

PFCC Decision Report

Report reference number:131-21

Classification (e.g. Not protectively marked/restricted): Official

Title of report:

Scene Pro CI200S Accelerometers for Forensic Collision Investigation Unit

Area of county / stakeholders affected:

FCIN and other police forces

Report by: Forensic Operations Manager (Mark Walsh)

Date of report: 24/08/2021

Enquiries to: Mark Walsh (07980 683323)

1. Purpose of the report

To secure capital monies to purchase 3 x Scene Pro CI200S Accelerometers. These are required to ensure the force is compliant under UKAS for examining road traffic incidents in line with the Forensic Regulator Codes of Practice, which is due to be achieved by October 2022. The accreditation deadline requires all the equipment to be in place by December 2021, in order to meet this milestone.

The current equipment used by the Forensic Collision Investigation Unit (FCIU) is not recognised as being accurate enough, which will lead to evidence being challenged in court as its accuracy will need to be declared.

2. Recommendations

The recommendation is that the PFCC approves the capital monies to purchase 3 x Scene Pro CI200S Accelerometers for the FCIU, as recommended by the Forensic Capabilities Investigation Network (FCIN) in its communication to forces in March 2021.

3. Benefits of the proposal

The Scene Pro CI200S Accelerometers are the only validated and calibrated equipment that produce results suitable for presenting evidence in court in relation to RTC investigations. Scene Pro is the only equipment validated by the FCIN that can provide evidence that cannot be challenged in relation to its accuracy.

Failure to purchase and deploy this equipment will potentially result in undermining police investigations and failure to secure prosecutions in court. Without this equipment

Essex Police will fail to achieve ISO 17020/5 accreditation for forensic collision investigations.

4. Background and proposal

As with many areas of forensic investigation, UKAS has developed ISO accreditation for the field of Forensic Collision Investigation as underpinned by the Forensic Science Regulator Act 2021. This is a defined set of standards dictating every element of how a forensic collision investigation should be handled, including the equipment which must be used.

The Forensic Collision Investigation Network (FCIN) is the national body working with forces to get them ready for accreditation. Essex Police also signed the national FCIU S22 Agreement which was set up to ensure Forensic Collision Investigation departments meet the ISO 17020/5 mandatory accreditation requirements. As a member of this network, Essex Police fund the FCIN with over £79K per annum for its guidance to help prepare the force for accreditation.

The final deadline for Essex Police to have accreditation in place is October 2022 and, according to the agreed timeline, Essex must have all equipment in place by December 2021.

The FCIN completed the national validation work in relation to the Scene Pro CI200S Accelerometers, and forces were notified of its decision in March 2021. These accelerometers are now the only equipment recognised and validated by the FCIN that can provide evidence which cannot be challenged in court in relation to its accuracy. Failure to purchase and deploy this equipment will potentially result in undermining police investigations and a failure to secure prosecutions in court.

There are currently no other accredited providers of this equipment, and the current Essex accelerometers are over 8 years old and in need of replacement.

5. Alternative options considered and rejected

The Scene Pro CI200S Accelerometers are the only equipment which has received national validation from the FCIN. As such these are the only tools suitable for forces to use to obtain forensic evidence in RTC investigations which cannot be challenged in court over its accuracy. To use any other tool would invite challenge.

There are currently no other accredited providers of this equipment, and the current Essex accelerometers are over 8 years old and in need of replacement.

These items will be subject to a Single Tender Action Request (STAR) due to the recognised fact there are no other providers.

The only other option is to not purchase this equipment, but that will mean Essex Police will not achieve ISO accreditation for Forensic Collision Investigations.

6. Police and Crime Plan

The seven priorities within the plan are:

- More local, visible and accessible policing

- Crack down on anti-social behaviour
- Breaking the cycle of domestic abuse
- Reverse the trend in serious violence
- Tackle gangs and organised crime
- Protecting children and vulnerable people
- Improve safety on our roads

The purchase meets the Police and Crime Plan priority of improving safety on our roads as well as priority within the Essex Force Plan 2020/21 of safety on the roads.

The 2020 Force Management Statement highlights that road fatalities are rising again and there is a drive to improve safety on our roads. Investigations (section 3) and Forensics Services (points 2 and 3) are also included in the FMS.

This equipment is required to accurately record and understand RTC incidents and how they occur from a road safety aspect as well as supporting successful prosecutions. Failure to purchase this equipment could jeopardise the ISO accreditation status and significantly delay or prevent the 'go live' date for achieving accreditation status, which is set for October 2022.

7. Police operational implications

Essex Police pays the FCIN over £79K per year to advise it on how to prepare for accreditation, which must be in place by October 2022. Essex Police also signed the national FCIU S22 agreement which was set up to ensure Forensic Collision Investigation departments meet the ISO 17020/5 mandatory accreditation requirements.

The FCIN advised Essex Police in March 2021 of its recommendation to use Scene Pro CI200S Accelerometers, and these are the only validated equipment for use in RTC investigations.

Not purchasing this equipment will mean Essex Police will fail to achieve ISO 17020/5 accreditation for Forensic Collision Investigations. This will mean that any forensic evidence for these investigations will automatically be undermined, and this will almost certainly result in challenges in court that will potentially see the force failing to secure prosecutions.

8. Financial implications

There is a one-off capital cost of £54,673 for Essex. There are recurring revenue costs of approximately £924 per unit (£2,772 for all three) for calibration and £850 (£2,550 for all three) per annum for software licencing. Properly serviced and calibrated, there is no known replacement timescales. Typically, accelerometers last many years, but it is recommended that they be replaced every six years.

9. Legal implications

This links to the Forensic Science Regulator Act 2021. There may also be issues in court if Essex Police does not purchase these accelerometers as the force will fail to meet accreditation. This will mean that any forensic evidence for forensic collision investigations will automatically be undermined, and this will almost certainly result in challenges in court that will potentially see the force failing to secure prosecutions.

10. Staffing implications

There is no impact on staffing. This request is to replace aging equipment the Forensic Collision Investigation Unit (FCIU) is already using. Whilst it may take some time for staff to adjust to using the new equipment, the fact is its accuracy cannot be challenged in court for both the FCIU staff and investigation teams.

11. Equality and Diversity implications

There are no equality and diversity issues. This paper relates to the purchase of equipment to replace the aging, non-FCIN complaint equipment Essex Police is already using. An Equality & Diversity Impact Assessment has been completed and a copy can be found here:



12. Risks

The only risks in relation to this equipment relate to if it is not purchased:

1. Essex Police will not achieve ISO 17020/5 accreditation for Forensic Collision Investigations.
2. Failure to purchase will result in the forensic evidence of RTC prosecutions being challenged in court, as the current equipment is not accredited and no longer fit for purpose.
3. The wider national rollout of the FCIN in relation to ISO accreditation may affect other police forces because of the sequencing and tight timetable.

There is no mitigation of these risks. Failure to invest as recommended will lead to Essex Police having to declare it is working with unvalidated equipment in court. This will lead to successful challenges from defence and result in lost cases.

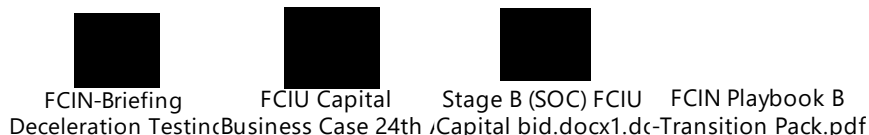
13. Governance Boards

Due to the late notification by the FCIN that this equipment is required, we have been advised to go directly to a stage 2 bid in order to meet the accreditation timetable.

The paper has been approved by the SCD ACC and was approved at COG on 8th September 2021.

The paper is also due to be considered at the PFCC's Strategic Board on 27th September 2021.

14. Background papers



Report Approval

The report will be signed off by the PFCC Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O. Sign: 

Print: P. Brent-Isherwood

Date: 2 December 2021

Chief Finance Officer / Treasurer Sign: .....

Print: Julia Berry

Date: 2 December 2021

Publication

Is the report for publication? YES X
NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

Whilst the report is not protectively marked, so can be published, the FCIN Briefing Document (Deceleration Testing Devices) is not to be published as this is a controlled document.

The Detailed Investment Business Case Stage 2 is also not to be published as this is protectively marked Official-Sensitive.

Finally, the Strategic Outline Case (SOC) Capital Bid is not to be published as this is likewise protectively marked Official-Sensitive.

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet?	YES	<input type="checkbox"/>	2. Of Appendix?	YES	<input checked="" type="checkbox"/>
	NO	<input checked="" type="checkbox"/>		NO	<input type="checkbox"/>


If 'YES', please provide details of required redaction:

Please see comments above

Date redaction carried out: 16 December 2021

Treasurer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign: 

Print: Julia Berry

Chief Executive/Treasurer

Date signed: 21 December 2021

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

PFCC

Date signed: 14 December 2021

I do not agree the recommendations to this report because:

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Sign:

Print:

PFCC/Deputy PFCC