

Fingerprint officer seeks (pounds) 100,000

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A FORMER police officer who was cleared of perjury after experts wrongly identified her fingerprints at a murder scene is suing the chief constable of Strathclyde for (pounds) 100,000.

Shirley McKie claims that the "humiliating and embarrassing" way her arrest on the perjury charge was carried out amounted to an assault and was motivated by malice.

Ms McKie alleges that after colleagues arrived at her home to carry out the arrest a female officer watched her as she went to the toilet and took a shower. Later, she alleges, she was subjected to an intimate strip search.

These claims are specifically denied by the chief constable, who insists that the arrest was carried out on the instructions of the procurator-fiscal and that Ms McKie, 38, was treated in the same way as any member of the public.

The former detective, of Wellbeck Crescent, Troon, was cleared of perjury after a trial at the High Court in Glasgow in May 1999.

She was alleged to have lied on oath at the earlier trial of David Asbury, who was convicted of the murder of Ayrshire woman Marion Ross.

Ms McKie was adamant that she had never been in Miss Ross's house during the police investigation into the murder, but fingerprint experts concluded that a left thumbprint impression - found on a bathroom door frame - belonged to her.

During her trial, two independent experts from the US testified that the fingerprint was not hers, and experts from Norway and the Netherlands came to the same conclusion during a review after the trial, carried out by the chief inspector of constabulary.

After the case, Jim Wallace, justice minister, promised a fundamental overhaul of Scotland's Criminal Record Office Fingerprint Bureau.

In her action at the Court of Session, Ms McKie claims that she has suffered serious psychological and psychiatric injury because of the charges brought against her and the "unnecessary and aggressive" way the case was handled by her former colleagues. She has now retired from the police force on grounds of ill health and has received an injury on duty award.

The chief constable says the officers involved in the arrest in March 1998 acted in good faith, carrying out a difficult task in a detached and professional way with the minimum of embarrassment to Ms McKie.

He denies that a female officer watched Ms McKie on the toilet or in the shower, and says that she only kept her within reasonable range in accordance with normal procedure. He describes the search at Ayr police station as "standard" - a frisk search during which Ms McKie kept her trousers on, not a strip search.

Lord Emslie is hearing a legal debate in the case.