

**Mr Jim Wallace QC MSP.  
Deputy First Minister and Minister for Justice,  
The Scottish Executive,  
St Andrew's House,  
Regent Road,  
EDINBURGH. EH1 DG**

**27, Donnini Court,  
South Beach Road.  
AYR KA7 1JP**

**10, September, 2001.**

Dear Mr Wallace,

**Shirley McKie**

I refer to the following complaints made in my letter of 26, June, 2000.

- 1. That the Crown Prosecution of Shirley McKie was ill-conceived and oppressive and that officers of the Crown Office failed to take action on matters raised before, during and after her trial which clearly pointed to her innocence and the possible guilt of SCRO and its officers.**
- 2. That the behaviour of officers of Strathclyde Police in the investigation, interrogation, arrest and subsequent treatment of Shirley McKie was oppressive and contrary to natural justice and resulted in emotional and psychological distress and financial loss to Shirley McKie and her family.**
- 3. That the SCRO 'experts' namely Charles Stewart, Hugh McPherson, Fiona McBride and Anthony McKenna should be investigated in respect of possible perjury and criminal conspiracy committed by them at the trials of David Asbury and Shirley McKie.**
- 4. That the organisations and persons responsible for supervising SCRO failed to carry out their responsibilities and as a result failed to identify serious shortcomings in the operation of that organisation.**
- 5. That many question marks surround the Police investigation following the death of Marion Ross and that the said investigation should be independently reviewed.**

I look forward to an early reply and would appreciate a detailed explanation of the decisions reached in respect of each complaint.

**Page 2**

As you will be aware a decision has been made by the Crown Office not to prosecute the SCRO experts.

Perverse and unjust as this decision is it beggars belief that further action on the many problems identified during the criminal and discipline enquiries and referred to in my complaints is to be determined by the very persons I complained about in the first place - SCRO and Police senior management.

I would be astounded, given your recent comments about 'independence, impartiality, effectiveness and accessibility' in dealing with complaints against the Police, if you allow this referral decision to stand.

It is clear that all remedial action must be independently monitored and I would ask you to ensure this is done.

I am sure you will agree that it was only because of the perseverance of Shirley McKie and her supporters over the past five years that the criminal prosecution system in Scotland in general and the management of the Scottish Criminal Records Office in particular have been found seriously wanting.

The changes brought about in the wake of the Shirley McKie case will only serve to protect the innocent and restore faith in the Scottish Justice System.

I hope you will also agree that further litigation would serve little purpose and it is time for Shirley McKie to receive justice and reasonable compensation.

Turning to the civil courts will only underline the paucity of the Crown Office decision not to prosecute. It will also reveal many problems still existing within the Scottish Justice System, further drain the public purse and continue the trauma Shirley and our family have been subjected to over the past 5 years.

As Minister for Justice you have the power and the influence to bring our trauma to and end and start the healing process for our family.

I hope you will use it swiftly and effectively.

Yours sincerely,

.....  
**Iain A J McKie**

Copy: Mr Mike Russell MSP