Rt Hon Norman Lamb MP
Chairman
Select Committee on Science and Technology
House of Commons
Palace of Westminster
Westminster
London
SW1A 0AA

21 January 2019

Dear Chair

FORENSIC SCIENCE REGULATION

Thank you for your letter of 10 January in relation to legislation to support my position as Forensic Science Regulator.

I start by noting my gratitude to Chris Green MP, and the other supporters of his bill, for introducing the private members bill to create powers. I must also note my gratitude to the Home Office officials who assisted in the preparation of the bill. The bill, if enacted, would be a significant step forward in creating the regulatory framework which is necessary and, in doing so, protecting the integrity of the Criminal Justice System. As a private members bill it has certain limitations in relation to (a) complexity and (b) how controversial its provisions can be, which result from the Parliamentary processes.

As a private members bill the chance of the bill being enacted is low and its progress has been delayed by Parliamentary processes.

In light of the above points I have been in discussion with officials in the Home Office about what might be achieved if relevant provisions were included in a Government bill. I am in the process of developing an outline of the provisions which I hope can go further and be more detailed than might be achieved in a private members bill. The policy officials in the Home Office have been positive about this process. Among the provisions under consideration are:

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• enabling the Secretary of State to request the assistance of the Regulator, so that standards for forensic pathology could remain within the Regulator’s remit;
• changing the mechanism for approving the Regulator’s Codes of Practice and Conduct to a negative resolution process; and
• setting clear rules for data handling and the operation of the Freedom of Information Act.

The Home Office is looking for a suitable legislative vehicle but until the Brexit discussions reach a point that enables the parliamentary timetable to be clarified, unfortunately I expect little progress.

Yours sincerely

[Signature]

Dr Gillian Tully