



## Jurisprudence Section – 2010

---

### **E11 The National Academy of Sciences Report and the Law Commission Consultation Paper: Differences and Similarities Between the United States and England and Wales**

Carrie Rowland, MSc\*, FBS, 2850 Presidential Drive, Suite 160, Fairborn, OH 45324; and Dan E. Krane, PhD, Wright State University, 3640 Colonel Glenn Highway, Department Biological Sciences, Dayton, OH 45435

After attending this presentation, attendees will have gained insight into the charges and recommendations of both the United States based National Academy of Sciences Report *Strengthening Forensic Science in the United States: A Path Forward* and the United Kingdom based Law Commission's consultation paper, *The Admissibility of Expert Evidence*

*in Criminal Proceedings in England and Wales (A New Approach to the Determination of Evidentiary Reliability)*. Charges and recommendations, as well as the similarities and differences between the two documents will be outlined and briefly discussed.

This presentation will impact the forensic science community by bringing awareness to the proposed concerns and recommendations set forth in the National Academy of Sciences Report and the Law Commission's Consultation Paper and how each of those jurisdictions plan to strengthen the forensic science community.

In February of 2009, the U.S. based National Academy of Sciences (NAS) released its 254 page report, *Strengthening Forensic Science in the United States: A Path Forward*, to address challenges currently faced by the Forensic Community, specifically, the lack of resources, need for additional research, lack of mandatory standardization and the necessity of more education. At the urging of the crime laboratory community, a congressionally mandated committee was formed by the NAS in the fall of 2006 and charged with addressing eight primary tasks encompassing those challenges. The findings of the committee, as published in the 2006 NAS report, suggest that nation's forensic science enterprise does not have a unified plan, lacks national direction and therefore calls for major reform. Likewise, in April of 2009, the U.K. based Law Commission published a 98 page consultation paper, *The Admissibility of Expert Evidence in Criminal Proceedings in England and Wales (A new Approach to the Determination of Evidentiary Reliability)* after claiming that the "current law governing the admissibility of expert evidence in criminal trials is unsatisfactory." The consultation paper provides a number of provisional proposals established to reform the law governing the admissibility of expert evidence in criminal proceedings in England and Wales. The intent of this presentation is to explore the differences/similarities of these two documents crafted to reform the forensic communities in two distinct jurisdictions.

#### **NAS Report, Law Commission Consultation Paper, Forensic Science**