



Jeff Adams
Direct Communication Unit
2 Marsham Street
London
SW1P 4DF

By post and email

Re: Charging for access to forensic laboratory casefiles

30th April 14

Dear Sir

Thank you for your letter of 15th April responding to mine of 12th March.

It is not clear from your signature or the letter on whose behalf you are responding or your role within the Home Office. I note that your name is part of the team of the Forensic Science Regulator as at 13th April 2011¹; the role that I am explicitly criticising.

In support of your view, and contrary to mine, that the remit of the Regulator is wider than scientific standards you cite the Ministerial Statement of 12th July 2007. I attach that for ease of reference. I would be grateful if you would identify the part of the statement that refers to anything other than quality standards; specifically if you would identify any mention of costs. I remind you of the explicit statement on the Regulator's website regarding the purpose of the role as being to deal with 'scientific' standards. That role is repeated in a recent Home Office document².

I do not doubt that costs must be dealt with. My issue is that they were not, are not, and should not be the concern of the Regulator. Indeed, if cost issues are allowed to affect scientific quality standards then I go further and suggest that the Regulator is compromised in their intended task.

I note that the Codes, as you say,
"did not create the right to charge, do not require FSPs to charge nor do they demand the defence must be charged".

¹<http://webarchive.nationalarchives.gov.uk/+http://www.homeoffice.gov.uk/police/forensic-science-regulator>

²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256614/New_statutory_powers_for_the_forensic_science_regulator.pdf

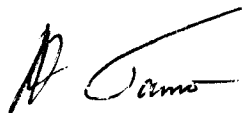
This begs the question of why the matter was ever included in the Codes.

In view of the above, I again ask that the Regulator be required to confine his role to scientific standards.

For the avoidance of doubt, my letter did not suggest that you instruct the Forensic Science Providers to provide copies of files. As you say, that is a matter of law. My letter did request that the FSP's should not charge for that.

Finally, I make the additional point that the charges made by the FSP's are in excess of simply 'recovering costs' and therefore profitable.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Allan Jamieson', with a stylized flourish at the end.

Professor Allan Jamieson

cc Rt Hon Chris Grayling MP. Secretary of State for Justice

Ministerial Statement of 12th July 2007

"I am today announcing the arrangements we have put in hand to establish the post of forensic science regulator whose role will be to advise Government and the Criminal Justice System on quality standards in the provision of forensic science. This will involve identifying the requirement for new or improved quality standards; leading on the development of new standards where necessary; providing advice and guidance so that providers will be able to demonstrate compliance with common standards, for example, in procurement and in courts; ensuring that satisfactory arrangements exist to provide assurance and monitoring of the standards and reporting on quality standards generally.

The regulator will be supported and advised by a Forensic Science Advisory Council whose members will be drawn from key stakeholders, expert bodies and others with a particular interest in the provision of forensic science to the Criminal Justice System. These arrangements draw on the recommendations of the House of Commons Science and Technology Committee in its report "Forensic Science on Trial" which was published on 16 March 2005 and on the responses to a consultation exercise carried out by the Home Office last year.

A team has been established in the Home Office under the management of a senior civil servant to set up the Office of the Regulator and the Forensic Science Advisory Council. The regulator will be appointed by the Home Secretary following recruitment through the public appointments process. Pending this recruitment, the responsible official will serve as the interim regulator."