

Keith Borer Consultants

Forensic expertise — *when you need it*

September 2015



More for less . . .

The need for expert assistance in criminal cases seems to grow in inverse proportionality to the funding available. Less forensic work is being commissioned by the prosecution and it is disturbing to see an increase in the number of cases determined on the basis of one person's word against another's, when forensic evidence could resolve the matter.

Experts at **KBC focus their reports on the key issues in your case**, as far as the legal aid funding will allow. We also highlight the shortcomings of the prosecution evidence and identify **critical gaps** in the forensic work undertaken in the case.

Change at KBC . . .

KBC is pleased to announce that it has become part of Orchid Cellmark Ltd, one of the leading providers of forensic services in the UK. We will continue to operate from our existing locations in Huntingdon, Durham and Scotland as a separately managed service to Cellmark's other forensic operations. We will now be able to provide you with a greater range of analytical techniques across all forensic disciplines.

Streamlined Forensic Reporting – what you need to know . . .

For some time we have been reporting our deep misgivings on the **misinterpretation** of Streamlined Forensic Reports (SFRs). You and your barrister should be aware that:

- There may be caveats tucked away at the end of the SFR. For example, a 'DNA match' may include the comment that another person's DNA was also present. 'DNA match' does **not mean** that the results show a clear, single profile.
- SFRs contain a test result with **no evaluation** of the evidence within the context of your case. Are you sure that the test result is probative?
- Subsequent evaluative work, when prepared, may **limit** the strength of the evidence.
- An SFR is **not** a summary of the forensic evidence; it is simply a preliminary test result.

Advising a client on the basis of an SFR appears to us to be fraught with difficulties. We are concerned with the misinterpretation of SFRs which report DNA profiling results, especially now that the prosecution is using the DNA 17 technique. Its enhanced sensitivity means that there is a much higher risk of reporting background DNA.

Experts at KBC can also check unused material and advise on the **real significance of an SFR** in your case. Please call Dr Duncan Woods 0191 332 4999 or Dr Helen Davey 01480 432 794.

Sexual Offences

The CPS has recently announced a recruitment drive to speed up the prosecution of these cases, which can be traumatic for both the complainant and the defendant. Who would not support their resolution at the earliest opportunity? In many cases a small amount of forensic spend could resolve issues in their accounts. This could be significant to those of your clients facing a life-changing criminal record if found guilty.

Based on two accounts of events, we will propose the forensic work that can distinguish between them.

Bear in mind other types of evidence, such as messages from mobile phones, can also cast a completely different light on the relationship between the defendant and complainant.

An opportunity to meet one of our team . . .

— **NIGEL COOK, Imagery and Facial Mapping Expert**

How long have you been in your current role?

About 18 months. Prior to joining KBC I spent 12 years as an Imagery Analyst in the RAF and 17 years in police scientific support (Technical Process Officer and CSI).



Which cases do you enjoy most?

I enjoy all my photographic/video work because I'm responsible for the material presented in the final product, which can be of real benefit to the jury. Every case is different - the variety is one of the great things about our work.

What are your specialisations?

- Identification of people (facial mapping), vehicles or objects.
- Event analysis (e.g. a person's actions during an incident).
- Video enhancement and DVD production. Typically this is enlarged and/or slowed footage on a DVD for court presentation by a solicitor or barrister, which can be helpful when a full report is not required.
- Photography and video.



@KBCalison

You can follow Keith Borer Consultants on Twitter for up to date details of CPD training seminars for solicitors and barristers, links to news articles and case excerpts that may be useful to your case.

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SERVICES

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