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HEADLINE: Policewoman was 'told to lie';

Detective tells court that 'mystery' fingerprint in dead spinster's house is not hers

A woman detective told the High Court in Glasgow yesterday that senior officers had told her to lie about her presence in a murder house.

Detective Constable Shirley Cardwell, 34, has denied that while probing the death of spinster Marion Ross, she went into the victim's home to take a "peep" at the body, and left her thumbprint.

However, she claims her bosses put pressure on her to say she may have been in the house, but could not accurately remember - even though she knew she had not been there.

Constable Cardwell was asked by Mr Alan Dewar, who is prosecuting the young man accused of Miss Ross's murder: "Do you maintain that you were never in that house?"

"Yes," replied Constable Cardwell who is under suspension and facing disciplinary action over the print.

She denied being in the semi-detached bungalow before or after Miss Ross's death, although she admitted it had never been known for fingerprint evidence to be wrong.

Mr Dewar asked: "Do you accept the print was yours?" Constable Cardwell said: "No". And she added: "I don't want to commit perjury."

Constable Cardwell said she had no explanation how the print got there, and agreed there were no suggestions it had been "planted".

Asked how it could have got in the house, she said: "I am not an expert. All I know is that I didn't put it there."

Constable Cardwell also claimed her treatment at the hands of senior officers was unfair and, asked by Mr Dewar to explain, she said: "I have been in the police for 10 years and I am an honest police officer."

Mr Dewar asked: "Are you upset at the fact you are not apparently being believed?"

Constable Cardwell said: "Of course I am." She said she was suffering from stress, and added: "When you know you haven't been somewhere, and they say you have, it gets to you."

On trial is David Asbury, 21, who denies murdering Miss Ross, 51, in her home at Irvine Road, Kilmarnock, between January 6 and 8, and stealing a tin box containing money.

During the trial, which entered its eighth day yesterday, there have been defence suggestions that Miss Ross's fingerprint may have been

put on a tin money box found in Asbury's home after her death.

Yesterday, Constable Cardwell admitted that she went to the death house twice during her inquiries but never went further in than the porch.

Her arrival and departure were logged officially by an officer on duty at the door.

She admitted she had wanted to go into the house, because it would have been useful in the inquiry to see the interior.

But permission was requested from the detective in charge, and she and a colleague were told it was not suitable to go in because scene-of-crime experts were still working inside.

Detective Constable Cardwell admitted that in another major inquiry in 1993, involving the death of a child, she contaminated evidence.

Her fingerprint was found on a polythene bag, which contained the dead baby, and she admitted she had handled it without wearing gloves.

Mr Dewar asked: "Is it not the case that in the present case your curiosity got the better of you.

"Despite instructions to the contrary, you went into the house and you touched the door.

"There can be no other explanation for the print being there."

Constable Cardwell replied: "No. I can not give you an explanation. I have no reason to lie. If I was in the house, I would have said so."

The trial continues before Lord Dawson.