

## **Royal Society of Chemistry response to the consultation of 27 June 2007 on authorised analysis - Road Traffic Offenders Act 1988**

The RSC is the UK Professional Body for chemical scientists and an international Learned Society for advancing the chemical sciences. Supported by a network of over 43,000 members worldwide and an internationally acclaimed publishing business, our activities span education and training, conferences and science policy, and the promotion of the chemical sciences to the public.

We wish to record the following comments about the proposals:

### **1. Setting the standards**

Robust standards should be set for these analyses, to ensure competence and consistency, and the Home Office is the appropriate body to do this.

### **2. Assessment and accreditation of laboratories**

Accreditation should be carried out by a body independent of the organisation setting the standards.

It is not clear from the proposals whether independent laboratories (i.e. other than the FSS) will be able to gain approval and continue to provide services to the police and to the public (see the draft proposals, Historical Perspective, paragraph 14). It is essential that they should, in order to maintain a future supply of authorised analysts and in order to ensure an appropriate service to the public (see below). Concern has also been expressed by current authorised analysts that if they are unable to tender for police work in the future, then the quantity of private work may be insufficient to maintain financial viability for this particular analysis.

It is also unclear how the proposals affect those analysts who offer back-calculations but not analyses.

### **3. Assessment and accreditation of authorised analysts**

Authorised analysts should also be assessed and accredited by a body independent of the body setting the standards. Professional bodies already have mechanisms for assessing and accrediting their members, and for providing a framework to record members' continuing professional development (CPD). All Authorised Analysts should be members of an appropriate professional body, as they are then subject to an appropriate Code of Conduct and Disciplinary Regulations.

The proposals for time-limiting the authorisation of analysts is acceptable as a means to ensure their continuing competence.

### **4. The interests of the public**

The public, particularly individuals seeking a private analysis of a specimen, need to be assured that the laboratory is providing an analysis and possible future Expert Witness service which is independent of the Police. Anecdotal evidence suggests that individuals perceive that private and local authority laboratories are preferable in this respect.

## **5. Register/list of authorised analysts**

There should be a public register of analysts. Direct production of this by the authorising body should guarantee the currency and authenticity of the entries. The information in the register must be easily available. Again, the register should be seen to give a choice to members of the public to aid their selection of an analyst.

Currently the RSC produces the Road Traffic Acts Analysts booklet, listing the names and contact details of Analytical Chemists who are members of the RSC and are equipped to undertake the analysis of blood and urine specimens to determine the alcohol content and/or undertake back-calculations of breath and blood alcohol levels at relevant times based on a disclosing drinking pattern for use in court. The information is also available on the RSC website at [www.rsc.org/Education/Registers/RTA/index.asp](http://www.rsc.org/Education/Registers/RTA/index.asp). The information is regularly updated, and we print 30 - 50 000 copies of the booklet each year, which are supplied at cost to the Forensic Science Service and the Police.

We do not wish to continue producing the booklet. Although it meets the needs of the public in providing easily accessible information compiled by a body which is seen to be independent of the Home Office and the Police, it causes the RSC a number of problems. The RSC occasionally receives telephone calls from alleged offenders who may be agitated and drunk. We also occasionally receive samples: the RSC does not have laboratory facilities, and we are not equipped to deal with postal items which are potentially biologically or chemically hazardous.

Production of the booklet should be transferred to another body, but appropriate arrangements for the handover period would be necessary to ensure no break in availability of the information.

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