

9 January 2006

- In wishing all our readers a very **happy , healthy and peaceful New Year** we apologise for the lack of recent updates. With the **civil hearing in February** fast approaching it has been all hands to the wheel in processing information gathered over the past 9 years. We have all been involved with Shirley's legal team led by **Andrew Smith QC** in reviewing evidence and developing the final list of **witnesses**.
- As we reported in December while in excess of **1,000 documents** have been refused under the **Freedom of Information Act** thousands more have been released. Working through them has been a massive but rewarding exercise revealing insights into how the system has fought to cover up issues since 1997. Disturbing evidence has been revealed about the measures taken by some authorities before the trials of David Asbury and Shirley McKie to ensure conviction. Major new material has been revealed that throws doubt on many of the Scottish Executive, SCRO and Police decisions over the past 9 years and challenges the motivation behind this never ending impasse.
- Access has been given to many important documents including '**The Black Report**', the internal report commissioned by the **Strathclyde Joint Police Board in 2001**, that cleared the SCRO experts of any wrongdoing. The enquiries behind this report, undertaken by a non-expert from industry, completely failed to take important information into account and interview vital witnesses. It appears as if the report's central findings have been very much overtaken by events.
- In addition a number of previously unknown reports commissioned by **Scottish Executive** in 2000 and 2004 reveal even more evidence that the SCRO experts were wrong and show the true extent of the problems within the SCRO. As a result of this new information **further forensic examination** is being carried out on the productions from the Marion Ross murder and Shirley's fingerprint experts are to re-examine a number of items. Surely no further mistakes will be found!
- Interesting insights into the behaviour of central players have also come to light. We wonder for instance about the rationale behind a letter sent in **early 2000** by the then **Chief Constable of Lothian and Border's Police** to the **SCRO Executive Committee**. His apology for the brave actions of his **13 experts** who had condemned SCRO's identification makes uncomfortable reading.
- The internal disputes within the **Scottish Fingerprint Service and SCRO** show little sign of resolution with numerous questions by **MSP Alex Neil** eliciting half answers from the **Justice Minister** and others. As we have commented before unless the internal rifts are healed and healed quickly further damage will inevitably be caused to an already tarnished fingerprint service. This failure to resolve important issues is unfair on the vast majority of efficient experts working within Scotland.
- Iain is in the process of referring matters to the **Scottish Information Commissioner Kevin Dunion** asking him to enquire into the legitimacy of the authorities refusal to hand over hundreds of documents. As we reported before eight main reasons have been given for refusal ranging from legal privilege to material likely to prejudice '*the effective conduct of public affairs*'. The phrase '**not in the public interest**' features regularly and at times we are left with the feeling that it is not the '**public interest**' that is being protected.
- Thanks as ever for the messages of support for Shirley and visitors can look forward to regular site updates and remember your contributions and comments are always welcome. If you wish any friends or colleagues to receive this weekly update please pass this update onto them or send their e-mail address to: justiceforshirley@btinternet.com

As we said last month January 2006 marks the 9th anniversary of Marion Ross' death. Let's hope that this year reveals the truth surrounding this tragic affair and that she can finally rest in peace.