

Shirley McKie sues for (pounds) 750,000 in fingerprint case

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A FORMER policewoman is seeking (pounds) 750,000 damages after claiming she was subjected to a criminal prosecution because of "false evidence" by fingerprint experts.

Shirley McKie was unanimously found not guilty of perjury in May 1999 after maintaining that a fingerprint at a murder scene was not hers.

The former detective, who was retired on ill-health grounds, has now launched a compensation claim against Scottish Executive ministers at the Court of Session in Edinburgh.

She maintains that a subsequent inquiry by senior police officers concluded there was criminal conduct by certain staff at the Scottish Criminal Records Office (SCRO) which justified charges being brought, although a prosecution did not take place.

The executive ministers are contesting the action. They maintain that fingerprint evidence and reports were carried out in good faith and enjoy privilege.

Miss McKie, of Wellbeck Crescent, Troon, in Ayrshire, was a detective constable with Strathclyde Police in January 1997, investigating the murder of Marion Ross, 51, at her home in Kilmarnock.

David Asbury, 27, from Kilbirnie, in Ayrshire, was later jailed for life for her murder. However, his conviction was quashed by appeal judges last year because crucial fingerprint evidence at his trial had been "inaccurate".

Part of the trial concerned a fingerprint said to be Miss McKie's. She denied it was hers and was later arrested and charged with perjury. However, she was cleared after a trial at the High Court in Glasgow in 1999 after she led evidence from US experts that it was not her fingerprint.

Miss McKie claims that the fingerprint found at the scene and her own were obviously not a match and that the SCRO persisted in claiming that they did match to maintain the organisation's reputation.

She alleges that there was deliberate misrepresentation of the position resulting in her prosecution.

The executive ministers are seeking dismissal of the case, attacking its relevancy at a procedural hearing before Lord Wheatley. The judge is expected to give a ruling at a later date.