

**Note of meeting with Professor Paul Wiles
15th November 2005**

Present

Ken Macdonald QC DPP

Professor Paul Wiles Head Forensic Science and Pathology Unit Home Office

Moira Mac Daid Policy Directorate

1. Professor Wiles explained that he had asked for this meeting to canvas the Director's views on two specific areas of scientific evidence so that such evidence is better presented and understood by judges and juries.
2. Firstly, he suggested that the Home Office Forensic Science and Pathology Unit (FSPU) could be a useful resource and of assistance to the CPS in cases where the case appeared to depend exclusively on expert scientific evidence. In such cases there is a risk that the lawyer reviewing the case might not be able to identify the right type of scientist for the case. The FSPU could review the issues in the case and give advice on the appropriate type of expert.
3. Such cases are not common as there is usually some other evidence which can be relied upon to corroborate the experts opinion. It is likely that cases will be confined to the most serious such as terrorist cases, those involving the suspicious death of an infant or high tech crime.
4. It was agreed that the CPS should try and identify a small selection of such cases for consideration of the use of the FSPU scientists to guide on the choice of expert and to consider and advise on the expert's evidence.
5. Secondly, Professor Wiles also canvassed the Director's views on methods to make expert evidence more easily comprehensible to judges and juries. He stated that juries have become familiar with standard terminology used in cases involving DNA evidence. However in cases involving statistics and probability experts are known to use different explanations and standards and that this can lead to confusion and misunderstanding by judges and juries.
6. Professor Wiles has been in consultation with the Forensic Science Service (FSS) and the Royal Statistical Society (RSS) on this subject also and is now keen to take forward work with the aim of agreeing a set of standards and a common language for use by all experts in this area.
7. The Director expressed the view that this was an ambitious piece of work and that the CPS would be keen to participate in it.

Actions arising

8. It is recommended that a selected number of cases are identified to test whether the FSPU would be a valuable resource to the CPS. A Minute to Heads of Division and to selected Crown Prosecutors with knowledge and experience of the type of cases referred to is attached for approval.