

Former detective claims Â£750,000 over 'false fingerprint evidence'

DAVE FINLAY

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

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

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

She maintains that a subsequent inquiry carried out 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.

Miss McKie, of Troon, in Ayrshire, was a detective constable with Strathclyde Police in January 1997 when appointed to the team investigating the murder of spinster Marion Ross in Kilmarnock. David Asbury, 27, from Kilbirnie, Ayrshire, was later jailed for life for the murder of Miss Ross, 51, but his conviction was quashed by appeal judges last year because crucial fingerprint evidence at his trial had been "inaccurate".

A report prepared by records office staff on fingerprints found at the murder victim's home also alleged that a print on a bathroom doorframe was that of Miss McKie.

She said she had not been near the doorframe and it was impossible she could have left the fingerprint.

During Mr Asbury's murder trial, she was called to give evidence and maintained her denial that it was her print. She was later arrested and charged with perjury, but was cleared after a trial at the High Court in Glasgow in 1999 after she led expert evidence that it was not her fingerprint.

She maintains that staff within SCRO were aware during the preparations for the murder trial that it was not her print, but continued to state that a correct identification had been made in order to uphold the reputation of the organisation.

She alleges there was deliberate misrepresentation, resulting in her prosecution, and said that, following her acquittal, she continued to suffer from anxiety, depression and post-traumatic stress reaction.

The action is being contested, ministers maintaining that fingerprint evidence and reports were carried out in good faith and enjoy privilege. They are seeking dismissal of the case, attacking its relevance at a procedural hearing before Lord Wheatley.

The judge is expected to give a ruling on the application at a later date.

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