section. There is a recognition that a move towards palmer comparison technology would generate a demand for additional fingerprint experts which should not be pursued at this time. While sympathetic to this approach the CMRT suggests that caution be exercised in taking this matter forward.

18.9 While it is important to address the inadequacy of arrangements for palm prints, it is more important to plan strategically the development of the Scottish fingerprint service’s use of AFR in the long-term. A precipitate move to add to the services provided by SAGEM could unduly tie SCRO to the existing supplier.
18.10 Bearing in mind the progress now being made by NAFIS in England and Wales and supported by PITO, early research is needed to ensure that the potential benefits of a wider UK standard, allowing the electronic comparison of marks across a vastly increased database, are fully considered. The CMRT suggests that this matter be referred through ACPOS Technical and Research Committee to the SPIS Programme Board to enable the development of fingerprint recognition equipment to be part of the strategic plan already being pursued.

18.11 Currently the Scottish AFR system and NAFIS, the standard system in England and Wales with a database supported by each force bureau there, are incompatible. Discussions have been going on for some time between SCRO and PITO to identify a cost effective means of providing easy access into each other’s database. Discussions continue.

18.12 Other areas of emerging new technology which are currently under development and offer potential for use within the sphere of fingerprint examination include digital imaging and e-technology.

18.13 The CMRT is aware of trials ongoing in England and Wales using digital camera equipment to capture images of latent marks at the crime scene. While the resolution and quality of such images is increasing all the time, a significant challenge is ensuring the integrity of the digital file and demonstrating that it has not and could not be tampered with to enhance the image.

18.14 Complementing this technology are developments in e-technology which potentially would allow a digital image to be captured at a crime scene and e-mailed from a mobile ‘phone into the fingerprint bureau for immediate searching on AFR. It is conceivable that identifications could be made in a very short time after a crime has been committed reducing the opportunity for the criminal to dispose of evidence or evade detection.

18.15 In a shorter timescale, if the fingerprint bureau was remote from the point of mark development, there exists the potential to digitise conventional photographic images of marks, attach them to a file with relevant details and send them by e-mail to the fingerprint bureau. Potentially such images could be imported directly into the AFR system and the office management system creating the possibility of the paperless fingerprint bureau. Such notions, dependant on quality, could have a major impact on working procedures in years to come.
19. **RECOMMENDATIONS**

19.1 **INTRODUCTION**

19.1.1 The CMRT’s findings are shown in summary form at Appendix I with references to enable the reader to understand the context in which the CMRT reached its conclusions.

19.1.2 In this chapter, the CMRT lays out its strategic recommendations which in its view are fundamental to the approach taken by the SCRO Executive Committee in taking forward the development of fingerprint services in Scotland in the 21st century.

19.2 **HMIC RECOMMENDATIONS AND SUGGESTIONS**

19.2.1 The CMRT recommends that the SCRO Executive Committee fully supports HMIC’s recommendations and suggestions included in its Primary Inspection Report. (Chapters 13-16 and Appendix ‘A’)

19.3 **NON-NUMERIC STANDARD OF FINGERPRINT EVIDENCE**

19.3.1 The CMRT recommends that the ACPOS Crime Standing Committee pursues the introduction of a non-numeric standard of fingerprint evidence in Scotland utilising a dedicated project management approach which takes into consideration the interests of all parts of the criminal justice system. (13.10.21)

19.4 **COMMON POLICE SERVICES**

19.4.1 The CMRT recommends that ACPOS urgently addresses with the Scottish Executive an appropriate legislative basis for Common Police Services in Scotland. (16.6.8)

19.5 **STRUCTURE**

19.5.1 The CMRT recommends that the necessary steps are taken to move on a phased basis towards a Central Management/Central Delivery model for the provision of fingerprint services in Scotland. This structure should be supported by new management oversight arrangements provided by legislation for Common Police Services. (Section 16.6.8)

19.5.2 The CMRT recommends that a dedicated project management approach is adopted in developing a Central Management/Central Delivery model for fingerprint services. This should build on the project management arrangements already put in place to manage the action necessary to respond to HMIC’s recommendations and suggestions. (16.6.6)

19.5.3 The CMRT recommends that the SCRO Fingerprint Bureau becomes part of a new National Identification Service for Scotland. (16.6.11)

19.6 **TECHNOLOGY**

19.6.1 The CMRT recommends that early consideration be given by SPIS to the future technology needs of the fingerprint service in Scotland. This should take account of the NAFIS development in England and Wales. (18.10)

19.7 **REGISTRATION**

19.7.1 The CMRT recommends that all fingerprint experts in Scotland should register with the Council for Registration of Forensic Practitioners at an early opportunity. (Section 13.10.1)
20. RESPONSIBILITIES

20.1 INTRODUCTION

20.1.1 The CMRT recognises that its findings cover a wide range of issues which are important to the development of fingerprint services in Scotland. The detailed responses to HMIC’s recommendations and suggestions are covered in the text and at Appendix ‘A’, with an identification of groups and individuals who should be tasked with taking matters forward.

20.1.2 This chapter emphasises the main areas of responsibility identified by the CMRT.

20.2 SCRO EXECUTIVE COMMITTEE

20.2.1 The SCRO Executive Committee is asked to accept the CMRT’s recommendations, its outline strategy and action plan. The Executive Committee’s role is crucial in ensuring that tasks are allocated to appropriate groups and individuals in order to make timely progress.

20.2.2 The role of the Executive Committee in negotiating interim arrangements with Strathclyde Joint Police Board in strengthening the support it provides for SCRO as employers is a vital one. (Section 17.10)

20.3 SCOTTISH EXECUTIVE

20.3.1 The Scottish Executive’s support for the CMRT’s outline proposals is critical to successful development being made. This is not simply a matter of funding, although the proposals require significant levels of funding. (Section 17.2)

20.3.2 Commitment to an overhaul of Common Police Services by the Justice Minister is a very positive indication of a willingness to move quickly to introduce legislation enabling the SCRO Fingerprint Bureau to function as a separate organisation employing its own staff. Beyond that it is important that dialogue is continued between the Scottish Executive and ACPOS in identifying the most appropriate arrangement enabling the creation of a National Identification Service for Scotland. (Section 16.6.8)

20.3.3 An early review by the Scottish Executive is required in respect of the criteria for authorisation as a fingerprint expert. (Section 13.7.14)

20.4 ACPOS

20.4.1 Many of the recommendations and suggestions made by HMIC are aimed at force bureaux and indeed the wider use of fingerprint evidence within forces. It is important that ACPOS is alerted to this and the CMRT has tried to identify these matters at Appendix ‘A’.

20.5 ACPOS CRIME STANDING COMMITTEE

20.5.1 As at 20.4.1 there are many issues which may lie outwith the scope of the SCRO Executive Committee and where the oversight of the ACPOS Crime Committee would be beneficial. These are identified at Appendix ‘A’ and in particular the CMRT sees the ACPOS Crime Standing Committee as the appropriate body to take forward the introduction of the non-numeric standard of fingerprint evidence in Scotland, (Section 13.10.11) the policy of registration of forensic practitioners with the CRFP (Section 13.10.1), negotiations with the Scottish Executive to review the criteria for authorisation as a fingerprint expert (Section 13.7.14) and the introduction of common statistical performance information on fingerprint services. (Section 13.10.24)
20.6 ACPOS PERSONNEL AND TRAINING STANDING COMMITTEE

20.6.1 Much emphasis is placed within this report in addressing staffing within the SCRO Fingerprint Bureau. The ACPOS Personnel and Training Standing Committee's involvement in co-ordinating the necessary action required to achieve a satisfactory increase in resource levels would be an important asset (Section 17.8).

20.6.2 The matter of a training needs analysis for fingerprint officers will be taken forward by the 8FSG with the support of the ACPOS Personnel and Training Standing Committee. (Section 13.7)

20.7 SCRO

20.7.1 Many of the recommendations and suggestions of HMIC are being addressed by SCRO directly. These are intimated at Appendix ‘A’.

20.8 SPIS PROGRAMME BOARD

20.8.1 Irrespective of change, there is a need for early consideration of the next generation technology requirements for fingerprint recognition equipment. This is a matter which should be referred through ACPOS TARC to the SPIS Programme Board. (Chapter 18)

20.9 8 FORCE STANDARD WORKING GROUP (8FSG)

20.9.1 The 8FSG has a vital role to play in making early progress towards standardisation of procedures. This will be supported by the Project Management Team (below).

20.10 PROJECT MANAGEMENT TEAM

20.10.1 The Project Management Team working to a Project Board will progress the bulk of HMIC’s recommendations and suggestions.