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Conflict Resolution in Facial Examinations

1. Scope

1.1 This document will provide best practice recommendations for conflict resolution in facial examinations.

2. Referenced Documents

2.1 *FISWG Documents:*

FISWG Guideline for the Use of ACE-V Methodology for the Use in One-to-One Examinations

2.2 *Other Standards and Reference Documents:*

ENSFI -BPM-DI-01 Best Practice Manual for Facial Image Comparison

3. Terminology

3.1 *Definitions:*

3.1.1 *Conflict, n*—disagreement on suitability, comparability, or final opinion.

3.1.2 *Conflict resolution, v*—management and settlement of disagreement on suitability, comparability, and final opinion

15 3.1.3 *Facial examination, n*—a human undertaking a formal systematic examination
16 (e.g., ACE-V) of facial images to determine if the same person is depicted.

17 4. Summary of Practice

18 4.1 In facial examinations, one shall always follow the ACE-V process in
19 accordance with the FISWG document Guideline for ACE-V Methodology for One-to-
20 One comparisons.

21 4.1.1 Analysis: analyze the image(s) to assess suitability and the ability to
22 discriminate features, following the morphological approach.

23 4.1.2 Comparison: compare the two, or more, images to establish similarities and
24 dissimilarities.

25 4.1.2.1 Agencies should include a comparability assessment as part of the
26 comparison.

27 4.1.2.2 Comparability of the images: limited comparability or non-comparable may
28 lead to a weak opinion or rejection of the case.

29 4.1.3 Evaluation: assess the details and observations documented during the
30 analysis and comparison to reach an opinion.

31 4.1.4 Verification: the analysis, comparison, and evaluation steps completed by one
32 or more independent examiner(s).

33 **5. Significance and Use**

34 5.1 This guide identifies potential conflict areas within facial examination casework
35 and provides a best practice for conflict resolution including guidelines for
36 documentation.

37 5.2 Facial examinations are carried out by a trained and competent examiner.

38 5.3 In examinations, one additional examiner shall perform the verification in
39 accordance with Analysis, Comparison, Evaluation, Verification (ACE-V) best practice.
40 As a result, any verification of casework may introduce conflict such as disagreement on
41 suitability, comparability, and final opinion. All of which require conflict resolution.

42 5.4 Agencies undertaking facial examinations shall have a policy for conflict
43 resolution.

44 5.5 Conflict resolution shall always be documented to ensure transparency.

45 **6. Procedure**

46 6.1 Conflict can occur in any step of the ACE-V analysis, each of which requires
47 conflict resolution including, but not limited to:

48 6.1.1 Disagreement on image suitability

49 6.1.2 Disagreement on comparability

50 6.1.3 Disagreement of final opinion, for example:

51 6.1.3.1 Different strengths of opinion, but on the same side of common or different
52 source by independent examiners.

53 6.1.3.2 Disagreement of opinion on common or different source.

54 6.1.3.3 Disagreement of opinion with one examiner reaching either common or
55 different source and another reaching inconclusive.

56 6.2 Conflict Resolution Procedures

57 6.2.1 Where examiners disagree on facial image comparison decisions at any point
58 in the examination process, one or more of the following resolution procedures shall be
59 implemented.

60 6.2.1.1 Option one (1): Dialogue between the two examiners to reach
61 consensus/decision.

62 6.2.1.2 Option two (2): Include a third examiner who may conduct either a full
63 examination of the images, or a verification. In the event the third examiner does not
64 resolve the conflict, consider:

- 65 • Engaging in dialogue with the three involved examiners and a manager or senior
66 examiner to see if it is possible to reach an agreement.
- 67 • Including an additional examiner(s), depending on agency specific resource
68 availability. Agency specific procedures determine the number of additional
69 examiners.

70 6.2.1.3 Option three (3): In certain scenarios, rejection of the case may be the
71 resolution.

72 6.3 Results of Conflict Resolution

73 6.3.1 Once a conflict resolution procedure is completed, the outcome may include,
74 but not limited to:

75 6.3.1.1 The opinion reached by the majority of the examiners, or examiners and
76 manager (appendix X1.1).

77 6.3.1.2 Case rejection (appendix X1.2).

78 6.3.1.3 Most moderate opinion on the same side of the scale – closer to
79 inconclusive (appendix X1.3).

80 6.3.1.4 Report of inconclusive decision (appendix X1.4).

81 6.4 Documentation of Conflict Resolution

82 6.4.1 Conflict resolutions shall be documented but may differ depending on the
83 nature of the conflict and the approach to resolve the conflict. Documentation can be in
84 internal notes, in the final report, or both.

85 6.4.2 Documentation shall be accessible to the case manager or supervisor.

86 6.4.3 Document all opinions and consider including a caveat in the report stating the
87 disagreement between examiners, and how the conflict was resolved.

88 6.4.4 No examiner shall be forced or coerced into agreeing with, writing or signing a
89 technical report, or testify in support of an opinion with which they do not agree.

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FISWG documents can be found at: www.fiswg.org

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APPENDIX

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(Nonmandatory Information)

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X1. EXAMPLES OF CONFLICT RESOLUTION

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X1.1 EXAMPLE ONE

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X1.1.1 Examiner one opinion is common source; examiner two is different source;

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examiner three opinion is common source – the majority opinion is common source.

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X1.2 EXAMPLE TWO

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X1.2.1 One or more examiners determine the image(s) is not suitable or

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comparable – the case is rejected.

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X1.3 EXAMPLE THREE

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X1.3.1 Examiner one opinion is limited support for common source; examiner two

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opinion is strong support for common source – limited support for common source is the

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final result.

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X1.4 EXAMPLE FOUR

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X1.4.1 Examiner one opinion is common source; examiner two opinion is different

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source, examiner three inconclusive – inconclusive is the final result.