

The legal bills in Shirley McKie's court cases

The Herald. Glasgow (UK): Jul 2, 2004. pg. 21

(Copyright 2004 SMG Newspapers Ltd.)

I REFER to your report, "Anonymous donor settles McKie's legal bill" (June 30). At the end of the article you quote from the report to the Strathclyde Police Board by the clerk and chief constable. This lengthy report makes clear the different legal processes which have been instituted either in relation to, or by, Ms McKie. It is unfortunate that your article picks up on the language from earlier articles and continues to confuse the various legal processes and to make connections which do not exist.

For example, you state: "Although she was cleared of lying on oath during a murder trial, she had received a formal demand from Strathclyde Police in April that she pay (pounds) 13,000 within 14 days." There is absolutely no connection between Ms McKie being found not guilty, in a criminal trial, of a charge of perjury in May 1999, and her liability for judicial expenses in a civil action raised by her against the chief constable and dismissed by the Court of Session in February 2003.

You further state: "The money was demanded following her unsuccessful attempt to sue the chief constable for damages, after she was wrongly accused of perjury for insisting a fingerprint found at a murder scene was not hers." This is not correct. Her action against the chief constable was not based on her dispute over fingerprint evidence. Her action against the chief constable was based on entirely different matters. This action sought damages of (pounds) 750,000 and was based on allegations which Ms McKie made arising out of the circumstances of her arrest on the instructions of the Crown, before her trial took place.

This action was dismissed both at first instance and on appeal in the Court of Session in 2003. The (pounds) 13,000 was part of the judicial expenses which the Court of Session directed that she should pay. This would go towards defraying the total bill ultimately to be met by the Police Board out of the public purse and incurred by the chief constable in defending these allegations. A defence justifiably maintained, given that these allegations have now twice been dismissed in the Court of Session. The judicial expenses awarded against Ms McKie, and which amounted to just over (pounds) 23,000, have now been settled.

You go on to say: "She has raised another legal action against the chief constable and is involved in a case against ministers." This is almost correct. There is a second ongoing action against the Scottish ministers in which Ms McKie is seeking damages. This is based on her allegations concerning the fingerprint evidence disputed at her trial. However, there is no other legal action against the chief constable.

As this is clearly set out in the report to which you have access the confusion in your article is difficult to comprehend.

There is an additional matter covered in the report which ought to be placed in any debate concerning the board's attitude towards Ms McKie's financial standing. Prior to her trial on the charge of perjury, Ms McKie made application to Strathclyde Joint Police Board for legal assistance. There is a discretion available to police authorities to provide financial support to police officers involved in legal processes in certain circumstances. The board agreed to pay the costs to be incurred by Ms McKie in providing her defence in the criminal trial in 1999. Subsequently, the board has paid over (pounds) 130,000 to Ms McKie in settlement of the costs incurred by her in defending the charge of perjury.

Councillor Jean McFadden, convener, Strathclyde Joint Police Board.