



A32 A Market History of the United Kingdom's Forensic Science Service

Chris Maguire, PhD, Northumbria University, Ellison Place, Newcastle Upon Tyne, NE1 8ST, UNITED KINGDOM; Max M. Houck, PhD, Analytic Services, Incorporated, 2900 South Quincy Street, Suite 800, Arlington, VA 22206; and Paul Speaker, PhD, West Virginia University, College of Business & Economics, Morgantown, WV 26506*

After attending this presentation, attendees will provide the audience with a historical review of the origins of the UK's Forensic Science Service, its development from regional laboratories into a centralized national agency to its scheduled demise as a government-owned company in 2012. The participants will gain a better understanding of the internal and external forces that created, shaped, and debilitated this internationally-recognized forensic leader.

This presentation will impact the forensic science community by presenting the "lessons learned" aspect of one of the core issues facing forensic science: how to provision, allocate, and manage scarce resources. The Forensic Science Service has become an unintended case study in the on-going discussion of the best methods of providing forensic services to a criminal justice system. This review will help inform the community of the base facts that led to the current situation and provide insights for future forensic policy worldwide.

"You know why there are so many whitefish in the Yellowstone River? Because the Fish and Game people have never done anything to help them." —Russell Chatham, Silent Seasons, 1978

The Forensic Science Service had a long and distinguished history. Originating from proposals to the Home Office in 1929 for the establishment of a national police college with scientific laboratories to support police investigations and to undertake research, it coalesced in the 1930s and 1940s with the combining, relocating, and creation of laboratories for casework and research around the UK. Throughout the 1970s, the Home Office Forensic Science Service (FSS) created six purpose-built regional laboratories to replace the pre-war facilities. The Metropolitan Police (London) laboratory was merged with the FSS in 1996.

Up to 1990, the FSS was the only significant forensic provider in England and Wales. Funded by government grants and proportional fees paid by regional police agencies, the FSS was a wholly-governmental entity. Between 1979 and 1987, the staffing levels in the FSS remained fairly constant and all of the staff were civil servants. The fee structure system was not transparent and the true costs of the forensic support was hidden amongst the myriad of other government services the police 'bought'; additionally, large forces that were only occasional users of forensic services paid dearly. Nevertheless, through 1987, the demands on laboratory services grew rapidly as the number of operational police officers deployed increased, recorded crime increased, significant changes in the forensic science 'toolkit' (such as DNA) were introduced, and quality assurance and standardization across the regional laboratories increased their administrative burden. This led to a growing dissatisfaction amongst the police users about the FSS's timeliness; from the FSS's point of view, police were unable to forecast their demand accurately.

The Thatcher government sought mechanisms that identified elements of the civil service which would benefit from being given more autonomy and managerial and budgetary control. These "Executive Agencies" emerged from civil service reforms and were reorganized as discrete 'business units' within central government departments to deliver their services directly. Executive Agency was seen as the appropriate vehicle for change in the FSS to regulate the demand and supply of its service. In this mode, the FSS would become more flexible, responsive, and provide "value for money." In 1991, the FSS became an Executive Agency of the Home Office. At the same time, the FSS introduced a "product-based" charging model for services, each product having a unit charge or a time charge. All of the FSS costs had to be supported by earned revenue but, as an Executive Agency, the FSS was a non-profit making organization. Monies earned over and above costs were returned to the police; any shortfall was supported by the Government as a short-term loan and had to be repaid in the following year.

While the FSS had 100% share of the available forensic market, other entities had seen the opportunity to enter this potentially lucrative field: Executive Agency had opened the market. Client police forces shared FSS price lists with competitors and asked for quotes, particularly in "commodity" market sectors, where the police were buying "tests" rather than "services." For the police, the increasing competition to FSS meant they began to have choices in forensic science supplier and the provision of some services, like DNA profiling, became very price sensitive.

In 1999, the legal position of the FSS changed from that of Executive Agency to that of Trading Fund status. The FSS remained part of the Home Office, its parent government department, but the advantage of this changed legal status was that it could retain its income from operating activities and use this to meet its expenditure. In effect, the FSS had to operate like any other commercial business and the organization was required to recover its full costs and earn the appropriate return on capital employed. However, the Local Government Act (1999) required public bodies, including Police Authorities, to obtain "Best Value" in procuring their services. This required Police Authorities to challenge suppliers and to competitively tender request for services, including the procurement of forensic services; this policy directly affected the FSS's market share. The legislative aim was to encourage a more competitive market and no single supplier would win the entire contract regardless of how competitive a bid was made. No matter how competitive FSS made their bids they could only lose work to the competitor organizations.



Criminalistics Section - 2012

Increased competition led to the FSS faltering and it was recommended that a new structure, that of a Government-owned company (GovCo), would help the FSS adapt; the goal was to eventually change the FSS into a Public Private Partnership (PPP or fully privatized) with the transition lasting no more than 12-18 months. The FSS became a GovCo in October 2005; however the staff, Unions, and clients for the FSS were fiercely opposed to the goal of a fully privatized company. The Government dithered and the momentum to create a PPP was lost. In 2005, the House of Commons Select Committee on Science and Technology (7th Report) was highly critical of the government delay in moving FSS Ltd from GovCo to PPP status. New police procurement legislation in 2008 split operational forensic science into a series of work packages and, for each work package, specified the services to be delivered, the quality standards to be met, and created a standard user specification. Under this procurement scheme, the forensic suppliers could only compete on price; innovation and improved customer service levels counted little. Financially on the ropes, the FSS closed three laboratories by March 2011, letting go 500 operational scientists in the process.

Forensic Science Service, Market, Economics