



**Streamlined Forensic Reporting:  
Frequently Asked Questions**

FCN-SP-MGT-GUI-0005

**OFFICIAL**

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## Document control

<b>Purpose</b>	This document has been published to help answer any questions and provide clarification regarding the newly published National Guidance for SFR
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## Update history

Ver	Issue date	Reason for issue	Updated by
1.0	18/08/2020	Multiple questions regarding the newly published National Guidance for SFR. This document was developed by collating the questions asked by our community and stakeholders.	FCN Science Pillar

Grey Shading will denote updates from previous version

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## 1. How are negative or neutral findings reported through the SFR Process?

All wholly negative or neutral outcomes should be reported using the MG22A, 'Forensic Information Report'. Where the SFR process has been adopted, no other report format or document should be used in these cases. However, an MG22B can be used to report the negative or neutral aspects of a case (on the 'status' page) which has some positive findings reported on the front page. If a package of work provides no information on which the prosecution will seek to rely, then the MG22A should be used.

## 2. Is it necessary to use the SFR Process on every occasion?

No. It should be noted that there may be occasions when a full evaluative statement is the most appropriate format to present the forensic findings. This would be dependent on individual case circumstances and the specific issues that are required to be addressed, but a statement would normally only apply when a more detailed explanation / interpretation of a set of complex forensic findings is necessary, for example, when there are multiple evidence types or evidence relating to multiple defendants that need to be considered as a whole. The Court may also order a full statement to be provided in certain circumstances.

## 3. Can I still write an Abbreviated Statement?

For those forensic disciplines where the SFR process has been signed off and agreed by the SFR Board, it the responsibility of all stakeholders to fully engage with the process. As per Senior Presiding Judge and Forensic Science Regulator guidance, abbreviated statements are not appropriate to be used as part of the SFR process. A pilot to provide an alternative initial report of findings is being rolled out across suppliers that can be employed for disciplines where SFR has not yet been deployed and should be available within the coming months.

## 4. It has been documented that there is a 'variance of opinion' on the fingerprint SFR I have been sent.

### i. Does this mean someone has made a mistake?

No, this does not mean there has been an error made by an examiner in the comparison process. It simply means that one examiner does not believe the comparison has reached their own identification threshold. However, because a fingerprint identification is always reported on a consensus result, 2 other examiners have concluded it does reach their threshold for identification and can therefore be reported as such.

### ii. Do defence need to be aware of this information at Stage 1?

Yes, because this threshold decision potentially undermines the prosecution case and assists the defence, this information should be disclosed to defence as they may wish to appoint their own expert to review the material.

**5. The status of related exhibits page shows the outcomes of the other fingerprint exhibits. Do these relate to the other persons of interest (POI) submitted at the same time as the POI that has been identified?**

No, the 'status' page results relate to the person named at the top of the SFR only. Any results relating to additional POIs will be reported either in their own SFR (if identified) or in line with your specific Bureau procedure (if excluded)

**6. The other fingerprint identification outcomes reported are 'excluded', 'inconclusive', insufficient' – what do these outcomes mean?**

- Exclusion - The opinion two areas of ridge detail were not made by the same person
- Insufficient - The opinion an area of ridge detail is of such poor or low quality as to render any comparison as unreliable or not suitable
- Inconclusive - The opinion that the level of agreement and/ or disagreement is such that it is not possible either to conclude that the areas of friction ridge detail originate from the same donor, or to exclude the particular individual as a source for the unknown impression

**7. I don't think the identified mark is the most evidentially valuable to the case, what should I do?**

Look at the status page and see what the reported outcome of the other marks in the case is. If excluded, inconclusive or insufficient is reported then the identified exhibit is the only identified mark. If the outcome is 'not progressed' or 'not compared', contact the author of the SFR at the Fingerprint Bureau and request additional comparison work against the other mark/marks in the case.

**8. Can the author of the MG22A or MG22B (SFR1) report be warned for court?**

No, the MG22B is a summary of the evidence and is neither a statement nor an expert's report of the type that needs to comply with Crim PR 19.4. As such, it is not admissible except as agreed fact. The author may only be reporting the findings and may not be the person who has conducted the examination. Therefore, they may be unable to testify as to the process or accuracy of the conclusions at court. Should the underlying reason for an author being called to court on production of an SFR1 be a 'no comment' by the defence, then the information contained within the SFR1 should be converted into an SFR2 format and submitted as evidence so that it meets the requirements for court. This may remove the necessity for attendance of the witness.

**9. Defence have stated they do not accept the findings in the MG22B report, what should I do?**

The MG22B report states that, should there be a real issue in relation to the forensic evidence, such that the defence cannot accept the findings, the prosecution should ask that

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the defence identify the issue at the earliest possible stage in proceedings. This requirement upon the defence does not expect them to identify a technical or scientific issue with the conclusions in the MG22B report, as it is accepted that at this point, they will not have the benefit of their own expert witness. The author of the MG22B report should be notified of the issues the defence has raised and these will then be specifically addressed in an SFR2 report.

**10. Can I use the MG22B (SFR1) report to charge or at PTMH?**

The MG22B (SFR1) is suitable for arrest, interview, charge and pre-trial management hearings but is not suitable for trial if the defence disputes any of the findings.

**11. Where multiple accredited methods are used how should these be reported?**

In the MG22B (SFR1) report, the author should select the appropriate declaration from the 3 options. If the organisation is accredited, option 2 or 3 should be selected, which will direct the reader to the relevant schedule of accreditation on the UKAS website, which details the methods that are accredited and those that are not.

In the MG22C or MG22D (SFR2) reports, the author should select the appropriate declaration from the 4 options. If any of the methods used to produce the findings reported are not accredited, the mitigation table should be completed for each individual unaccredited method.

**12. What should I do if a case builder or investigating officer has requested a full statement following receipt of an MG22A or MG22B prior to any engagement with the defence?**

Case Builders and Investigators should be reminded that SFR is a court case management tool. The intention is to reach an agreement of the findings, so that they can be admitted as fact, or alternatively, to enable the defence to identify the real issues for trial.

Production of an MG22C, MG22D or MG11 should only be requested where contested issues have been put forward, and/or the contents of the MG22B have not, or cannot, be accepted.

**13. CPS will request an MG22C (SFR2) regardless of the process in place based on the defence providing no response or challenge. In what circumstances should this request be actioned?**

It will depend at what stage the case has reached within the court system – if the trial is imminent then an MG22C (SFR2) should be completed if there is a risk that critical scientific evidence cannot be used in the trial, or the case may be discontinued as a result. If there is no urgent requirement as above, the CPS should be contacted and asked to establish, from the defence, what issues they are raising.

**14. When using the mitigation table at stage 2, do you need only declare an unaccredited method that is part of the SFR2 response?**

Yes, there is no need to include unaccredited methods already declared on the MG22B, which do not form part of your response to the defence issue raised.

**15. If the mitigation table is not relevant to the case, can it be deleted?**

Yes. Only include the mitigation table alongside the relevant declaration, if using non accredited/non-compliant methods.

**16. Can the ‘Seizing Officer’ box be left blank if it is unknown, not relevant or if multiple Officers have seized the relevant exhibits?**

Yes, there will be cases where the seizing officer is not relevant, there may be multiple seizing officers, or the officer is unknown at the time at writing, so it can be left blank where necessary.

**17. Can the ‘Relates to (person)’ box be left blank, for example, if there has been a drugs raid at an address and there are multiple suspects but the submitted exhibits are not specifically linked to any one individual at the point of examination?**

Yes, although relevant details should be added on every occasion where possible.

**18. The Report Number box is no longer present. How should you refer to the fact the report is further to a previous report?**

This box has been intentionally deleted as it has the potential to cause confusion when there are multiple reports relating to the same suspect, issued by different forensic disciplines / service providers working independently (and all starting at report #1). Each SFR report should be a stand-alone document. If there is a need to link two or more SFR reports together to formulate conclusions, a full evidential statement may be more appropriate.

**19. Is the ‘Range of Opinion’ declaration paragraph only required for fingerprint SFRs?**

It is available for any forensic discipline, but the wording can be amended as appropriate (or deleted) depending on the evidence type.

**20. If an organisation is accredited but a method used does not need to be accredited (e.g. an infrequent method) can the third bullet point declaration be used on the MG22B?**

Yes, as there is no expectation that the method used will be accredited in the future, hence the second bullet point could be misleading. Should the findings be required to be presented

at the SFR2 stage, then the mitigation table should be included to detail the validation and competency activities.

**21. In the section entitled ‘Status of Related Exhibits’ on the MG22B, is there a requirement to list all exhibits here, even those detailed in the main results section?**

This is not always necessary, although it can be used to disclose additional information about exhibits described in the main results section, particularly where this may undermine the prosecution or assist the defence.

**22. In the section entitled ‘Status of Related Exhibits’ on the MG22B, do you need to list every exhibit submitted for that evidence type in the entire case? For large cases with multiple submissions this could be a huge number of exhibits**

No, it is only a requirement to list the exhibits submitted for examination at the same time as those detailed in the main results section.

**23. The MG22B does not include the role of the person producing the report. Should this be added under name?**

No, it is sufficient to state the name and organisation. However, for some disciplines, it has been accepted that the name of the author will not be included on an MG22B and in this case, the role will often be included as an alternative. Should the case progress to SFR2, then qualifications and experience are required.

**24. On the MG22C, where should the response to the defence issue(s) be written?**

The response should be provided immediately after the issue. Examples are provided to demonstrate this.

**25. Should a CSI only provide the MG22A if required rather than automatically completing one when a number of investigations are not progressed therefore making the completion of the MG22A and MG22D unnecessary?**

In terms of the MG22A, local Force procedures can be adopted, and this does not necessarily have to involve automatic production of an MG22A report following every scene attendance. However, the MG22D should only be provided to respond to identified issues that have been raised by the defence.

**26. The CPS Gateway advice states that an SFR1 should state whether the organisation or laboratory concerned is accredited, but the FSR Codes state that declarations of compliance and non-compliance with required standards does not apply to SFR1 as it is not intended to be used as evidence. So, which is right?**

The defence are being asked to admit the scientific findings presented on the MG22B, or provide details as to why they are unable to do so. It is therefore important that they are made aware, at the earliest opportunity, of anything which has the potential to undermine the prosecution or assist the defence. The SFR1 contains 3 options for the accreditation declaration. The author should select the relevant one. For accredited organisations, the declaration signposts the reader to the organisation’s accreditation schedule on the UKAS site which will identify which methods are accredited.

**27. When is it appropriate to request the MG22C (SFR2)?**

The MG22C is produced when any scientific findings, upon which the prosecution intend to rely, has not been admitted as fact. This can include occasions when:

- the suspect offers an alternative explanation and the scientist is required to consider this;
- the suspect/defence team do not accept the evidence on the MG22B, even if they do not clearly outline why;
- The scientist is required to give evidence in court.

In some circumstances, particularly if the issues under discussion are complex or there is evidence relating to more than one individual, it may be deemed that an MG11 statement would be a better format to report the evidence.

**28. If a CSI writes only an MG22A, how can their photographs be introduced as evidence?**

Photos can be exhibited and introduced using the MG22D. An example of this is provided in the CSI section.

## 29. Supporting Documentation

List of all supporting documentation referred to within this document:

Document name	Document reference)
National Guidance for SFR	FCN-SP-MGT-GUI-0003
Supplementary technical Notes for Biology Casework SFR	FCN-SP-MGT-GUI-0004
SFR MG22A July 2020	SFR MG22A July 2020
SFR MG22B July 2020	SFR MG22B July 2020
SFR MG22C July 2020	SFR MG22C July 2020
SFR MG22D July 2020	SFR MG22D July 2020
SFR2 Annex July 2020	SFR2 Annex July 2020

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