

REQUEST FOR DMPC DECISION - PCD 137

Title: Visage Project

Executive Summary:

This paper seeks approval to accept grant funding of 230,000 euros to enable the MPS to work with European partners to develop and implement the Next Generation Sequencing DNA analysis through the VISAGE Project. The MPS will work with European partners to develop and roll out this technology into live case work with the engagement of UK stakeholders such as the Forensic Science Regulator, Crown Prosecution Service, DNA Strategy Board (including the Ethics Advisory Group) and the Home Office.

Recommendation:

The DMPC is asked to

1. Accept grant funding of 230,000 euros to enable the MPS to progress the "Visage Project" with European Partners.
2. Ensure proper oversight of this project, the MPS will provide MOPAC with a project plan which details the key milestones within the project and enables MOPAC to be consulted as the project develops.

Deputy Mayor for Policing And Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Spence Henderson

Date

8/2/17

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

Decision required – supporting report

1. Introduction and background

- 1.1. The VISAGE project (visible attributes approached through genomic means) aims to fund research into the development of a set of prototype tools that use DNA traces to predict appearance, age and ancestry in as much detail as possible, while being both accurate and effective. The VISAGE toolkit will allow the construction of composite sketches of unknown trace donors directly from their crime scene traces. This will aid in the identification of unknown perpetrator(s), which will guide and focus criminal investigations towards finding them.
- 1.2. The VISAGE toolkit will consider ethical, societal and legal dimensions of forensic DNA Phenotyping as identified within the project by applying privacy-by-design strategy. The outcome of the VISAGE project will have a major impact on solving more crimes rapidly by providing previously unused intelligence information from trace DNA to find unknown perpetrators. This will help reduce impact on victims and prevent miscarriages of justice, thereby avoiding unnecessary costs.
- 1.3. There are 13 European partners within the consortium including academia, forensic laboratories and Police forces. The only two UK organisations are the MPS and Kings College.

2. Issues for consideration

- 2.1. Participation by the MPS in the VISAGE project will provide the MPS will an intelligent tool for MPS crimes and nationally for all stakeholders involved within the Counter Terrorism arena.
- 2.2. The VISAGE project is an important area of work in the development of DNA Phenotyping. If the MPS were to develop this work in isolation there is a risk of duplication in terms of cost and research. Being part of the VISAGE project provides the MPS with the opportunity to reduce cost and influence the standards set by the European Network of Forensic Scientists.

3. Financial Comments

- 3.1 The MPS is eligible for grant funding of 230,000 euros, which is equivalent to £196,800 at an exchange rate of 1.17. The funding will be used to employ two band K researchers for a period of two years (annual salary of £48,000 including on-costs). The funding will also be used to cover the cost of the grant audit, which will cost approximately £12,000. Additionally, some travel for conferences and project management will be also be funded from the grant.
- 3.2 The MPS will ensure that all costs relating to this project will be contained within the grant funding.

4. Legal Comments

- 4.1. MOPAC has an obligation pursuant to paragraphs 3 (f) of the Schedule under the Elected Local Policing Bodies (Specified Information) Order 2011, as amended, to publish details of all Grants including the conditions (if any) attached to the grant.

5. Equality Comments

- 5.1. There are no direct equality or diversity implications arising from this report

6. Background/supporting papers

6.1. None.

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred ? NO

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rational for non-publication.

Is there a **part 2** form – No

If yes, for what reason:

ORIGINATING OFFICER DECLARATION:

Tick to confirm statement (✓)	
Head of Unit: The Head of Strategic Finance and Resource Management has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Financial Advice: The Head of Strategic Finance and Resource Management has been consulted on this proposal.	✓
Equalities Advice: No Equality and Diversity issues identified.	✓

OFFICER APPROVAL**Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

R. Lawrence

Date

8/2/17

VISAGE PROJECT

Investment Advisory Board - February 2017

Report by Gary Pugh on behalf of the Deputy Commissioner

EXECUTIVE SUMMARY

MOPAC Approval is requested for the MPS' participation in a European Funded Project to establish an accredited process whereby physical traits of perpetrators can be identified by DNA analysis, the "VISAGE (Visible Attributes approached through genomic means) Project".

A decision is required by the 7th February to enable the MPS to be involved and be an early beneficiary from the outcomes of this Project.

A. RECOMMENDATIONS – That the Deputy Mayor for Policing and Crime

- 1 Approves the MPS to progress the "Visage Project" with European partners and accept the grant funding of 230,000 Euros**
- 2 Where recommendation 1 is agreed; complete and provide to the MPS the "Declaration of Honour" (as appended to this report).**
- 3 Approve the incorporation of the additional expenditure and funding, summarised in the financial implications section of this report, into relevant MPS budgets.**

B. SUPPORTING INFORMATION

- 1. The main features of the proposed VISAGE (visible attributes approached through genomic means) Project, which addresses the HORIZON 2020 Work programme 14. Secure societies – Protecting freedom and security of Europe and its citizen, Call Security, Fight against crime and terrorism, Topic Forensics techniques on: b) broadened use of DNA.**
- 2. The VISAGE Project aims to overcome this major limitation by developing, validating, and implementing in the relevant forensic DNA service environment a set of prototype tools for predicting appearance, age, and ancestry in as much detail and as accurately, and effectively as possible from DNA traces. This VISAGE Toolkit will allow the construction of composite sketches of unknown trace donors directly from their crime scene traces, which will guide and focus criminal investigations towards finding them. The VISAGE Toolkit will include analysis prototype tools based on massively parallel sequencing for genotyping the large number of DNA predictors for appearance, age, and ancestry established within the Project, as well as an integrated statistical framework with prototype software for translating these genotype data into statistical probabilities on appearance, age and ancestry, which represents the intelligence information finally used for guiding criminal investigations towards the most probable group of suspects. The VISAGE Toolkit will consider ethical, societal, and legal dimensions of Forensic DNA Phenotyping as identified within the Project, by applying a privacy-by-design strategy. The interdisciplinary VISAGE Consortium includes European (and global) scientific leaders in Forensic DNA Phenotyping as well as in forensic massively parallel sequencing, leading European forensic DNA service providers, and one of the leading social scientists in the field of forensic DNA analysis, ensuring that the Project goals will be achieved on time. The outcome of the VISAGE Project will have a major impact on solving more crimes more rapidly by providing previously unused intelligence information from trace DNA to find unknown**

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perpetrators, which will lead to reduced impact on victims, reduced societal distress, preventing miscarriages of justice, thereby avoiding unnecessary costs.

3. There are 13 European partners within the consortium including academia, forensic laboratories and Police forces. The UK have two organisations represented Kings College and the MPS.
4. There are 6 main objectives of the project: 1) addressing current limitations with the technology and preparing 'fit for purpose' and scientific accurate technologies for forensic analysis, 2) Validation and testing of the protocols 3) establish a statistical method of interpreting and reporting results, 4) exploring the legal and ethical challenges of using the increased information obtained from the analysis, 5) implementation of the technology in to live casework and 6) providing of training and education for forensic scientists, officers and judicial colleagues.
5. More specifically, MPS will contribute towards the developmental validation and concordance testing of the new MPS prototype tool(s), on the implementation of the new MPS prototype tool(s) and the prototype software for constructing composite sketches from DNA traces by providing input from the high-volume forensic DNA service side as a governmental forensic institution dedicated to forensic DNA service, and towards organising workshop series to initiate the wider dissemination of the developed training curricula particularly on validation and implementation. The MPS will serve as forensic practitioner advisor and implement technology in to live casework.
6. The bid is for 5 million Euro's in total. The MPS will receive funding for two researchers (proposed at Band E (between £2,200 up to £2,650 per month per person) to work full time on this project for up to 2 years, and a sum of money for consumables whilst undertaking validation as incurred. In addition to this, some travel for conferences and project management will be paid for by the project where applicable.
7. The consortia includes world experts in academia in this field and the MPS will benefit from the research undertaken to date in this arena, and any further knowledge collated by the group, which will mean this technology will be implemented sooner than if independently undertaken by the MPS.
8. The formation of this consortium will negate duplication across Europe, ensure consistent standards are set, and may achieve a better purchasing price for fundamental consumables in the future, due to bargaining power of the consortium with the manufacturers. The MPS will be privy to advances in technology in this area of research due to project links with manufacturers.
9. There are two main risks for not participating within this project 1) MPS will have to duplicate research already occurring in Europe which will increase time and cost to the organisation; 2) The technology the MPS use may different and not be the most scientifically superior technology in this arena. The late implementation of this technology would mean that vital intelligence may not be provided for major investigations resulting in an additional expense within the investigations and they will not be focused and targeted. This is a significant concern in the national security arena due to the current risk posed to UK.
10. The project will be overseen by the DNA Services Manager and a project Manager with Directorate of Forensic Services will be assigned to devise a project plan and ensure it is complied with. The additional staff (based at E Band) will report to existing managers within the Forensic Services ensuring casework and research of this technology are fit for purpose within an operational setting. This will ensure existing experienced staff will be fully versed on the emerging technology. The additional staff from this funding will also be undertaking the processing, and reporting of the DNA samples, as well as liaising with key UK stakeholders. Overall responsibility of the project will fall to the Director of Forensic Services. Stakeholder engagement will include Forensic Regulator, Crown Prosecution Services, Counter Terrorism customers, DNA Strategy Board and Home Office Biometric Programme.

Key Issues

The following key issues should be borne in mind when reaching decisions:

11. MOPAC approval is sought for approval for the MPS to work with European partners to develop and implement Next Generation Sequencing DNA analysis. If approval is granted the MPS will work with European partners to develop and roll out this technology into live case work (with engagement of UK stakeholders such as Forensic Science Regulator, Crown Prosecution Service, DNA Strategy Board (including the Ethics Advisory group) and Home Office Policy makers).
12. The result of the project will provide a means to provide intelligence to focus criminal investigations. This will aid in the identification of unknown assailants, providing physical traits of perpetrators.
13. Participation will result in MPS providing an intelligent tool for MPS crimes and nationally for all stakeholders involved within the Counter Terrorism arena.
14. If MPS are not included within this project a significant amount of duplication and cost will be incurred by the MPS in order to progress this work in isolation, and there is a risk that European agreed Standards set by the consortium and authorised by ENFSI (European Network of Forensic Scientists) will be set without MPS or UK input or review.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

Equality and Diversity Impact

1. The services proposed to be provided will be provisioned either as fixed term appointments or through current contracts for contingent workers. The sourcing of these resources either through an agency or as part of a recruitment processes will be in accordance with the MPS internal standards and processes and in accordance with the Equalities Act 2010.

Table 1: Inclusion Diversity and Equality Screening

Inclusion, Diversity and Equality Screening		
a)	<input type="checkbox"/>	Age
Recruitment for the new MPS FTAs will be in accordance with internal standards and processes and in accordance with the Equalities Act 2010		
b)	<input type="checkbox"/>	Deaf / Disability
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.		
c)	<input type="checkbox"/>	Gender Reassignment
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.		
d)	<input type="checkbox"/>	Marriage and Civil Partnership (for employment purposes only)
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.		
e)	<input type="checkbox"/>	Pregnancy and Maternity
The same considerations and approach in respect of the protected characteristics will be taken in accordance with		

Not Protectively Marked

the arrangements included under a) above.	
f)	<input type="checkbox"/> Race
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.	
g)	<input type="checkbox"/> Religion or Belief
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.	
h)	<input type="checkbox"/> Sex (gender)
The protected characteristic of sex (gender) no one group is overly represented within the TUPE personnel. Recruitment for the new MPS FTEs will be in accordance with internal standards and processes and in accordance with the Equalities Act 2010	
i)	<input type="checkbox"/> Sexual Orientation
The same considerations and approach in respect of the protected characteristics will be taken in accordance with the arrangements included under a) above.	
j)	<input type="checkbox"/> Other issues
Add text	
Inclusion, Diversity and Equality Screening approved by Senior Responsible Owner of the Business Case	
Name and Role:	
B/OCU:	
Date:	

Financial Implications / Value for Money (mandatory)

1. The grant is for 230,000 Euros which at the current exchange rate of 1.17 is equal to £196,800. This funding is to cover the costs of two researchers for two years. Therefore, each researcher could be funded up to £48,000 including on-costs (which would be equal to a band K).
2. However, if it is agreed to cover these positions with agency the maximum day rate based on 4 weeks of annual leave would be a day rate of up to £205 per researcher.
3. The conditions of the grant must be reviewed though and monies put aside to fund any audit costs required to approve the funding. The last audit of an EU grant cost £12,000.
4. The MPS will ensure that it has an adequate exit strategy to ensure that no residual costs are incurred beyond the expiry of the grant period.

Legal Implications (mandatory)

1. This report seeks DMPC approval to receive a grant of up to 230,000 euros over the next two years from the EU.
2. Paragraph 4.8 of MOPAC's Scheme of Consent and Delegation provides the DMPC with delegated powers to approve all bids for and receipt of grant funding.
3. MOPAC has an obligation pursuant to paragraphs 3(f) of the Schedule under the Elected Local Policing Bodies (Specified Information) Order 2011, as amended, to publish details of all Grants, including the conditions (if any) attached to the grant.

Consultation undertaken (mandatory)

Consultation has taken place within SC&O as well as external partners and the Home Office who would be involved with the Project. Consultation will continue throughout the project, if the MPS' involvement is agreed, as set out in paragraph 10 to Part B above.

Consultation grid

Key stakeholder engagement (up to what level)	Supportive / Supportive with concerns / Not supportive / Not affected
Commercial Services	Supportive

Risk (including Health and Safety) Implications (mandatory)

1. There are no significant Health and Safety risks of this project that are not covered by Forensic Services Health and Safety Management Systems and risk assessment process.

Report author: Shazia Khan, Forensic Directorate

Background papers: None

Appendix 1

Declaration of Honour



Declaration of
Honour.pdf

DECLARATION OF HONOUR

(To be filled out by the applicant and signed by its legal representative)

I, the undersigned:

☐ for natural persons: in my own name

or

☒ for legal persons or 'legal entities without legal personality'¹: representing the following legal person/entity without legal personality:

MAYOR'S OFFICE FOR POLICING AND CRIME

CITY HALL, MORE LONDON

LONDON SE1 2AA

United Kingdom

VAT number GB239015084

hereby certify

that (subject to the additional declarations below):

- 1 — the information provided in the Participant Portal for the grant agreement preparation is correct and complete;
- 2 — the information concerning the legal status given in the Beneficiary Register is correct;
- 3 — my organisation commits to comply² with all the eligibility criteria, as defined in the work programme and the call for proposals;
- 4 — my organisation:
 - is committed to participate in the action;
 - has stable and sufficient sources of funding to maintain its activity throughout its participation in the action and to provide any counterpart funding necessary, and
 - has or will have the necessary resources as and when needed to carry out its involvement in the abovementioned action;

¹ See Article 131(2) of the Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L298, 26.10.2012, p.1) and Article 198 of the Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

² 'commits to comply' means that I comply now and will comply for the duration of the grant agreement concluded with the Agency should a grant be awarded.

5 — my organisation is not in one of the situations which would exclude it from receiving EU grants³, i.e. it:

- is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- it (or persons having powers of representation, decision making or control over it) have not been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- has not been guilty of grave professional misconduct proven by any means which the *Agency* can justify including by decisions of the EIB and international organisations;
- is in compliance with its obligations relating to the payment of social security contributions and the payment of taxes, in accordance with the legal provisions of the country in which it is established and with those of the country of the authorising officer responsible and those of the country where the action is to be performed;
- it (or persons having powers of representation, decision making or control over it) have not been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity, where such illegal activity is detrimental to the EU's financial interests;
- is not currently subject to an administrative penalty under Article 131(5) of Regulation (EC, Euratom) No 966/2012;
- is not subject to a conflict of interest in connection with the grant;
- will inform the *Agency*, without delay, of any situation considered a conflict of interests or which could give rise to a conflict of interests;
- has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to the award of the grant;
- has not made false declarations in supplying the information required by the *Agency* as a condition of participation in the grant award procedure or does not fail to supply this information.

6 — I will inform the *Agency* of any other grant applications or grants from the EU or Euratom budget related to this action.

7 — my organisation is aware that the *Agency* may impose administrative or financial penalties⁴ on legal entities which:

³ See Article 131(5) of Regulation (EU, Euratom) No 966/2012.

⁴ See Article 131(5) of Regulation (EU, Euratom) No 966/2012.

- are guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in the grant award procedure or fail to supply this information;
- have been declared to be in serious breach of their obligations under any contract/grant agreement covered by the budget of the Commission.

Such penalties will be proportionate to the importance of the contract/grant agreement and the seriousness of the misconduct, and may consist in their exclusion from contracts/grants financed by the EU or Euratom budget and payment of financial penalties.

and acknowledge

that:

- 1 — Grants will be signed and managed electronically, through the Commission's electronic exchange system (in the '[My Area](#)' section⁵ of the Participant Portal).
- 2 — Access and use of the electronic exchange system is subject to the [Terms and conditions of use](#)⁶ of the Participant Portal).
- 3 — Personal data submitted or otherwise collected by the Agency will be subject to the [privacy statement](#)⁷.
- 4 — Any sensitive information or material that qualifies as 'EU classified information' under Decision 2001/844/EC⁸ must comply with specific rules (i.e. it must be indicated in the technical annex of the proposal; a Security Aspect Letter (SAL) will be annexed to the grant agreement; an amendment is necessary if (more or new) sensitive information or material becomes relevant only later on).

SIGNATURE

For the applicant

⁵ Available at <http://ec.europa.eu/research/participants/portal/>

⁶ Available at http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/lev/h2020-lev-terms-of-use_en.pdf

⁷ Available at http://ec.europa.eu/geninfo/legal_notices_en.htm

⁸ See Commission Decision 2001/844/EC, ECSC, Euratom amending the Commission's internal Rules of Procedure (OJ L 317, 3.12.2001). Available at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02001D0844-20130701&rid=1>



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