

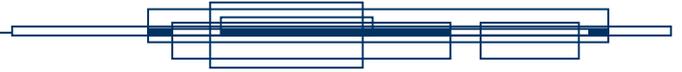
Forensic Science Northern Ireland

A follow-up review of the
inspection recommendations

August 2007

Criminal Justice Inspection
Northern Ireland
a better justice system for all





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List of abbreviations

CID	Criminal Investigation Department
CJI	Criminal Justice Inspection Northern Ireland
DNA	Deoxyribonucleic acid
FSNI	Forensic Science Northern Ireland
FSS	The Forensic Science Service
FSSG	Forensic Science Steering Group
HMIC	Her Majesty's Inspectorate of Constabulary
HR	Human Resources
IT	Information Technology
LGC	Laboratory of the Government Chemist
MAB	Ministerial Advisory Board
NI	Northern Ireland
NIO	Northern Ireland Office
PPS	Public Prosecution Service
PSNI	Police Service of Northern Ireland
SLA	Service Level Agreement
SMART	Specific, Measurable, Achievable, Realistic and Time-related
UK	United Kingdom
UKAS	United Kingdom Accreditation Service



Chief Inspector's Foreword

This review reports on progress in implementing the recommendations made by Criminal Justice Inspection (CJI) following the inspection of Forensic Science Northern Ireland (FSNI) in early 2005. This review was guided by the joint action plan agreed with FSNI and the Northern Ireland Office (NIO), which was separately published on the CJI website.

Inspectors are assured that the quality of the science is good. The original inspection found that the main challenges for the Agency related to its corporate governance, internal management processes and its commercial relationship with the Police Service of Northern Ireland (PSNI).

This review has coincided with a significant re-structuring of management within the Agency, the recent appointment of a new Chief Executive and the ongoing recruitment of new directors. Inspectors have observed and evidenced a more determined and robust approach to tackling the problems of the Agency and are able to sign off some of the critical recommendations concerning improved corporate governance and better strategic relationships with the police. However, it is still too early to assess overall performance as progress against many of the recommendations is just in the early stages of implementation.

While CJI is unable to sign-off at this point 22 of the 35 recommendations, Inspectors recognise that progress is evident in many areas. Future improvements in some areas are dependent on external support, particularly from the NIO. It is therefore proposed that a full inspection of FSNI should be conducted in 2008, when Inspectors would expect to find maintained progress and renewed actions in other areas.

The Inspection Team appreciated the co-operation it received from FSNI and the NIO. The Inspection Team also appreciates the work of HMIC who provided a valuable contribution to this inspection and helped to developed parallels with the follow-up inspection of Scientific Support services in the PSNI. Both follow-up reports are published together.



Kit Chivers

Chief Inspector of Criminal Justice in Northern Ireland

**Criminal Justice Inspection
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Section



Follow-Up Review



Introduction

Forensic Science Northern Ireland (FSNI) was inspected by Criminal Justice Inspection in early 2005 and a report was published in December 2005. The report contained 35 recommendations.

A joint Action Plan (prepared by FSNI with input from the NIO) set out its response (including tasks), lead responsibility and a timeframe for each of the recommendations. It was separately published on the CJI website.

It was agreed that a review of progress against each of the recommendations and agreed tasks would be undertaken by CJI sometime after 12 months from the report's publication.

This follow-up review sets out the findings of the Inspector's first revisit since implementation of the recommendations.

All recommendations are graded as either 'achieved' or 'not achieved' based on progress in implementing the agreed tasks and taking account of the published timeframe. The report does recognise the work that is ongoing on many of the 'not achieved' recommendations.



CHAPTER 2:

Progress on Recommendations



Recommendation 1

The Agency would benefit from specific expertise in managing and driving forward its major programme of change and a Change Manager should be recruited to fulfil this role.

Status: Achieved

The Agency is going through a turbulent period of change caused by a mixture of external and internal factors. The need for this role and expertise has not diminished as significant challenges remain in key areas such as corporate governance, business development and internal operations and processes.

Inspectors are assured that managing change is a priority of the new Chief Executive and are confident that on-going changes to the corporate governance and performance management arrangements of the Agency will help to drive and sustain the necessary improvements.

Recommendation 2

The NIO, in partnership with the Chief Executive, should review the specific skills that will be required of top and senior management and also review the reporting arrangements between the NIO and the Chief Executive.

Status: Not Achieved

The drive and commitment of senior management to making the necessary changes is dependent on continued support and assistance from the NIO as the sponsoring Department. Inspectors have examined the Business Case for the new permanent director posts and support the view of the Chief Executive that they are a necessary investment in the sustainability and development of the Agency.

A weakness for the Agency has been its unclear corporate governance arrangements and lack of transparency concerning accountability with the NIO. Inspectors are therefore supportive of the recent changes to corporate governance arrangements whereby an Executive Board and a supporting Management Committee have been established. The Chief Executive and the Agency Frazer figure are represented on the external Ministerial Advisory Board (MAB). The new corporate governance arrangements, which are now embedded, should ensure that the accountability responsibilities of the NIO are fulfilled and without any interference in the day-to-day management of the Agency.



Recommendation 3

FSSG should become the FSNI Management Board, chaired by the Chief Executive and with wider membership from the private sector and forensic science/academia. A careful selection process is required which is open and competitive in order to get the best people.

Status: Achieved

The abolition of the Forensic Science Steering Group (FSSG) in favour of more transparent and accountable internal (Executive Board/Management Committee) and external (Ministerial Advisory Board) structures is a positive development. The non-executive director has transferred from the MAB to the Executive Board. Inspectors continue to see the benefits to FSNI gaining additional external expertise during this period of change and would support the addition of another non-executive to the Executive Board. The appointment should be determined by the Chief Executive in consultation with the NIO.

Recommendation 4

The Chief Executive should take the lead on developing options for the longer term status and structure of the laboratory – these should include consideration of the possibility of a merger or takeover by another forensic science provider as a means of strengthening the longer term viability of the laboratory.

Status: Not Achieved

The status and structure of the laboratory has been the subject of a number of reviews and debate in recent years. The modernisation programme was founded on the basis that the Agency would become a trading fund operating within a commercial environment and benefiting from the associated resource flexibilities. Trading fund is now off the agenda and the current view is that the laboratory should be business focused but not as a commercial organisation.

The three year Corporate and Business Plan provides some pointers to the longer term status of the laboratory with an emphasis on strengthening strategic partnerships rather than merger or takeover. Inspectors would wish to see a more detailed longer term business strategy which would support the significant public investment in a new laboratory. For example, the development of strategic partnerships (east-west and north-south) may determine the size and functionality of a new laboratory while PSNI plans for internal and external Scientific Support services will influence the types of analysis undertaken by FSNI.



Recommendation 5

FSNI top management, in partnership with key stakeholders and customers, should plan for, and implement, a more co-ordinated, effective and efficient delivery of forensic science services to the Criminal Justice System in Northern Ireland.

Status: Not Achieved

Inspectors attended recent senior level discussions between the Agency and the PSNI and observed a more strategic and engaging approach by both organisations. The FSNI customer focused modernisation programme is contributing to a better strategic relationship, though it is still at an early stage. A recent strategic workshop involving FSNI and PSNI operational staff was a valuable input to the strengthening of this key customer relationship.

The largely positive sentiments of those who attended these meetings and the workshop need to be followed-up by concrete actions. It is envisaged that the development of existing and new customer relationships would form a key responsibility of a new business development directorate.

FSNI has undertaken a programme of business re-engineering that has resulted in an improved service to the criminal justice system. This has included the introduction of an evidence recovery unit and the re-organisation of the DNA unit. DNA turnarounds have reduced from an average of 120 days to 12 days.

Recommendation 6

FSNI top management should conduct regular joint planning with senior officers in PSNI and that this model is applied to other customer relationships.

Status: Achieved

Regular meetings between the FSNI management team, senior PSNI officers and the NIO are now taking place. Confirmation was received that a forensic strategy group has been established and is intending to meet on a biannual basis. It was agreed to hold three meetings in 2007 of which the first took place in January followed by another in May. They are chaired by the PSNI Deputy Chief Constable. A joint all-day workshop involving a wide range of staff in both organisations was held in May 2007. This is likely to be repeated later in 2007. Inspectors would expect to see more strategic meetings with other customers as FSNI business development directorate is established. FSNI has also held a meeting with Senior Investigating Officers from the PSNI.



Recommendation 7

FSNI policy on scene attendance needs to be revised in light of key findings from this inspection as well as the CJI/HMIC inspection of PSNI. A revised policy on scene attendance needs to reflect the added value that scientists can bring to scene attendance vis-à-vis the costs to FSNI.

Status: Not Achieved

FSNI and the PSNI have recognised the added value of attendance of FSNI scientists at scenes of crime and this is incorporated into the Service Level Agreement (SLA). PSNI Senior Investigating Officers specifically mentioned the advisory role of lead scientists.

However, no specific review of policy on scene attendance has been conducted by the Agency. This review will need to be undertaken on the basis of a cost-benefit analysis and take account of the changing needs of the PSNI.

Recommendation 8

An acceptance by PSNI to set up a properly resourced crash and collision unit will require FSNI to modify the level of service provided by its Road Traffic Collisions unit.

Status: Not Achieved

At the time of the inspection, the PSNI had given a funding commitment to increase the capability of the laboratory in responding to fatal and serious collision investigations. The recommendation was rejected by FSNI and PSNI.

The future delivery of this service continues to be under review by the PSNI and it will also form an element of the forthcoming CJI/HMIC inspection of Roads Policing.

Recommendation 9

A common numbering and identification system, in barcode format and easily scanned, should be agreed and introduced by FSNI and PSNI.

Status: Not Achieved

The Agency has developed a barcoding system to track all items on receipt and throughout the laboratory examination process. This system however is not integrated with the separate PSNI numbering system.



Recommendation 10

Top management should review the effectiveness of internal communication, complete work on the internal communications strategy and implement a more open and transparent approach to the sharing of corporate information.

Status: Achieved

Good progress is evident in relation to improving internal communications in the laboratory. The new governance structures and the roll-out of the Strategy map and the Balanced Scorecard have supported internal communications. Many staff commented on the much improved quality and flow of information.

Recommendation 11

FSNI should further develop and implement an external communications strategy.

Status: Not Achieved

No external communications strategy has been produced by the Agency. As communication with the PSNI is becoming more structured and the need for communication with other customers increases, there is a need to move away from the largely informal and ad hoc approach towards a more systematic approach to external communications. This is particularly relevant in the context of some negative publicity over recent years.

The Chief Executive does recognise the importance of developing a formal external communications strategy and sees it as a task for the proposed Business Development Directorate.

Recommendation 12

A decision to sell FSNI expertise on trace explosives to the international arena will require the development of new policies.

Status: Not Achieved

The sustainability of some FSNI specialisms such as trace explosives and firearms is dependent on the development of new markets. At present there is not enough demand within Northern Ireland to sustain the current capabilities of the laboratory and the existing service is part subsidised by other parts of the business and partly by the PSNI who are prepared to pay a premium for the continued availability of this service in Northern Ireland. A failure to develop new markets will result in the closure or restriction of this service or will require a subsidy from the PSNI or the wider criminal justice system budget.

While Inspectors recognise the importance of strengthening current customer relationships, the failure to attract business from new customers is placing strains on certain parts of the business and increasing the risks associated with over-dependence on a single customer. The laboratory has an international reputation in areas such as explosives and firearms and these are growth sectors in many other countries.

It is promising to note that the proposed Business Development Directorate will include the development of new business as one of its activities. This will need to be reflected in the overall business strategy as well as forming a core element of the Corporate and Business Plan.





Recommendation 13

Top priority should be accorded to the development and implementation of a succession strategy for the management of FSNI.

Status: Not Achieved

The strategic and operational management of the laboratory has been undermined by a weak and inadequate succession strategy. The primary rationale for investing in temporary directors as part of the modernisation programme was based on a transfer of competencies and experiences to a new management team. In practice, most of these directors left the agency either before or soon after the Chief Executive and other management came into post – some directors have not been recruited as yet. The opportunity to transfer knowledge and skills was very limited.

Inspectors remain concerned about the structural arrangements for middle management within the Agency. The past practice of using management responsibilities as a means of career promotion for scientists (within a rigid civil service grading scheme) was short sighted and has created difficulties for the Agency. It is therefore reassuring that the Chief Executive has confirmed that a succession strategy for middle to senior managers is being developed in consultation with staff and the NIO. A new project on Competencies Management has been initiated and will be trialled in the DNA section of the laboratory.

Recommendation 14

Progress on developing a succession strategy for scientific expertise is expedited and fully implemented by the end of 2005.

Status: Not Achieved

Progress on developing a succession strategy for scientific expertise has been slow, though some significant developments have been made. This includes the appointment of lead scientists (4) who are experts in their field and provide specialist advice to the police and the wider criminal justice system. The Agency has also recruited and trained a pool of reporting officers who provide a service to the courts.

These developments are a positive first response to tackling the problem of limited career development opportunities for scientists. There is a need to link these opportunities to a more defined review of operational gaps within the laboratory.

Recommendation 15

A policy decision should be made to centralise the co-ordination and responsibility for all staff training.

Status: Achieved

It is important that centralised training and development is aligned with the future structural arrangements and link with the Corporate and Business Plan. Inspectors are assured that progress is well advanced in this area and should be maintained with the appointment of a new training manager.



Recommendation 16

FSNI should consult with PSNI with regard to formulating and implementing a bespoke training package to the police aimed at raising the level of forensic awareness in PSNI.

Status: Not Achieved

There is evidence that FSNI and PSNI are taking a more strategic approach to joint training and Inspectors have been assured that these arrangements will be formalised in the next SLA.

FSNI currently provide training to PSNI as part of the Detective Foundation Course and the Initial Crime Investigators Development Programme. Both of these courses are for Criminal Investigation Department (CID) officers and FSNI provide input on packaging, submissions and DNA.

There is a need to further develop the training to all FSNI customers and to expand the existing input to PSNI training in particular.

Recommendation 17

When Casebook 3 is implemented in late 2005, hard charging for FSNI products and services should be implemented.

Status: Not Achieved

The Agency does not have the capability to accurately link cost to prices which would support hard charging. The original Casebook 3 project aimed to produce work in progress data to allow the Agency to charge on a transactional basis. Casebook 3 has not been implemented and is now part of a larger project named Perseus. Perseus is a business improvement project which includes: Management Information Systems; Customer Resource Management; Operational Excellence; Time recording; Workflow management; and Interface into Account NI/HR Connect.

The continued absence of this data is raising some concerns within the PSNI in terms of comparing charging and quality with other forensic science providers. Parts of the PSNI, particularly procurement, are not assured that best value is provided by FSNI, though this is disputed by the Agency.

This is contributing to uncertainty and should be resolved by FSNI as a matter of priority. The risk will increase as PSNI consider fuller participation in the wider UK procurement arrangements for forensic science services, which includes the standardisation of product definitions.



Recommendation 18

The full costs to support the laboratory in responding to any resumption of Troubles related violence should be identified and a written commitment should be obtained from the NIO and/or the PSNI to find the necessary finances.

Status: Not Achieved

The issue of maintaining specific specialisms such as trace explosives and firearms is addressed in the response to Recommendation 12. The precise costs of these services and the level of subsidy were not made known to Inspectors though it is known that the current service attracts a premium from the PSNI and additional aspects are funded by the NIO.

Recommendation 19

Capital planning for equipment additions and replacement should be given a greater priority in forward planning by FSNI.

Status: Not Achieved

The modernisation programme did result in a significant investment in capital though it has historically been carried on an annual basis in line with the governance model which limits long term planning.

Senior management did confirm that capital planning is a high priority for the Agency and is being put on a longer term horizon (3-5 years) with consideration given to the transfer of such assets to a new building.

The current issue for FSNI to resolve is to obtain an appropriate funding model that will allow capital reinvestment to meet the 3-5 year capital plan. This will include investment in the finance team to ensure they obtain further knowledge and skills in government financial budget and planning processes.

Inspectors recognise the progress that has been made by the Agency but would want to see further progress on the funding model before this recommendation can be classified as 'achieved'.

Recommendation 20

FSNI should work with key stakeholders to determine what databases are required, where they should be located and how access can be managed.

Status: Not Achieved

The Agency has brought a more co-ordinated approach to its IT development programmes through the establishment of the Perseus Programme. There is however little evidence of co-ordination and co-operation with other key stakeholders in terms of the location and accessing of criminal justice databases. The Agency is part of the Causeway Project.

Recommendation 21

The purchase of health and safety equipment should be better co-ordinated.

Status: Achieved

The inspection report highlighted a concern from the Health and Safety Officer employed by the laboratory that there was no co-ordination of purchase of health and safety equipment. Inspectors have concluded that although there are still problems with some budget holders the situation has improved with most requests for health and safety equipment now being referred to the Health and Safety Officer. It is planned that the new Corporate Services Director will focus on this aspect of procurement.

Recommendation 22

FSNI and PSNI should put in place mechanisms to ensure a more robust adherence to the SLA.

Status: Not Achieved

The SLA has been improved but it needs further work as over submission from the police and underperformance (e.g. delays in meeting customer expectations) by FSNI is still happening.

An area of concern is the amount of PSNI exhibits which remain with the FSNI after all examinations have been completed. This should be resolved through the SLA.

Recommendation 23

A more pro-active approach of selling services and products to a wider customer base should be planned and implemented.

Status: Not Achieved

See response to Recommendation 12.



Recommendation 24

FSNI should consider introducing hard charging for services in relation to disclosure.

Status: Not Achieved

The Agency does hard charge for services provided but has not been doing so in relation to work in relation to disclosure on behalf of the Public Prosecution Service (PPS). The Management Committee has recently agreed that funding to cover the costs associated with a fulltime disclosure post within FSNI should be sought from the PPS.

Recommendation 25

Formal communication should be the norm with all key stakeholders such as the PPS and the courts and action plans should be put in place to remedy any identified problems.

Status: Not Achieved

The Chief Executive is currently seeking approval for funding from the NIO to establish a new directorate within FSNI to deal specifically with Business Development. The Business Development Directorate would have as a primary responsibility, communication with customers and the devising of a communication strategy with PSNI.

In the meantime, a number of forums have been established with PSNI, mainly at a strategic level, but FSNI have also instigated a quarterly meeting with PSNI Senior Investigating Officers. This is the first stage in the plan to improve communication with customers and to formalise meetings.

Recommendation 26

FSNI should continue to strengthen its relationship with the Forensic Science Service concerning brokering of work, seek appropriate procurement arrangements with other providers and ensures adequate transfer arrangements, including appropriate documentation, are in place and that customers achieve a quality, timely and best value service.

Status: Achieved

FSNI senior management meet regularly with senior management from the Forensic Science Service (FSS) and the Laboratory of the Government Chemist (LGC). In addition SLAs for brokering of services exist between FSNI and FSS as well as FSNI and LGC. FSS's liaison manager for FSNI has visited FSNI.

Recommendation 27

FSNI and NIO should clarify the scope and flexibilities of the Framework Document in relation to recruitment.

Status: Not Achieved

A draft of a revised framework document has been shown to Inspectors and it is intended that a new document will be produced. The Agency has put a lot of work and research into the development of this new document. This is a critical document as it outlines the changing relationship and accountability arrangements between the laboratory and its sponsoring Department and outlines the flexibilities that can be operated. For example, the net running cost model where surpluses cannot be re-invested has scope to be clarified. The specific issue in relation to recruitment difficulties, particularly delays, has not been resolved.

Recommendation 28

A proposed training strategy should include provision for staff (Reporting Officers) to be registered by the Council for the Registration of Forensic Practitioners.

Status: Achieved

This has been incorporated in the Training and Development Strategic Plan.

Recommendation 29

The on-call arrangement needs to be urgently addressed through contractual negotiations with existing staff; incorporation of on-call requirements in new staff contracts; and implementation of recommendations of the internal working group. There is also a need to review the need for 13 separate on-call rotas.

Status: Not Achieved

This is currently under review by the Agency.

Recommendation 30

A proposed project on change management should be rolled out as soon as possible, so that it fully engages staff and addresses the concerns raised in this report.

Status: Achieved

This has been achieved and it is evident that the issue is on the agenda. Good communication of the issues has been provided to all staff.

Recommendation 31

Establishing a better resourced and properly authorised PSNI Submissions Unit will require joint planning between PSNI and FSNI.

Status: Achieved

The PSNI has relocated the Submissions Unit to their Scientific Support headquarters in Knocknagoney police station, where it is close to senior managers. This Unit allocates a reference number to all submissions before they can be submitted to the laboratory. Inspectors would advise that this service, at a critical interface between FSNI and PSNI, should remain an agenda item for future joint meetings.

Recommendation 32

Continued monitoring and action by FSNI in relation to the quality of submissions is necessary to safeguard the integrity and continuity of evidence.

Status: Achieved

A quality manager was appointed in April 2006 and a Quality Improvement Programme was initiated in which there are 14 project strands. The work of the projects is co-ordinated through a Quality Improvement Board which is chaired by the Chief Executive. The board had been meeting on a weekly basis. However, as a result of the measurable improvement in quality standards these meetings are now held every two weeks.



Recommendation 33

FSNI should continue its strategy of gradual reinstatement of accreditation and that quality is at the core of all its processes and procedures.

Status: Achieved

Quality is clearly on the agenda of the Agency and this is evidenced by the restoration of accreditation. The United Kingdom Accreditation Service (UKAS) visit in March 2007 highlighted significant improvement with some areas of excellence. A further UKAS visit in July 2007 confirmed the good progress to date with maintenance and extension of accredited areas.

Recommendation 34

There is a clear need to develop key performance targets which are more Specific, Measurable, Achievable, Realistic and Time-related. (SMART).

Status: Achieved

The previous targets were weak and difficult to measure performance. This was raised as a concern by CJI as well as by the NIO Internal Audit in its report in 2006. The Balanced Scorecard methodology to business planning is now used and as part of the process, new targets, based on SMART criteria, have been developed that will more clearly and accurately measure the performance of the Agency.

Recommendation 35

There is a need for the establishment of a research and development section within the laboratory with a long term strategy for identifying projects and their financial support perhaps in co-operation with other forensic institutions but especially with universities.

Status: Not Achieved

Research and development will be part of the proposed Business Development Directorate. It has not received much attention in recent years.

CHAPTER 3:

Conclusion



CJI are assured that the overall quality of the science is good and that quality is a priority for the Agency.

Inspectors were disappointed with the early lack of progress since the report was published in December 2005. For much of this time, there was little movement on most of the recommendations and agreed actions in key areas such as corporate governance, accountability arrangements, succession planning and building relationship with key customers.

However, there is now evidence of a more robust approach to these issues with important changes to governance structures, the implementation of a performance management framework and strengthening relationships with the PSNI. The top level arrangements are coming into place and this now needs to be cascaded throughout the organisation.

Cementing these changes and delivering performance improvement does require some risk-taking by the NIO in terms of helping to deliver better corporate governance and accountability and providing funding to the Agency for the recruitment of additional directors. There is however an expectation that these roles will become self-financing in the short term and they are a core element of the current business strategy.

Senior management in the NIO and PSNI recognise the value of having a forensic science service in Northern Ireland. But the delivery of an effective and efficient forensic science service from the current 'temporary' accommodation is becoming less sustainable. There is therefore a need for a final decision on what type of new/renovated building is required (e.g. should it cater for all current services, focus on some key services or have flexibility to expand/contract) and confirmation of available funding.

In view of the delayed action in progressing most of the recommendations, and taking account of the significant developments underway, Inspectors are proposing to undertake a full inspection of FSNI in mid 2008.



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