

**Inspection of Forensic Science
Northern Ireland**

December 2005

Criminal Justice Inspection
Northern Ireland
A better justice system for all



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List of abbreviations

CJINI	Criminal Justice Inspection Northern Ireland
CJS	Criminal Justice System (Northern Ireland)
CSI	Crime Scene Investigators (PSNI)
CRFP	The Council for the Registration of Forensic Practitioners
DNA	Deoxyribonucleic acid
DPP	Director of Public Prosecutions
FA	Forensic Alliance
FSNI	Forensic Science Northern Ireland
FSS	The Forensic Science Service
FSSG	Forensic Science Steering Group
HMIC	Her Majesty's Inspectorate of Constabulary
IT	Information Technology
LGC	Laboratory of the Government Chemist
MAB	Ministerial Advisory Board
MOU	Memorandum Of Understanding
NDPB	Non Departmental Public Body
NI	Northern Ireland
NIM	National Intelligence Model
NIO	Northern Ireland Office
PSNI	Police Service of Northern Ireland
PPS	Public Prosecution Service for Northern Ireland
RUC	Royal Ulster Constabulary
SIO	Senior Investigating Officer (PSNI)
SLA	Service Level Agreement
SMART	Specific, Measurable, Achievable, Realistic and Time-related
SPD	State Pathologist's Department
UK	United Kingdom of Great Britain and Northern Ireland
UKAS	United Kingdom Accreditation Service

Chief Inspector's foreword

1. The purpose of this inspection was to review the management and operation of Forensic Science Northern Ireland (FSNI) and assess the quality of its service to the criminal justice system in Northern Ireland.
2. The key aims were to:
 - Review the management, structure and organisation of FSNI;
 - Examine the role and effectiveness of leadership and the management of human resources;
 - Evaluate the effectiveness & efficiency of delivery of a forensic science service;
 - Consider how FSNI works in partnership with other criminal justice organisations, customers and stakeholders; and
 - Report on progress against recommendations of recent reports: the Review of the Criminal Justice System; a Quinquennial Review of the Agency; and the Northern Ireland Affairs Committee Report.
3. The inspection of FSNI was conducted in parallel with a joint CJI/HMIC inspection of the Police Service of Northern Ireland's use of scientific support services. There is extensive cross references to the PSNI report and a number of interlocking recommendations have been made.
4. The report makes some significant proposals for the future strategic and organisational development of FSNI. I hope it will be of value in informing and re-assuring the public about the good work that is being done on their behalf, and helpful to all those involved in this challenging area of work.
5. Like all inspections, this was a snapshot at a particular point in time. I am conscious that much work to address the issues raised in the report has been undertaken, which should be reflected in an Action Plan.
6. The Inspection Team, led by James Corrigan of CJI with the specialist assistance of Professor Brian Caddy appreciated the generous level of cooperation received from FSNI, PSNI, NIO, agencies and individuals who contributed to the inspection. The inspection team wishes to acknowledge the assistance that was provided by Michael Walker, Anne Mitchell and the top management team who put a great deal of hard work into preparing its initial self-assessment and setting up meetings and visits within FSNI. FSNI staff were without exception open and welcoming to the Inspectors. The Inspection team also appreciates HMIC inspectors who provided a valuable and insightful contribution to this inspection.



Kit Chivers

Chief Inspector of Criminal Justice in Northern Ireland

Executive summary

1. A locally based forensic science laboratory has provided a service to the Northern Ireland Criminal Justice System (CJS) since 1956. With the onset of the Troubles, demand for forensic science increased dramatically, especially in the areas of trace and bulk explosives and firearms. The market for the provision of forensic science services is continually changing in response to changes in demand (e.g. increased need for specialised services such as DNA and electronic analysis) and supply (e.g. more commercial forensic science providers and improved scientific support units within the police).
2. The importance of the forensic science laboratory to the effective functioning of the criminal justice system was recognised by its integration into the Northern Ireland Office (NIO) in 1976. This also coincided with a period of major attacks and bombings in Northern Ireland generally, culminating in the destruction of the laboratory in 1992 and its relocation to a 'temporary' police site in Carrickfergus. The laboratory was established as an Executive Agency in 1995 and changed its name to Forensic Science Northern Ireland (FSNI) in 2000.
3. This inspection makes some positive findings. They include:
 - (i) the organisation is part way through a major modernisation programme which has funded a new top management team, major investment in IT and financial systems and the implementation of a new business strategy. Performance improvement is evident in key areas such as quicker turnaround times for DNA examinations and the re-instatement of accreditation in key functional areas. Overall output has also increased in line with increased demand from key customers;
 - (ii) despite going through a period of major change and having to work in the poor conditions of temporary accommodation, staff are committed to delivering an effective and efficient forensic science service to the Northern Ireland criminal justice system.
4. Inspectors' overall assessment is that FSNI provides a valuable and necessary service to the CJS. However, it is facing a number of major challenges which have created uncertainty about its longer term viability. The recommendations of this report are intended to strengthen the organisation so that it may deliver an independent, effective and efficient forensic science service to everyone in Northern Ireland.
5. Key recommendations of the inspection are:
 - (i) It is expected by Government and key customers that FSNI should develop a more commercial focus. A Quinquennial review of the Agency in 2002 recommended that a change to Trading Fund status would provide the mainly financial flexibilities to achieve this objective. Concerns that the risks (e.g. exposure to a single customer) would outweigh the anticipated benefits have convinced HM Treasury and the NIO to reverse that decision earlier this

year. The challenge for FSNI, and its top management team in particular, is to deliver these required changes while constituted as an executive agency. The NIO and the Chief Executive of FSNI are confident that the modernisation programme can be delivered through the present governance model and using the flexibilities of the FSNI/NIO Framework Agreement. There is however an onus on FSNI and the NIO to develop a longer term governance strategy for the laboratory which avoids uncertainty and provides a clear sense of direction on the type of model or structure that would best deliver an independent, viable, effective and efficient service. Options to consider include a stand-alone organisation, a merger with another laboratory or a takeover by another forensic science provider.

- (ii) A new top management team of Chief Executive and three Directors is in place and primarily responsible for planning and implementing the modernisation programme. All of the Directors have temporary contracts which will expire when the NIO Trading Fund budget (now known as the modernisation programme) is spent in April 2006. It is a major concern to inspectors that at the time of inspection no succession strategy for senior management had been developed by FSNI and there was a high risk that current levels of expertise as well as the momentum of change would be lost. It is recommended that a Change Manager should be recruited to take responsibility for sustaining and delivering performance improvement across the organisation. Similarly little progress had been made on developing a succession strategy to address the projected loss of scientific expertise over the next few years. The report recommends that succession strategies are quickly developed and implemented.
- (iii) The relationship with PSNI, as the principal customer of FSNI, deteriorated to the point where the police considered moving their business to another forensic science provider(s) in early 2004. Inspectors have noted that the relationship, especially at senior level, is now improving in line with better service delivery. There is a need for more joint strategic planning on a range of issues such as improving service for crime scene attendance, investigation of fatal and serious road traffic collisions, the use of specialist fingerprints, the management and use of forensic databases and raising forensic awareness of PSNI. It is expected that improved joint planning should feed into a more robust Service Level Agreement (SLA) which achieves a better balance between PSNI priorities and needs and the delivery capacity of FSNI – the current 2005-2006 SLA is regarded by FSNI and PSNI as much better in this regard and the challenge is now to ensure that mechanisms are in place to ensure adherence to the SLA. A recommendation in the CJI/HMIC report for the PSNI to revamp its Submissions Unit, located at FSNI, should ensure a more co-ordinated interface between both organisations.
- (iv) FSNI is experiencing a period of substantial change, including the development of a new organisational culture. The support, commitment and sense of ownership of staff to this change process is critical to achieving the anticipated benefits. There is a responsibility on the Chief Executive and top management to ensure that staff expectations, particularly in relation to on-call allowances and pay and conditions, are properly managed. There is also

an onus on the NIO to ensure that key projects such as the new laboratory is delivered and that the Agency is supported in its efforts to maximise the flexibilities of the Framework Agreement in areas such as recruitment.

- (v) The failure to achieve key performance targets over a number of years has been a major weakness of the Agency. Many of the targets had been poorly developed, insufficiently specified, too frequently modified and not robustly challenged by the sponsoring department. There is a clear need to set targets which are Specific, Measurable, Achievable, Realistic and Time-related. (SMART). Current performance is improving in key areas but recent figures demonstrate that FSNi is not achieving many of its internal timeliness targets. The report recommends that more needs to be done to improve performance, particularly in relation to the timely preparation of reports.
6. Implementing the recommendations of this report will create the foundations to build a more sustainable, viable and effective forensic science service for Northern Ireland.

Chapter I Leadership and accountability

- 1.1 The first forensic science laboratory for Northern Ireland was set up in Belfast in 1956 and received 500 cases in its first year. The escalation of the 'Troubles' in the 1970s led to a big increase in demand for forensic science (by 1976 it was dealing with 10,000 cases a year) and required a major recruitment of new staff. The major development of the past decade has been the increasing pivotal role of DNA in crime investigation resulting in a big demand for DNA expertise within the laboratory.
- 1.2 The status and structure of the forensic science laboratory has changed in response to wider political and economic pressures. It was integrated into the Northern Ireland Office (NIO) in 1976, has operated as an Executive Agency of the NIO since 1995 and changed its name to Forensic Science Northern Ireland (FSNI) in 2000. A Quinquennial Review of the Agency in 2001/02 recommended that it should operate as a net administrative costs regime as an interim step to becoming a Trading Fund. A Trading Fund is a self-accounting unit which, while retained under the control and management of a Minister, has greater freedom to manage its business on commercial lines. It has recently been decided by HM Treasury and the Northern Ireland Office that FSNI 'might not be viable as a Trading Fund in future' and that it should continue as an Executive Agency at arm's length from the NIO.
- 1.3 A key recommendation of the Quinquennial Review, as a transition to Trading Fund, was the need to review the senior management structure of the organisation. An organisational structure of four scientific business managers, each responsible for specific casework areas, was struggling to meet its own internal targets as well as the changing needs of more commercially driven customers. Following the recommendations of a consultant's report, a new top management structure based on directorates of operations, finance & IT and human resources was implemented in mid 2004. A new Chief Executive was appointed, on contract, in July 2004. It is the view of inspectors that **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.**
- 1.4 The Chief Executive, who has experience of working in the public and private sectors, sees his role as providing leadership, strategic direction and networking with external stakeholders. The challenge is considerable, requiring an ability to drive forward a major modernisation programme, work with a sponsoring government department, stakeholders and demanding customers and earn the respect of staff. Feedback from staff is generally positive in that he has earned their respect and confidence, although some would prefer a tougher style of management. Developing the strategic direction of the organisation requires strong leadership which works in partnership with, but also challenges, key stakeholders such as the NIO. The Director of Operations contributes importantly in this regard. A review of minutes of the Forensic Science Steering Group (FSSG), which is chaired by the NIO, shows over-close monitoring of the Agency by the sponsoring department. It is recommended that **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.

- I.5 Formal governance arrangements covering the Agency are described in a Framework Document which sets out the accountability mechanisms which apply to an Executive Agency of the NIO (i.e. reporting to Secretary of State and Parliament; publishing an annual report; audit arrangements; role of Chief Executive as Accounting Officer). Two other structures have been established - A Ministerial Advisory Board (MAB) which meets quarterly to discuss FSNI performance and provide reports to Ministers and a more regular Forensic Science Steering Group (FSSG) which 'acts as a high level project board to guide FSNI towards Trading Fund status and address related issues such as accommodation'. Membership of both structures is broadly similar (NIO and top management of FSNI) and each is chaired by an NIO civil servant. It is the view of inspectors that the Agency needs to recoup responsibility for wider strategic issues and it is recommended that **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.** This would strengthen the internal capacity of the Agency to tackle its major strategic and operational challenges and would also bolster the independence of the Agency from government and the prosecution.
- I.6 The decision to end the transition towards Trading Fund status in favour of the status quo agency structure may provide FSNI with temporary protection against the commercial pressures of the competitive market, but some wider and longer term strategic issues still need to be resolved. It is expected by HM Treasury, the NIO and key customers such as the Police Service of Northern Ireland (PSNI) that FSNI should develop a more commercial focus. The NIO and the Chief Executive are confident that the FSNI/NIO Framework Agreement does provide flexibilities to achieve a more commercial focus and that key benefits can be delivered through the modernisation programme. There is however an onus on the NIO and FSNI to consider the longer term status and structure of the laboratory which can best deliver an independent, viable, effective and efficient forensic science service to Northern Ireland.
- I.7 Recent reviews of the laboratory have pointed out that 'doing nothing' or staying the same is not a longer term option and that the organisation must change to meet the changing needs of its customers. The trend in Great Britain is towards a more commercial model where the largest provider, the Forensic Science Service (FSS) is a Trading Fund and a rapidly expanding rival is a private company (Forensic Alliance). The decision to protect FSNI, at least for the present, from these competitive pressures may well be correct in the particular circumstances of Northern Ireland where there is one dominant customer (91% of FSNI revenue from PSNI), a need to build and finance a new laboratory and a continuing requirement to maintain unprofitable but strategically necessary local expertise in bulk and trace explosives, analysis and devices and firearms. It is

recommended that **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.** A new management board with more external expertise would be invaluable to the Chief Executive in this regard.

- I.8 It is the view of inspectors that FSNI does not have the internal capacity to provide a full range of forensic scientific services to customers. It is not feasible to expect a relatively small laboratory, by UK standards, to provide such a comprehensive service. The laboratory should instead focus on delivering an effective and efficient customer led service in key specialised areas of crime investigation – chapters 4 and 6 of this report comment on, and assess how, FSNI is responding to capacity gaps in key areas such as DNA. There is also a responsibility on top management to determine and plan for a reduction in certain services. Not all services are profitable (although some may be strategically necessary) and not all are most efficiently and effectively delivered by the laboratory (see chapters 2 and 4). It is recommended that **FSNI top management, in partnership with key stakeholders and customers, should plan for, and implement, a more coordinated, effective and efficient delivery of forensic science services to the Criminal Justice System in Northern Ireland.**
- I.9 A key problem for FSNI and its principal customer (PSNI) over recent years has been the lack of joint planning resulting in limited awareness and understanding of each other's needs and a joint Service Level Agreement (SLA) which did not reflect the changing demand for forensic science services as well as the capacity of FSNI to meet that demand. A change in PSNI towards demanding a more timely and best value service was not fully anticipated within FSNI and the Agency also struggled to deal with a big increase in DNA and other submissions. Inspectors understand that joint planning between the leadership of both organisations is currently taking place and that agreement has been reached on a number of key issues. This provides for a better corporate understanding of each organisation's needs and a basis for the provision of a more coordinated service over the next three years. It is recommended that **FSNI top management should conduct regular joint planning with senior officers in PSNI and that this model is applied to other customer relationships.**
- I.10 Feedback from a number of staff within FSNI points towards a sense of remoteness from top management. This is partly due to how the top management were externally recruited, their role in driving forward a sometimes unpopular modernisation programme and to weaknesses in line management arrangements. It has also become more evident because of poor internal communications when issues such as the dropping of Trading Fund were not properly communicated and explained to staff leading to the view that it had appeared 'out of the blue'. Results of an NIO staff survey in 2004 showed that just 30% of FSNI staff felt that they were 'told promptly about issues that affect' their job. This is the lowest figure within any of the Directorates / Agencies of

the NIO. There is a responsibility on leadership to address these issues and the policy implications are covered in the next chapter.

Chapter 2 Policy and strategy

- 2.1 A major change and modernisation programme requires the development of new policies and strategies and the modification of existing ones. A critical change in strategy has recently been taken to move away from what has been described as customer intimacy¹ (mainly with the police) towards an operational excellence² model – a decision which will require changes to a range of policies. This chapter will focus on polices which require urgent attention.
- 2.2 It is FSNI policy to attend an agreed number / hours of crime scenes at the request of the police, although attendance is voluntary for scientists. The actual number of hours, by forensic expertise, is stipulated in the SLA and is currently set at 4000 hours for normal scene attendance (1750 of which is allocated to road traffic collisions). Demand for particular expertise such as biology and physical methods has significantly exceeded agreed limits in the last reporting period of April 2004 to January 2005. It is the view of inspectors that **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 a scientists can bring to scene attendance vis-à-vis the costs to FSNI.** Costs include the time that scientists are taken away from important laboratory based work as well as overtime and on-call payments.
- 2.3 The issue of who has primacy at crime scenes is primarily a matter for the PSNI but has implications for how scientists conduct their work. It was the view of some scientists that an inconsistent approach to crime scene management exists which was impeding the investigation of crime. An example is where scientists reported that they were sometimes repeating the duties of Crime Scene Investigators (CSI), a concern which may partly account for the findings of a recent FSNI survey which showed that one third of biologists stated that attendance at crime scenes added ‘little or no apparent value’. A recommendation of the joint CJI/HMIC report is that the role and responsibilities of CSIs should be enhanced including having primacy on behalf of the SIO in terms of the control of the scene and the recovery of forensic evidence. Any scientist attending, while recognised as an expert in certain areas, works in partnership with the nominated CSI. This should lead to greater coordination and management of crime scenes.
- 2.4 An area which needs attention is policy on dealing with the scenes of fatal and serious car collisions. A detailed investigation is necessary as fatal car collision scenes will often need to be treated in the same way as homicide investigations. This requires the closure of roads as evidence not collected at an early stage will be lost. However there is also a responsibility to ensure that roads are closed only for as long as necessary. Inspectors are aware of the costs to businesses and the economy when a major arterial route is closed. FSNI and PSNI need to jointly review their policies in relation to fatal and serious car collisions so that a

¹ ‘Customer intimacy’ refers to a tailored service which is delivered to the processes of individual customers.

² ‘Operational excellence’ refers to consistent, predictable, error-free and efficient processes

more effective service is delivered. This includes the identification of new technological innovations in collision investigation in order to reduce the time spent at scenes with roads closed. A recommendation is made in the CJI/HMIC report that a properly resourced crash and collision unit for fatal and serious vehicle collisions should be set up within the PSNI, which is identical to what exists in Great Britain. **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.**

- 2.5 All submissions of forensic science items go through the Customer Services Unit in FSNI. Due to the volume of work from PSNI, a dedicated PSNI submissions unit is based in the same building and submits items to, and receives items back from the laboratory. The process of how PSNI submissions enter and leave the laboratory is covered in chapter 6. The policy on PSNI submissions is detailed in the SLA between FSNI and PSNI which states a certain number of items, categorised by type of forensic analysis required, can be submitted to the laboratory. To manage this process, the Submission Unit is provided with a policy document which prioritises submissions on the basis of the type of crime – ‘live’ murder investigations receive top priority followed by terrorist offences and serious crime such as rape investigations and then volume crime such as burglaries and vehicle crime. The policy document also provides guidance as to why items are rejected by the Submissions Unit (e.g. evidential relevance) or by FSNI (e.g. exposed to serious contamination risks through improper handling or poor packaging). While the latter has caused some tension among the police, it is an important safeguard for maintaining the integrity of forensic science items and providing continuity of evidence when presented in court. It is evident to inspectors that current policy in the SLA is not reflecting the real level of demand for forensic science services and consequently the priority system which operates is frustrating the investigation of crime which is lower ranked (i.e. volume crime). There is evidence of some non-compliance where some submissions are subject to barter, rather than in line with agreed thresholds or priorities, and some can bypass the Submissions Unit, going directly to scientists. PSNI officers reported on a policy of only being allowed to bring 3 items for forensic examination in relation to burglary offences unless there were extenuating circumstances. The CJI/HMIC report addresses PSNI submissions policies and processes in detail and recommends a much better resourced Submissions Unit with increased authority and operating to a more robust SLA.
- 2.6 The practice of brokering work to other forensic science providers has been increasing in response to peaks in demand for specific expertise (e.g. DNA) or capacity problems within sections of the laboratory (e.g. biology). FSNI accepts the submissions but then negotiates with other providers to deliver the forensic analysis and/or interpretation. Submissions are then returned to customers via Customer Services in FSNI. On the whole, it has been a successful strategy to address specific capacity gaps in FSNI, although it has been more expensive – some costs have been absorbed by FSNI in the past. It is now proposed by FSNI in its change programme to make this brokering strategy a core element of its overall business processes. A policy is being put in place where FSNI would act as a forensic ‘portal’ or ‘one stop shop’ and would transfer work to other providers on the basis of new strategic relationships. It was this policy which

played a significant part in awarding FSNI the forensic budget (in the region of £7-8 million) on the cold case review of unsolved homicides during the Troubles. Inspectors note that the policy is coming into place but that limited progress has been made in setting up the physical arrangements for the transfer of work. This is partly due to problems and delays in establishing procurement arrangements.

- 2.7 A core element of improving business processes is the requirement to manage and track cases from submission to exit from the laboratory. A cause of delay has been the inability to locate items promptly or provide information to customers on the progress of a case. A strategy of IT improvement, based on a new operating system of Casebook now allows all items to be recorded and tracked through the laboratory and strengthens the continuity of evidence. There is however no direct correlation with the reference number provided to items by the PSNI – a new reference number is always allocated by Customer Services. Inspectors recommend that **a common numbering and identification system, in barcode format and easily scanned, should be agreed and introduced by FSNI and PSNI.**
- 2.8 An important issue for the inspection was how policies and strategy are communicated to staff and external customers and stakeholders. An important finding is that internal communication policy needs to be strengthened in terms of top down and bottom up processes. A common view among staff is that the flow of information has been poor and there is confusion on key issues such as Trading Fund and the outcomes of internal working groups. The NIO staff survey of 2004 revealed that just 11% of FSNI staff agreed that ‘information is effectively passed down from top management levels to all staff’ – this compares to 39% in the NIO and its agencies. Likewise just 23% of FSNI staff agreed that ‘major changes within the NIO are explained to staff before they are implemented’ compared to 43% in the NIO and its agencies. The Chief Executive is now running a series of meetings with all staff on a quarterly basis and a newspaper “The Newsagency” is also distributed quarterly but there is still a perceived uncertainty within the organisation of where it is going and how any future changes will effect ‘my working practices’, ‘the status of my position and career progression’ and ‘my pension’. Part of the problem may relate to the current line management system which depends on having effective communication between top management, business managers, scientific teams and administrative and support staff. It was interesting to find that two sections did not report problems with communication - customer services and quality unit – both of which have direct linkages with the top management. It is recommended that the **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.**
- 2.9 Inspectors found a varied approach to external communication, which is focused on developing strategic partnerships, networking with key stakeholders and raising awareness among the general public. A series of articles in the Irish News during May publicised the work of the laboratory and has aided a better public understanding of its work. However no external communication strategy

was in place at the time of the inspection. A recent change programme document states that this strategy would be in place by mid 2005. Inspectors recommend that **FSNI should further develop and implement an external communications strategy.**

- 2.10 On a commercial basis it is doubtful whether a trace explosives unit can be financially viable in the present circumstances but it may be necessary for wider strategic considerations. The Northern Ireland Affairs Committee noted that a 'flexibility to respond to an increased terrorist activity...extra cost should be met by the public purse'. The full costs to support the laboratory in this activity must be identified and a written commitment made from the NIO/PSNI to find the necessary finances (see chapter 3). When the workload in such areas decreases scientists leave and others begin to experience skill fade and full account must be taken of this. It should be noted that senior staff in this unit have not been replaced since 1994 and a Reporting Officer will leave in two years meaning that the unit will be unsustainable within 2-3 years. One way for this unit would be to use its skills in the international arena but this would require international travel perhaps in dangerous circumstances. **A decision to sell FSNI expertise on trace explosives to the international arena will require the development of new policies.**
- 2.11 Inspectors found scope for improvements on developing training strategies and policies. Of most concern is the absence of a succession strategy for top management, especially as it has been known for over a year that all three of the directors are on temporary contracts funded from the Modernisation Programme budget. It is recommended that **top priority should be accorded to the development and implementation of a succession strategy for the management of FSNI.** The recommendation to create a new position of Change Manager would reduce the considerable risk to the implementation of the change and modernisation programme. A second succession strategy is required to address the increasing risk of a loss of scientific expertise. Many of the scientists who were recruited in the 1970s are now approaching retirement and there is an expectation of major attrition over the next 6 years, especially among Reporting Officers. While a pool of 14 Reporting Officers were recruited in 2002 and 2004, they are still in development and inspectors were told by some staff that there was 'no forward planning' in this regard. Senior management stated that a strategy will be completed before the end of 2005 and that it will address issues such as the shadowing of senior scientists and having a more comprehensive written record of expertise and competencies in the organisation. It is recommended that **progress on developing a succession strategy for scientific expertise is expedited and fully implemented by the end of 2005.**
- 2.12 The provision of internal training for staff is mostly provided through established civil service and NIO channels. This training has traditionally been people focused to address specific training needs of public sector employees and it has provided good value to FSNI. FSNI is now facing a number of challenges which are not typical of the wider civil service and there is a need to have a more process focused approach to training. It may therefore be necessary to procure this type of training from another provider and internal polices will

need to be put in place to accommodate this. **A policy decision to centralise the co-ordination and responsibility for all staff training** is recommended by inspectors, which is in line with a UKAS recommendation which noted that the Agency was poor on training documentation.

- 2.13 A finding of the CJI/HMIC inspection of PSNI is the need for greater forensic awareness within the police. Consultation with police officers and civilian scientific staff in PSNI show a need for a more comprehensive approach to forensic training, particularly for new student officers. The Customer Services unit in FSNI did point out that the quality of submissions could be improved by better training on packaging and labelling of items. The SLA allows for 210 hours of training to PSNI and provides for the supply of kits for the collection and packaging of approved materials. It is recommended that **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.**

Chapter 3 Resources

- 3.1 FSNI had an income of £6.9 million in 2003/04. This was made up of £6.3 million from PSNI, £0.5 from other public sector customers and the remainder from other smaller customers. PSNI income is provided as a block grant and recovered on an instalment basis. The income from PSNI for 2005/06 is £7.6 million which represents a 25% increase over the past three years. For the period 2004/06 the NIO allocated a two year budget of £2 million to cover the one off costs of the transition to Trading Fund Status, now Modernisation Programme.
- 3.2 The main item of expenditure is salaries which accounted for 64% of general expenditure in 2003/04. A full breakdown of general expenditure is contained in the annual report which also shows a significant increase in overtime and on-call expenditure. Information on the £2 million Modernisation Programme budget is less transparent at this stage (awaiting next annual report) although it is known to be spent on director's salaries and a range of projects associated with the modernisation programme. These include a new IT operating system (Casebook), improved IT databases and a range of process and financial system improvements. Approximately 10% of this budget has been spent on external consultancy. In the interests of transparency, a full audit of the Trading Fund budget should be conducted, including the procurement and use of external consultants. A copy of the audit report should be sent by NIO internal audit unit to CJI when agreed with FSNI.
- 3.3 The nature of FSNI funding, particularly the block grant from PSNI, has meant that the organisation did not need to cost individual units or activities. However, an increasingly competitive environment means that customers are now seeking better value and are looking for direct comparisons on cost. A key element of Trading Fund status would have been the ability and requirement to cost all activities and charge customers on the basis of specific products. While Trading Fund is not going ahead, new finance and operating systems are being implemented which will have the capacity to introduce hard charging for customers. It is recommended that **when Casebook 3 is implemented in late 2005, hard charging for FSNI products and services should be implemented.** It is recognised that this may need to be introduced on a phased basis. CJI/HMIC recommendations to the police on establishing more accountability mechanisms for forensic spending (e.g. devolved budgets) will need to be introduced in tandem with the introduction of hard charging in FSNI.
- 3.4 Not all services currently provided by FSNI would be profitable in a more commercial environment, although some may be strategically necessary. The Northern Ireland Affairs Committee noted that a 'flexibility to respond to an increased terrorist activity...extra cost should be met by the public purse'. It is recommended that **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.**

- 3.5 Like any forensic science laboratory, there is a need for the latest equipment to facilitate the science. While FSNI capital equipment additions and replacement are evaluated each year on a needs basis, overall flexibility is very dependent on the PSNI block grant. There is a provision in next year's budget for some equipment costs although the current SLA does not mention capital expenditure. The purchase and replacement of equipment was determined on an ad hoc basis depending on what money was available at a particular time. It is recommended that **capital planning for equipment additions and replacement should be given a greater priority in forward planning by FSNI.**
- 3.6 Funding on Information Technology (IT) has significantly increased as a result of the Trading Fund project. This has meant the implementation of new IT systems and databases and an increase in IT staffing within the laboratory. Significant IT achievements include having secure internet access and being the first criminal justice organisation to achieve readiness to link into the Causeway project. Other benefits such as having the ability to report on work in progress for all cases is scheduled for later this year. A feature of IT within the laboratory has been the number of separate 'stand-alone' databases which are unable to talk to each other. Different sections have set up their own databases, which do not link with other databases within the laboratory or elsewhere and may duplicate similar databases in other organisations. For example, the laboratory maintains a separate Northern Ireland DNA offenders database (expected to hold profiles of approximately 50,000 individuals), but did not have the authority to submit items to the national UK DNA database until accreditation was confirmed (a letter of confirmation was received by FSNI in June 2005). It maintains up to date sex offences and drugs databases but its footwear database is dated and it does not have a fingerprints or fibre database. It is known that the PSNI has identified a budget to establish a footwear database and it is therefore imperative the **FSNI should work with key stakeholders to determine what databases are required, where they should be located and how access can be managed.**
- 3.7 The biggest planned investment of resources is the proposed building of a new forensic science laboratory. This has been promised to staff since they first moved to 'temporary' accommodation in 1992 and formed a key recommendation of the review of the criminal justice system which reported that the location 'on a site that is closely associated with the police, is unfortunate and detracts from the perceived independence of the Agency from the police'. It recommended that 'efforts should be made to find an alternative site...that would not be shared with the police'. Discussions with the NIO determined that a total budget allocation of £25 million has been determined of which £7.2 million appears in current spending plans. Three possible locations are now being considered and more detailed planning and design is about to commence. The type and size of the laboratory needs to be carefully considered in the context of the ongoing modernisation programme as it is unlikely that FSNI will continue to offer such an extensive range of internal services in the future and brokering will allow more examinations and analysis to be conducted off-site. An organisation whose business processes is end to end rather than separated into distinctive sections or silos will also require a

distinctively different type of design than is currently the case. In particular, it would be expected that more space is provided for shared working and collaboration and research. It is also expected that the new FSNI site should be separate from any PSNI site so that a clearer sense of perceived independence is achieved.

- 3.8 The issue of health and safety merits special attention in this report especially as staff are working in conditions which are not fit for purpose. Indeed many staff stated that the lack of external windows mean that they do not see any daylight during workdays in winter. It is also documented in the annual report that the complex within which the Agency is housed contains some asbestos. The NIO staff survey of 2004 confirmed that 92% of FSNI rated 'the physical environment in which you work' as poor. As stated, the onus is on the NIO, working in conjunction with FSNI, to ensure that a new laboratory is delivered as soon as possible.
- 3.9 A health and safety officer is employed by the laboratory although the safety officer is concerned that there is no coordination of purchase of health and safety equipment. It is recommended that **the purchase of health and safety equipment should be better coordinated.**

Chapter 4 Partnership working

- 4.1 The provision of a forensic science service to the criminal justice system requires effective partnerships with a range of stakeholders and customers. These can be divided into four groups: the NIO as the sponsoring department; customers and particularly PSNI as the main source of income; other stakeholders such as the courts; and other providers of forensic science services.
- 4.2 FSNI is an executive agency of the NIO and accountable to government and the public through NIO ministers. As the sponsoring Department, the NIO has maintained a close working relationship with the Agency and monitoring has intensified in recent years due to the important challenges facing the laboratory. The Sponsoring Department is responsible for approving the targets of the Agency on an annual basis. A big issue for the Agency is the building of a new laboratory – an issue covered by the Northern Ireland Affairs Committee when it commented that the ‘length of delay in finding new premises for FSNI is unacceptable’. After a long period of little action, progress is now becoming more evident and a NIO-chaired Accommodation Advisory Steering Group is taking the lead in terms of the funding and planning of the new laboratory. This is an NIO project with approved external project management expertise. It is however likely to be a number of years before a new laboratory is built and fully functional.
- 4.3 The recommendation of the NIO funded Quinquennial review to establish FSNI as a Trading Fund has engaged the NIO in a more direct role. This has included the allocation of a special Trading Fund budget and the recruitment of a new top management tier of Chief Executive and directors. It is the NIO which has established and chairs the Ministerial Advisory Board and the Forensic Science Steering Group which provides fora to discuss and plan the strategic development of the laboratory. While it is recognised by inspectors that NIO involvement and funding is critical to the success of the modernisation programme and that clear guidance from the NIO is required in terms of future strategic direction, FSNI should seek to develop and assert greater independence from the NIO (see recommendations of chapter 1).
- 4.4 A good working relationship with customers is critical to the viability and sustainability of any service oriented organisation such as FSNI. The PSNI (and previously the RUC) has been the key customer for FSNI since its establishment with over 90% of FSNI income coming from a single source. Staff in FSNI and PSNI referred to the strong personal relationships which developed between scientists and police officers. The closeness of this relationship has weakened in recent years due to a number of factors. For FSNI, there has been an increasing need to emphasise its independence from the investigation and prosecution process and demonstrate a clearer sense of impartiality within the criminal justice system. For PSNI, there is a greater need to demonstrate value for money in its procurement processes and to live within the constraints of its budget. The PSNI forensic science budget has increased dramatically over recent years and spend on FSNI alone has risen by 25% over the past 3 years.

Even this level of expenditure does not address the continuing level of demand, which can be seen in the discrepancy between projected and actual demand in the SLA. A consequence of excess demand has been excess submissions to the laboratory, lack of capacity in the laboratory to undertake the work and a resulting slippage in performance, most notably in target timescales. This in turn has added to delays in the processing of cases through the criminal justice system.

- 4.5 Inspectors are of the view that FSNI and PSNI need to work in closer cooperation to agree longer term joint strategic plans, to feed these plans into a more robust SLA and to jointly develop strategies and policies to tackle identified weaknesses as covered in this report. Inspectors were told that more joint planning is currently taking place including FSNI input to the National Intelligence Model (NIM) and membership of the PSNI Serious and Volume Crime User Groups. Participation in these fora are critical for enabling FSNI to get a better understanding of its prime customer's needs and predictions on crime development. Building on the recommendation in chapter 1 to conduct regular joint planning with PSNI and the recognition that the current SLA is much better than previous, it is recommended that **FSNI and PSNI should put in place mechanisms to ensure a more robust adherence to the SLA.**
- 4.6 A finding of the CJI/HMIC inspection of PSNI is that there is a strong perception, especially among officers in the District Command Units, that volume crime is taking a 'back seat' to serious crime. It is PSNI policy to prioritise serious and urgent cases over volume crime and this is demonstrated in the guidance provided to the Submissions Unit and the thresholds or tolerances outlined in the SLA. The problem with this policy is that a few large and serious crimes can absorb a large proportion of the overall forensic science budget and squeeze out volume crime submissions. While figures provided by FSNI to inspectors show that up to 22% of the PSNI budget was committed to volume crime, the perception in DCUs is that volume crime is not receiving the necessary priority. A change in policy and priorities within PSNI will have implications for FSNI and should therefore form a key part of any joint planning process.
- 4.7 Progress on developing a new and more diversified customer base has been slow and very little income is obtained from organisations outside Northern Ireland or from local defence firms. Most work comes from local criminal justice organisations. The State Pathologist's Department has submitted alcohol and toxicology (drugs) samples to FSNI for a number of years, which is funded by a block grant. Due to the poor level of service – principally in relation to poor turnaround times on toxicology – the State Pathologist has consistently refused to sign a SLA. However a new SLA has now been signed by both organisations, performance on toxicology has improved and more regular meetings take place with the customer. FSNI has a Memorandum of Understanding (MOU) with the Office of the Police Ombudsman and services are purchased on a case by case basis. As FSNI progresses with its modernisation programme and develops its capacity to charge for each of its activities, it is recommended that **a more pro-active approach of selling services and products to a wider customer base should be planned**

and implemented, which will have the added benefit of enhancing independence from traditional customers.

- 4.8 Responsibility for the investigation of offences rests with the police, who can avail of the services of FSNI or another forensic science provider. It is the responsibility of the scientist to conduct an examination of forensic science materials and to provide independent expert evidence. The provision of this independent and expert evidence is critical to the delivery of justice and requires precise and transparent arrangements for the disclosure of forensic materials to the defence. It is positive to report that a Memorandum of Understanding in relation to forensic science materials has been recently agreed by FSNI, the PSNI and the Public Prosecution Service (PPS). It establishes arrangements to permit the defence to be furnished with or have access to forensic materials, including forensic reports or exhibits, and evidence and information which are gathered during the course of the police investigation. It also states that forensic scientists should not mislead by omission (e.g. insufficient data to reach a firm conclusion) and disclose to the PPS any test which casts doubt on his opinion – the PPS has a duty to disclose it to the defence. It is FSNI policy to provide available equipment and facilities to third parties and provide supervision during any examinations. In tandem with becoming a more commercial organisation, it is recommended that **FSNI should consider introducing hard charging for services in relation to disclosure.**
- 4.9 A consideration for the courts and the PPS is the impact that the output from FSNI has on delays within the criminal justice system. The evidence is that the slow preparation and submission of forensic science reports is delaying the processing of criminal cases through the criminal justice system. FSNI is represented on the inter-agency Delays Action Group and will need to continue to play a role in addressing this important issue. A second issue raised by other criminal justice organisations concerns the quality of FSNI scientific evidence. A few notable cases have questioned the quality and procedures of FSNI but on the whole the feedback has been positive and Reporting Officers are respected for their contributions. Going forward, FSNI needs to be fully aware of how issues such as delays in completing its reports can impact on the wider criminal justice system. **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.**
- 4.10 A recent emerging issue has been the government decision to fund an investigation into the unsolved homicide cases of the Troubles. A budget of over £30 million has been set aside of which over £7 million will be allocated to forensic science investigations. It is considered that new forensic techniques, particularly in DNA, will provide a crucial addition to the investigation of these cases. A decision has now been taken that FSNI will receive all of this work, but that much of it will need to be brokered to other providers. The process of brokering to address capacity gaps in FSNI is therefore a core element of the new business processes. It will however require alliances and partnerships with a range of providers so that customers can be assured of quality, timeliness and best value. At the time of the inspection, a MOU has been signed with the FSS,

some initial contacts have been made with the Laboratory of the Government Chemist (LGC) but no arrangements are in place with Forensic Alliance (FA) as the principal private sector provider. It is recommended that **FSNI should continue to strengthen its relationship with FSS concerning brokering of work, seeks 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.**

Chapter 5 People

5.1 171 staff are employed in FSNI of whom 100 are scientists. A big change in recent years has been the significant increase in administrative and support staff to address the problem of scientific staff doing non scientific work. Turnover of staff has been low, although some scientists have recently been headhunted by other forensic science providers. The experience of the Troubles has been traumatic for some staff and stressful for many others who worked in the laboratory during this period. While individual scientists have received recognition, the feedback from management and staff is that inadequate official or public recognition has been accorded to the role of the forensic science laboratory and its staff during this period. Perhaps the building of a new laboratory would best demonstrate this appreciation. While the Troubles placed many pressures on the laboratory and its staff, it did provide a certain level of certainty and security in terms of its role, priorities and customers. To many staff, the last few years have been more challenging as the laboratory has attempted to keep pace with a rapidly changing and more commercial marketplace.

5.2 In its self assessment, FSNI reported that it is good at promoting equality and human rights within the organisation with a strong culture of equal opportunities. This is achieved through training (e.g. diversity workshops), promotion of values in corporate and business plans and the provision of welfare support such as child care arrangements. There is an acceptance that the building is not suitable from a disability perspective and there is room for improvement in this regard. The self assessment states that 'effective policies are in place to limit opportunities for potential discrimination in recruitment and promotion', and that the Agency can call upon the wider civil service for guidance. The NIO staff survey of 2004 has a section on diversity and equality which finds that 70% of staff agree that the Department 'puts equal opportunities policies into practice – the figure is slightly lower for FSNI staff (60%).

5.3 Analysis of data provided by the Agency (April 2005) shows that FSNI is balanced in terms of gender, although like the NIO and Northern Ireland Civil Service in general, women are under-represented at senior grades. FSNI is not representative of Northern Ireland in terms of religious composition with just over 24% Catholic representation. This compares to 31% in the NIO and 43% in the Northern Ireland Civil Service, though FSNI's location in Carrickfergus (10% of economically active persons who are Catholic) is a consideration. There is however a greater imbalance in terms of senior scientific grades where less than 20% of staff at grade B2 and above is from a Catholic community background, a group of staff who tend to be more mobile in terms of employment.

	FSNI	NIO (incl. FSNI)	NICS (incl NIO)
Male	48.8%	41.0%	46%
Female	51.2%	59.0%	54%
Protestant	75.5%	69.4%	57%
Catholic	24.5%	30.6%	43%

- 5.4 The success of the modernisation programme will depend on how changes to policies, processes and human resources are implemented. Many would argue that the human resources or people issues are the most important and deserve priority. Certainly how an organisation can manage and release the full knowledge and potential of its people is central to its success. It was for this reason that a human resources director was appointed with practical experience of the private sector and that three separate internal working groups were established to look into the on-call rota, career progression and reward and customer services pay and grading.
- 5.5 Recruitment into FSNI is through the NI civil service and the NIO. The view of the Chief Executive and the directors, who were recruited from outside the civil service, is that the civil service system of recruitment is 'cumbersome' and constrains business development. The vast majority of applications are still only advertised within the NIO and the Northern Ireland Civil Service and there are few applications from scientists outside Northern Ireland. While some new posts have been created and the time to recruit has shortened, there is still too long a period between identification of need and appointment meaning that short term temporary contracts are now used. There is also evidence that the Trade Unions are resistant to change which needs to be managed carefully in view of the industrial relations problems of last year. There is strong evidence that the recruitment process is lengthy, bureaucratic and can deliver people who do not wish to be employed at FSNI – some junior staff reported how they had wanted to be based at a different government department or agency. More recently that FSNI has advertised for Reporting Officers under its own name. One of the main benefits of Trading Fund was the promise of a more flexible recruitment process and it could be argued that the promise of a more flexible recruitment regime has been the main casualty of the decision to drop Trading Fund. There is however scope through a Framework Document with the NIO to pursue a more flexible approach to recruitment. It is recommended that **FSNI and NIO should clarify the scope and flexibilities of the Framework Document in relation to recruitment.**
- 5.6 The view of many staff is that the provision of training is inadequate to meet their needs. The NIO staff survey of 2004 found that just 51% of FSNI staff agreed that they 'receive the training and development that is identified in my Personal Development Plan'. A recommendation to develop a more comprehensive internal training strategy is made in Chapter 2 including developing succession planning for management and scientific staff. The issue of succession planning was raised by a range of staff during this inspection. There was support for improved training and debriefing before moving to new posts within FSNI. Training is the means to develop a more flexible skill base and to create more mobility within FSNI to respond to changing demands. It is recommended that **a proposed training strategy should include provision for staff (Reporting Officers) to be registered by the Council for the Registration of Forensic Practitioners (CRFP)** as few currently have this qualification and it is likely to be requested soon by the courts.

- 5.7 An internal working group focused on reward and recognition started with the premise that delivery of a more commercial and market focused organisation would also deliver enhanced rewards and recognition to staff. A common complaint of staff is that pay is too low with some 'stuck' at the lower range of pay bands while others complain of no movement at the top of pay bands. Findings from the NIO staff survey in 2004 confirms this level of dissatisfaction when just 34% of FSNI staff agreed that they understand how the pay system works (51% in NIO); just 2% agreed that 'the system of linking performance and pay is working well (12% in NIO) and just 19% agree that 'the system of linked performance to pay makes me work harder' (24% in NIO). There is however an acceptance that the civil service delivers more security, better pensions and a flexible approach to employment such as flexible working hours. The key challenge for management and the human resources director in particular is to manage the expectations of staff – expectations that were raised by the benefits of Trading Fund but may be difficult to deliver in a government agency structure. The Framework Agreement does however provide scope for the agency to take on devolved pay. A related issue which needs to be urgently addressed is the provision of on-call and overtime. Scientists can be called out to crime scenes at any time, but actual attendance is voluntary as it is not included in their contracts of employment and therefore delivered through the goodwill of staff. The problem was exposed during the industrial action when all thirteen on-call rotas were subject to a withdrawal of service and the duty scientist rota was undertaken by the interim Chief Executive. This is too high risk from a criminal justice perspective. **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 thirteen separate on-call rotas.** Discussions with PSNI should also include whether CSIs have the capacity to take on more of this work, allowing scientists to focus on more laboratory based work.
- 5.8 The lack of relevant promotion opportunities, for scientists in particular, has been a source of tension among staff. The NIO staff survey found that only 6% of FSNI staff agreed that 'there are sufficient opportunities for me to attain promotion in the NIO' – other agencies such as PPS, Compensation Agency and Crown Solicitors Office have staff agreement of just over 20%. A practice was previously employed to reward scientific staff at the top of their scales with a promotion into a business management role as no similar role existed within the scientific grades. Some of the business managers stated that if an alternative scientific role was available, that would have been their preference. A related problem was that these new business managers did not receive the appropriate training to undertake their new management roles and this may have contributed to poor business decisions in the past. The result was the need to restructure the senior management with a new tier of directors. Some progress has now been made in creating a scientific path for promotion with the creation of lead scientists (3 have been appointed to date).
- 5.9 The NIO staff appraisal system is used to identify individual needs and assess the quality of work. This system is currently in the process of being amended

following criticisms that it had become too bureaucratic and overly dependent on box marking. It is a concern that only 19% of FSNI staff agreed that they 'felt encouraged to improve my performance, which is well below the 55% in the NIO and its agencies (NIO staff survey, 2004). Feedback from staff during the inspection is that the appraisal system had limited scope to recognise good performance - and presumably also little mechanism to tackle under performance.

- 5.10 A major problem facing the agency is declining levels of morale amongst staff. The NIO staff survey reported that 57% of FSNI staff are satisfied working in their current jobs, a lower figure than the overall NIO figure (76%) and the figure reported by staff in 2002 (68%). Just 43% of FSNI staff feels motivated in their jobs which is lower than the overall NIO figure. These findings are confirmed through three focus groups with staff from all grades and units as part of this inspection. The principal reasons for low morale are evident throughout this report - inadequate laboratory facilities; external and internal criticisms of performance; newly 'imposed' top management system; a perceived failure of the organisation to deliver on findings of working groups; and the loss of accreditation for the laboratory. It is recommended that **a proposed project on change management should be rolled out as soon as possible, that it fully engages staff and addresses the concerns raised in this report.**

Chapter 6 Processes

- 6.1 Progress towards the modernisation of FSNI is driven by the need to establish end to end processes of managing casework from submission through to allocation, test and reporting. While individual parts may be good, the process as a whole has been poor. The approach or strategy to tackle these problems has been described as 'operational excellence' by FSNI. The planning, management and improvement of these processes is the subject of this chapter.
- 6.2 The need to establish new processes to bring about business improvement was highlighted in a number of recent reports on FSNI and led to the appointment of an external consultant. A report entitled 'FSNI Process Improvement Study' is the blueprint for many of the ongoing and planned projects.
- 6.3 The process of building customer relationships has been a priority for the top management team, particularly the new Chief Executive and the Director of Operations. After a period of stagnation and general customer dissatisfaction, planning meetings are now common with all customers, most noticeably the police. Key outputs include new SLAs with the PSNI and State Pathologist's Department and a MOU with the Office of the police ombudsman.
- 6.4 To achieve a goal of operational excellence, the process of customer submissions and their engagement with Customer Services within FSNI is in need of major change. The need to have appropriate policies and effective partnerships with key customers is covered in previous chapters. These policies need to address in particular the ineffective operation of the PSNI Submissions Unit and the problem of over submissions. It was mentioned by staff that it is common for the PSNI to generate additional submissions for further examination requests directly to FSNI rather than through the Submissions Unit or Customer Services. This activity can not be in the interest of the laboratory or the police and needs to be urgently addressed by both organisations. A recommendation to PSNI to review and revamp its Submissions Unit to include appropriate staff, necessary skills and authorisations is made in the CJI/HMIC joint inspection report. **Establishing a better resourced and properly authorised PSNI Submissions Unit will require joint planning between PSNI and FSNI.**
- 6.5 Quality control processes are implemented at various stages of a case. It is at the point of transfer (submission / collection) when greatest care and attention is required. At point of submission, Customer Services check all items and those with problems or queries are referred back to the customer. Most recent available figures (mid 2004) show an increasing number of referrals back to the police, due in the main to missing or incorrect documentation and inappropriate packaging, which highlights the need for greater forensic awareness in PSNI. Following a joint FSNI/PSNI working group to improve processes, FSNI have agreed to provide additional information to PSNI on its control checks and why items are rejected and the PSNI Scientific Support Manager now takes up these issues with individual officers. **Continued monitoring and action by FSNI**

in relation to the quality of submissions is necessary to safeguard the integrity and continuity of evidence.

- 6.6 A strategy of brokering work to other forensic science providers is being put into place by FSNI but physical transfer arrangements have not been determined as yet. It is planned that FSNI will act as a 'one stop shop' in which all items will go through Customer Services where each is recorded, quality checked and allocated to specific providers on the basis of SLAs. The brokering strategy is necessary to address gaps in service, particularly the capacity of the laboratory to undertake DNA analyses.
- 6.7 A process of regaining accreditation of quality systems has been put in place to address the identified failures in its quality systems – failures in administrative processes and procedures rather than core scientific activities. It was decided by senior management that instead of seeking accreditation for the whole laboratory, that a staged approach for different parts would be undertaken. A new Quality Manager has been appointed and considerable resources have been devoted to the task over the past year. It was positive to hear in December of last year that UKAS have determined that 'accreditation is to be reinstated (in the specific areas submitted by FSNI) subject to receipt of documentary evidence'. UKAS confirmed in May that accreditation in these specific areas has been confirmed. It is therefore recommended that **FSNI should continue its strategy of gradual reinstatement of accreditation and that quality is at the core of all its processes and procedures.** Any future loss of accreditation would have serious repercussions for the laboratory and its customer relationships.
- 6.8 Delays in the undertaking of examinations and producing reports have been a major complaint of the Northern Ireland criminal justice organisations. Developing an effective interface between submissions and Customer Services is certainly important in this regard. Once submissions enter the laboratory, an end to end process promises significant performance improvements. Key to this process is the capacity of FSNI to track and manage all its cases and identify any bottlenecks which require attention. The new operating system (Casebook) now provides this capacity and inspectors did observe its much improved functionality. By late 2005, the new system will provide the capacity to check work in progress for all cases and will also allow the laboratory to establish a new process – a single point of contact. The single point of contact will mean that customers looking for details of their case(s) will contact one person (perhaps in Customer Services) who will have full details of how a case is progressing and therefore reduce the number of interruptions to scientific work. It is also understood that FSNI will also be able to determine the cumulative costs of a case as it progresses through the laboratory. The new system will also allow direct electronic submission of reports to the PPS by means of the Causeway system.

Chapter 7 Results

- 7.1 The vision of FSNI is 'to be an effective forensic science business and provider of choice for our customers' with a mission 'to provide and demonstrate an independent, transparent and impartial service that maximises our forensic science value to criminal justice and contributes to the confidence of the wider community in the justice system'. The most recent Annual Report (2003/04) reported against four Key Targets – a slightly revised version of these targets is included in the 2004/05 Business Plan. Progress on setting and delivering key performance targets has not been good over the past six years. The Quinquennial Review stage two report (2004) pointed out that performance targets have been frequently modified over recent years due to the inadequacy of the original targets and changing business priorities of the Agency.
- 7.2 The first target deals with service delivery and focused on turning around 85% of reports in which a file is required to be submitted to the DPP within the notified time scale. It is repeated in the 2004/05 business plan. The target was not met in 2003/04 when 58% of cases in this category were completed in the notified time scale. The performance figure for 2004/05 is slightly better at 61%. The Agency has since developed more meaningful internal performance indicators for different types of report. Most recent figures for the period April 2004 to January 2005 show that the agency is missing 6 of its 10 internal targets but that a positive trend in reducing delays is now evident. Major improvements have been made in DNA times which have fallen from an average of 150 days to 20 days and it is now on course to meet a very challenging target of 14 days. This is due in main part to a special DNA improvement programme which focused on acquiring extra staff, borrowing FSS experts, implementing new processes, brokering work to the FSS and operating a priority system with the police. An issue on this target has been the comparisons made with DNA work in other laboratories. It was practice in FSNI that when a DNA result had not been obtained, using well established techniques, then repeat testing was instituted until the scientist was satisfied that a result could not be obtained. Other laboratories would stop the clock after the first testing and re-start from scratch with extra charging if requested by the customer.
- 7.3 The second target deals with the need to recover from customers the full cash cost of the services to them. The target was technically not met. On a broader level, is it questionable whether this should continue to be an Agency target as it is very limited (e.g. does not refer to capital costs) and gives no indication of the time period for measurement.
- 7.4 A third target was set on preparation for the move to Trading Fund – 'by 31 March 2004 to agree and initiate a major programme of organisational development guided and informed by the outcome of the Trading Fund Scoping Report' and to be operating effectively and efficiently within that regime by 1 April 2006. As Trading Fund has now been dropped, this target as set out in the Annual Report is unachievable. The 2005/05 Business Plan re-words the target as 'to implement a major programme of organisational change that will secure the long-term future of the Agency'. A programme of organisational change is

currently underway although the modernisation programme itself will not secure the long-term future of the Agency. At it stands the target is too general and would need more specifics in relation to business processes, IT projects before any meaningful verification could be undertaken.

- 7.5 The final target deals with quality accreditation – ‘to maintain a quality management system that is externally validated through the United Kingdom Accreditation Service. The target was not met in the period of the annual report and the re-worded target in the Business Plan is ‘to achieve a quality management system...’ Not only is accreditation a manifestation of the Agency’s commitment to scientific quality, it is also an assurance to the criminal justice system and general public. There is confirmation that accreditation in specified areas has been restored but it is not clear whether this achieves the target. Accreditation to the whole laboratory will take longer than anticipated in the annual report and the current Quality Improvement Programme will require ongoing priority status in FSNI.
- 7.6. Customers’ perceptions of the service delivered by FSNI have been influenced by the failure to meet some of these targets. Feedback from the PSNI and the Public Prosecution Service in particular has been critical of turnaround times as this has contributed to delays in processing criminal cases through the criminal justice system. There was also concern among many police officers that FSNI had not informed them that accreditation had been suspended.
- 7.7 The failure to achieve key performance targets over a number of years has been a major weakness of the Agency. Many of the targets had been poorly developed, insufficiently specified, too frequently modified and not robustly challenged by the sponsoring department. Current performance is improving in key areas but recent figures demonstrate that FSNI is not achieving many of its internal timeliness targets. More needs to be done to achieve key performance targets, particularly in relation to the timely preparation of reports. **There is a clear need to develop key performance targets which are more Specific, Measurable, Achievable, Realistic and Time-related. (SMART).**
- 7.8 While not an explicit performance target, the issue of research and development is critical to providing a service which maximises forensic science value. It is clear that there is no coordinated research and development programme within the laboratory. Main research activities to date include the use of student placements from both undergraduate and post graduate university courses, part funding of a PhD research programme at Queen’s University Belfast and publications in peer reviewed scientific literature. Scientific staff is aware of this deficiency as such research programmes can enable a better interpretation of analytical results as well as developing and evaluating newer methods for introduction into the analytical armoury. **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 cooperation with other forensic institutions but especially with universities.** The allocation of staff to such research programmes can be used, perhaps on a short term basis, to raise

morale but there needs to be a permanent director for these activities with full access to the senior management team. The time allocated to this activity as identified in the SLA with PSNI is not ring fenced and it needs to be better focused on customer needs.

Appendix I Recommendations

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. (Para 1.3)
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. (Para 1.4)
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. (Para 1.5)
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. (Para 1.7)
5. FSNI top management, in partnership with key stakeholders and customers, should plan for, and implement, a more coordinated, effective and efficient delivery of forensic science services to the Criminal Justice System in Northern Ireland. (Para 1.8)
6. FSNI top management should conduct regular joint planning with senior officers in PSNI and that this model is applied to other customer relationships. (Para 1.9)
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 a scientist can bring to scene attendance vis-à-vis the costs to FSNI. (Para 2.2)
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. (Para 2.4)
9. A common numbering and identification system, in barcode format and easily scanned, should be agreed and introduced by FSNI and PSNI. (Para 2.7)
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. (Para 2.8)
11. FSNI should further develop and implement an external communications strategy. (Para 2.9)

12. A decision to sell FSNI expertise on trace explosives to the international arena will require the development of new policies. (Para 2.10)
13. Top priority should be accorded to the development and implementation of a succession strategy for the management of FSNI. (Para 2.11)
14. Progress on developing a succession strategy for scientific expertise is expedited and fully implemented by the end of 2005. (Para 2.11)
15. A policy decision to centralise the co-ordination and responsibility for all staff training. (Para 2.12)
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. (Para 2.13)
17. When Casebook 3 is implemented in late 2005, hard charging for FSNI products and services should be implemented. (Para 3.3)
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. (Para 3.4)
19. Capital planning for equipment additions and replacement should be given a greater priority in forward planning by FSNI. (Para 3.5)
20. FSNI should work with key stakeholders to determine what databases are required, where they should be located and how access can be managed. (Para 3.6)
21. The purchase of health and safety equipment should be better coordinated. (Para 3.9)
22. FSNI and PSNI should put in place mechanisms to ensure a more robust adherence to the SLA. (Para 4.5)
23. A more pro-active approach of selling services and products to a wider customer base should be planned and implemented. (Para 4.7)
24. FSNI should consider introducing hard charging for services in relation to disclosure. (Para 4.8)
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. (Para 4.9)
26. FSNI should continue to strengthen its relationship with FSS concerning brokering of work, seeks 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. (Para 4.10)

27. FSNI and NIO should clarify the scope and flexibilities of the Framework Document in relation to recruitment. (Para 5.5)
28. A proposed training strategy should include provision for staff (Reporting Officers) to be registered by the Council for the Registration of Forensic Practitioners. (Para 5.6)
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 thirteen separate on-call rotas. (Para 5.7)
30. A proposed project on change management should be rolled out as soon as possible, that it fully engages staff and addresses the concerns raised in this report. (Para 5.10)
31. Establishing a better resourced and properly authorised PSNI Submissions Unit will require joint planning between PSNI and FSNI. (Para 6.4)
32. Continued monitoring and action by FSNI in relation to the quality of submissions is necessary to safeguard the integrity and continuity of evidence. (Para 6.5)
33. FSNI should continue its strategy of gradual reinstatement of accreditation and that quality is at the core of all its processes and procedures. (Para 6.7)
34. There is a clear need to develop key performance targets which are more Specific, Measurable, Achievable, Realistic and Time-related. (SMART). (Para 7.7)
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 cooperation with other forensic institutions but especially with universities. (Para 7.8)

Appendix 2 Methodology

The inspection commenced from December 2004 onwards and consisted of the following main elements:

1. Research and data collection
2. Self Assessment
3. Consultation - stakeholder interviews
4. FSNI fieldwork
5. Feedback and refinement

I. Research and data collection

Documentation concerning FSNI was sourced and consulted. These included:

1. Accreditation for suppliers to the UK national DNA database, UKAS Publication, Lab 32, June 2001
2. Accreditation reports on FSNI, UKAS
3. FSNI process improvement study, June 2004
4. FSNI change programme – project outlines and progress reports, March 2005
5. FSNI business plan, 2004-2005
6. FSNI website
7. FSNI Annual Reports and Accounts
8. FSNI Corporate Plans and Business Plans
9. FSNI, fifth special report of session 2002-2003, Northern Ireland Affairs Committee, March 2003
10. Government Response to the Committee's fifth report on Forensic Science Northern Ireland, fifth special report of session 2002-2003, Northern Ireland Affairs Committee, June 2003
11. Memorandum of Understanding in relation to forensic science materials, between FSNI, PSNI and PPS
12. Memorandum of Understanding between FSNI and the Police Ombudsman for Northern Ireland
13. Minutes of FSSG meetings 2003-2004
14. Minutes of FSNI management meetings, 2004
15. Newsagency - the newsletter of FSNI, 2004
16. NIO Department Report 2004 – Chapter 11 Forensic Science Northern Ireland
17. NIO Staff Survey 2004, Northern Ireland Statistics & Research Agency, 2005
18. PSNI forensics submissions policy, June 2004
19. Quinquennial review of Forensic Science Northern Ireland, stage two report, NIO, January 2004
20. Reports of FSNI internal working party
21. Review of FSNI laboratory's quality management system, draft report, February 2004
22. Review of Management Structure of Forensic Science Northern Ireland, PA Consulting Group, 2004

23. Review of the Criminal Justice System in Northern Ireland
24. Scientific Support Strategy in support of PSNI Policing Plan 2004 – 2007, PSNI
25. Self Assessment Material from FSNI, February 2005
26. Service Level Agreement between FSNI and the State Pathologist's Department 2004-2005
27. Service Level Agreement: Forensic Science Northern Ireland, The Police Service of Northern Ireland, 2004-2005
28. The Forensic Science Service annual report and accounts 2003-2004, July 2004

2. Self assessment

CJI requested that FSNI prepare a self assessment based on the core criteria or matrix. The five criteria of which FSNI structured its submission to CJI are:

- Openness and accountability
- Partnership with other agencies in the criminal justice system
- Equality and human rights
- Learning, improvement and the management of change
- Results, including efficiency, effectiveness and value for money

3. Consultation - stakeholder interviews

As this inspection coincided with the inspection of scientific support services in PSNI, an extensive and comprehensive range of views were obtained from police and civilian support staff within PSNI. In addition, meetings were conducted with staff within the Public Prosecution Service, the Northern Ireland Office and the State Pathologist's Department. Meetings were also conducted with Katherine Monnery of UKAS as well as Dr Sheila Willis of the Forensic Science Laboratory in Dublin.

4. FSNI fieldwork

A team of five CJINI Inspectors, the Chief Inspector of Criminal Justice and Professor Brian Caddy conducted a programme of interviews with the staff and management of FSNI over a period of four days in February 2005. The formulation of the programme was greatly assisted by Michael Walker and Ann Mitchell at FSNI. The programme consisted of individual structured and semi-structured interviews, focus groups, specific laboratory visits and case tracking within FSNI.

4. Feedback and refinement

A draft outline of the proposed recommendations was prepared from the evidence gathered during the inspection and forwarded to FSNI and the NIO in May 2005. Due to the longer than usual summer recess of Parliament (until October 2005), it was agreed by CJI and FSNI that publication of the report would be delayed until late 2005 and that further feedback and refinement could be undertaken during the intervening period. It was agreed that FSNI would prepare an action plan, which would be published alongside the report. It is intended that this action plan will be published on the CJINI website at time of publication (www.cjini.org).

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First published in Northern Ireland in December 2005 by
CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND
14 Great Victoria Street
Belfast BT2 7BA
www.cjini.org

ISBN 1-905283-09-1

Typeset in Gill Sans MT
Printed and bound in Northern Ireland by PIERCE