

Written evidence from the Forensic Science Regulator (RAG0083)

1. Thank you very much for the invitation to contribute to the House of Lords inquiry into regulators and growth.
2. In my role as the Forensic Science Regulator, I ensure that the provision of forensic science services across the Criminal Justice System (CJS) in England and Wales is subject to an appropriate regime of scientific quality standards. I regulate the quality of forensic science performed in the detection of crime by the police and advise the CJS on the quality and reliability of forensic evidence used in court proceedings.
3. The Forensic Science Regulator Act 2021 provided the Forensic Science Regulator with statutory powers to own and enforce a Code of Practice that sets the Quality requirements for Forensic Science Activities (FSA) and investigate and take enforcement action where there are substantial risks to criminal investigations or proceedings.
4. My Responsibilities involve:
 - a. identifying the requirement for new or improved quality standards
 - b. leading on the development of new standards
 - c. where necessary, providing advice and guidance so that providers of forensic science services can demonstrate compliance with common standards
5. I aim to ensure that:
 - a. appropriate quality standards are in place for all forensic science disciplines, which apply equally whether the services are delivered by small or large organisations, private companies, public laboratories, police forces or individuals
 - b. there is full compliance with the quality standards requirements across all forensic science disciplines, from crime scene to court and in all sectors, and that t
 - c. the quality culture has matured such that:
 - i. no procedures are static, but that all are continually improving
 - ii. quality failures are appropriately reported, investigated and lead to improvements in practice
 - iii. the benefits of fully implementing quality systems are realised, in efficiency and effectiveness of practice

- iv. there is a shared understanding of quality and standards by all stakeholders, including commissioners of forensic science, expert practitioners, researchers and all end users, including the police, the prosecuting authorities, defence and courts.
- 6. Success will be measured by criteria such as
 - a. practitioners who have not adopted the relevant quality standards are no longer routinely instructed
 - b. the work commissioned supports the overall aims of the Criminal Justice System and not solely the aims of the commissioning party
 - c. the forensic science quality standards are integrated into the requirements for expert witnesses
 - d. there is an expectation in court that experts will have complied with the relevant quality standards
 - e. forensic science is supported by ongoing research to increase quality and capability
- 7. The Code of Practice sets out general Quality requirements for all Forensic Science Practitioners (FSP) and defines different FSA. Many FSA are delivered exclusively by the police, others by commercial providers under contract to the police and a minority by other government bodies. The funding for forensic science is almost totally within the government settlement to the police and must compete with all the other activities required for policing. The division of budget between FSA and other police activities is decided by the Chief Constable for each force and there are 43 forces in England and Wales as well as closely related authorities such as the National Crime Agency and Border force. This means that strategic investment and purchasing decisions are highly fragmented and not consistently reported. The Home Office estimates that the police spend £500m per year on forensics but currently that estimate cannot be confirmed.
- 8. The result is a constrained market where the purchaser is also competing with commercial organisations to deliver services, commercial providers are working with limited margins, there is little or no external investment, very limited resource for Research and Development and any significant financial changes are determined by government policy and legislation such as the upcoming Police Reform Bill. These pressures have led to market consolidation with the police believed to deliver three quarters of the total market and of

the remaining quarter 90% is delivered by one single commercial provider.

9. The other part of the Forensics market is controlled by the Criminal Justice System. From the prosecution side, it is constrained in that there is effectively only one body (the National Police Chief's Council) commissioning work and that commissioning body is also a competitor in the marketplace. The market for defence scientists in forensic science is dominated by small, and sole trader, organisations. Fees for defence scientists are governed by Legal Aid Agency rules which tightly define what costs can be claimed.
10. I do not have a formal growth duty but act to drive growth. I work to develop standards, reduce the regulatory burden, introduce efficiency savings and support the adoption of new technologies. I draw on best regulatory practice in other sectors and encourage innovation by practitioners. The overall process is to define and control risk. If full regulation is inhibitory then it can be relaxed but only if the risk of failure is defined, understood, and accepted by the stakeholders in a system. For Forensics the stakeholders are the Police, Practitioners, the CJS and the Victims of Crime and achieving understanding and acceptance of risk is a demanding process.
11. Standards are developed by close consultation with the Forensic Science Practitioners (FSP) and stakeholders. Forensic Scientists are motivated by delivering justice for the victims of crime so there is a strong common goal to achieve the best. This encourages them to suggest new ideas and motivates for them to work cooperatively to see an idea into practice even if there is no top-level target or funding. I encourage these ideas to be raised with me and support by using my power of convening. Few people refuse to talk to the Regulator so I can drive change by getting the correct people together, shaping the outputs and then promoting. I include in the Code of Practice both international Standards but also standards that have been developed by FSP and then maintained by stakeholder bodies such as the Forensic Capability Network and the College of Policing.
12. Accreditation. In a highly fragmented market independent external assessment is essential to avoid variations in forensic science delivery by different FSP. The Code of Practice recommends accreditation to ISO standards managed by UKAS. These international standards have proven to be inappropriate for certain Forensic Science

activities so I have driven the development of “working standards”, interim guidance to allow delivery to continue with defined risks while working towards delivery processes that can be accredited to ISO standards. The Act gives me the powers to develop local working standards; this approach is harder where international comparability is a stronger driver.

13. Efficiency savings. Each police force maintains a quality system that adheres to national and international standards, but each one has different ways of developing and maintain the quality system. These differences arise due to differences in local circumstance but also operational differences, organisational culture and, on occasion, misunderstanding of the type of quality behaviour the standards seek to reinforce. The result is significant differences in efficiency between forces. I tackle this by convening expert groups focused on issues (task and finish groups) and disseminating the outputs as guidance. Such guidance only delivers efficiency savings if it is properly applied. I monitor this application through a network of Senior Accountable Individuals (SAI) for Forensics that I mandated for each Practitioner. This individual must be sufficiently senior to influence the highest level of decision making and can report on how the Code of Practice and guidance improves efficiency. I use regular letters to the SAI community to track how guidance has been adopted and get a measure on the change in efficiency. In return the SAI have a mechanism to raise issues direct with the Regulator to ensure guidance remains effective.
14. Adoption of new technologies. Despite their constraints, policing are keen to adopt new technologies and have their own innovation group as well as Science Strategies. On taking up the role in July 2025, I observed that there was no link between these innovation initiatives and the regulation. I am working with policing to develop a “fast lane” system that will provide regulatory support to emerging innovations so that any new idea can receive early support on ensuring it achieves the appropriate level of quality with defined risks.
15. Adopting best regulatory practice. Many of the current and emerging challenges faced by Forensics Science are common to all science-based sectors such as the increase in the use of digital and data evidence in decision making, use of advanced biological measurement, better visualisations of conclusions and communication of information. I encourage benchmarking of the regulation for related disciplines such as medicines development, manufacturing, healthcare and

Information Technology. For example, I closely follow the development of regulation of Artificial Intelligence in the delivery of healthcare decisions as this discipline requires a very similar level of accuracy and consistency to that for criminal investigations. This enables me to recognise regulatory best practice in sectors with greater regulatory science capabilities than my own and then apply rapidly through the advice and guidance mechanisms enabled through the Act.

16. The Forensic Science Regulator has always supported pragmatic, risk proportionate regulation and delivers changes flexibly in close collaboration with the community that he regulates. This matches the Government's ambitions for regulators to tackle complexity, reduce uncertainty and shift risk aversion. There is no need for a strategic change in direction rather than doubling down on delivering at pace and efficiently. The Regulator has extremely limited resources and so has to make difficult prioritisation decisions that slows the development of new regulation and I would encourage this review to look at how regulators themselves should be sufficiently resourced to deliver growth. I look forward to learning the outcomes of your inquiry and applying the resulting best practice to the benefit of Forensic Science Practitioners and the Victims of Crime.

19 January 2026