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26th January 2000

For your information –

**COPY OF LETTER SENT TO – Mr J Wallace MSP, Minister for Justice
The Lord Advocate, The Lord Hardie QC**

Dear Sir,

CASE OF SHIRLEY MCKIE

The views expressed below are the views of the signatories to this document and are not intended to reflect the views of either the Chief Constable of Lothian and Borders Police or of that organisation.

On Tuesday 18 January 2000, BBC's 'Frontline Scotland' programme broadcast the documentary 'The Finger of Suspicion'. The programme referred to the case of Shirley McKie, a former detective constable in Strathclyde Police, who had appeared in court on a charge of perjury. The charge related to the identification of her finger impression at the scene of a murder, and to the evidence given by her regarding that identification at the murder trial. Evidence for the defence was given by two fingerprint experts from the United States. They stated that the fingerprint in question had not been made by Shirley McKie. A verdict of not guilty was returned by the jury.

Fingerprint experts within the Identification Branch of Lothian and Borders Police (the largest 'force bureau' in Scotland) feel compelled to state their position regarding the contents of the aforementioned programme.

We have, via the 'internet', examined the material provided by Mr Pat Wertheim (one of the defence experts called in the case) and reached the conclusion, along with experts throughout the world, that the crime scene mark in question was not made by Shirley McKie.

Several approaches have been made to SCRO regarding the release of the evidence relating to the case but to date they have refused to comply with any of these requests.

This stance has unfortunately brought the whole fingerprint system into disrepute.

The existing situation cannot be allowed to prevail.

There is not a problem with the fingerprint system. There does however seem to be a problem within SCRO. Until that problem is seen to be addressed, the credibility of the

Scottish Fingerprint Service and of the individual experts within it, will suffer increasing damage. It is for this reason that the current situation must be addressed as a matter of extreme urgency.

On the strength of the evidence available, the position of SCRO is untenable.

At best the apparent 'mis-identification' is a display of gross incompetence by not one but several experts within that bureau. At worst it bears all the hallmarks of a conspiracy of a nature unparalleled in the history of fingerprints.

If SCRO maintain their present position, fingerprint evidence in our courts shall be challenged and discredited at every opportunity.

It is therefore imperative that this matter is resolved as soon as possible.

It is our view that the fairest and perhaps the only way to achieve this is to instruct a completely independent and respected bureau (eg Metropolitan Police Fingerprint Bureau) to undertake a full enquiry into all aspects of SCRO's involvement in this case.

Then, and only then, can the justifiable faith that the general public previously had in the fingerprint system be restored.

Signed 14 Experts Lothian and Borders Police Identification Branch.

**cc. Mr J Wallace MSP, Minister for Justice
The Lord Advocate, The Lord Hardie QC
Members of the Scottish Parliament for each signatory**