

Police expert questions the reliability of fingerprint evidence

By Ian Burrell, Home Affairs Correspondent

The infallibility of fingerprint evidence has been questioned by Britain's leading police expert, who is calling for an overhaul of the system to prevent people being jailed for crimes they did not commit.

The national head of police fingerprint training warned that "corners were being cut" and he feared that subjective assessments of prints were not being thoroughly and independently checked before being sent to court.

Geoffrey Sheppard, who is based at the National Training Centre for Scientific Support to Crime Investigation in Durham, said the fingerprint system was not infallible "because we are all human beings and we all make mistakes".

Mr Sheppard's comments come as police chiefs are preparing to drop the fingerprinting system after 76 years, and introduce a more rigorous, American-style method in forces across England and Wales.

He was speaking out in response to the case of Detective Constable Shirley McKie, 37, who was charged with perjury after fingerprint experts wrongly claimed she was at the scene of a murder in Kilmarnock in 1997. Ms McKie repeatedly denied she was there.

Four senior fingerprint experts from the Scottish Criminal Records Office, who gave evidence at her trial, are suspended pending the outcome of an investigation into the case.

Mr Sheppard said the McKie case was "globally significant". He feared that other police fingerprint bureaux might have developed a culture where fingerprint analysis was not properly checked, in the knowledge that it was almost never challenged in court.

Home Office guidelines state that fingerprint evidence must be based on the assessments of at least three people, two of them fingerprint experts.

But Mr Sheppard said: "I think corners have been cut for many reasons; time, peer pressure, all sorts of things. That's where mistakes have been made.

"It's like most things. Where rules are imposed, some people have the attitude that they are there to be bent. I think that's what is happening. I don't think rules are being broken but I think they are being bent almost to the point of breaking."

The trusted system that wrongly fingered a detective

By Ian Burrell, Home Affairs Correspondent

When fingerprint experts told Detective Constable Shirley McKie that her thumbprint had been found at the scene of a murder, she said it was like "being trapped in a bad nightmare". Ms McKie knew she had never been inside the house in Kilmarnock, Scotland, where Marion Ross was murdered in 1997. She told the experts they had made a mistake. A man was later convicted of the murder but the policewoman's steadfast refusal to accept that the doorframe print belonged to her infuriated some of her colleagues at Strathclyde Police. She was put on trial for perjury.

Ms McKie told the BBC's Crime Squad programme, which features her case tonight: "I knew it was not my fingerprint. I could not understand why they were saying it was or how this could be." A jury acquitted Ms McKie last year after an American fingerprint expert gave evidence that the print was not hers. The detective has left Strathclyde Police on health grounds. Four fingerprint experts from the Scottish Criminal Records Office are suspended, pending an investigation into the case.

Ms McKie said: "It could happen to absolutely anyone. A normal person that does not necessarily have a police background or the help that I had, would be in prison now, and that's frightening." The case has stunned Britain's network of police fingerprint experts. Yesterday, the national head of police fingerprint training in the UK called for an overhaul of the 76-year-old system and spoke of his fears that "corners were being cut". Geoffrey Sheppard said the UK should ditch its "16-point" fingerprinting system in favour of the "non-numerical" American model.

In the UK, the 16-point system, where experts look for 16 matching marks between two prints, is widely seen as irrefutable evidence and almost always goes unchallenged in court. Under the more rigorous American system, an accredited expert gives an opinion on whether two prints match, which must be upheld by two independent experts and is open to challenge in court. The 16-point system was introduced in 1924 after a Frenchman, Alphonse Bertillion, described it in a New Zealand scientific journal, which was seen by Scotland Yard.

Mr Sheppard said: "For no scientific reason they chose the number 16. It could have been any number but we have stuck to that ever since." Some British forces use an eight-point or even six-point standard to identify prints they wish to eliminate from a crime scene. "It's an absolute mish-mash. You either have standards or you don't," said Mr Sheppard. "The non-numerical system would rid the profession of these numbers games."

A spokesman for the Association of Chief Police Officers told *The Independent* it was likely to switch to the American system next year. He said: "We expect to be able to make an announcement early next year about a

move to replace the numerical standard for fingerprint evidence with a system based on improved professional practice, including quality assurance and competency testing of fingerprint officers." All fingerprint experts will also be required to go before the new London-based Council for the Registration of Forensic Practitioners, which will ensure procedures are being properly followed.

Mr Sheppard said that in a 35-year career in fingerprints, he had rarely known a defence barrister question an expert's findings. He said: "I honestly believe that the Bar Council, the Magistrates' Association, all believe the same thing: once you have got fingerprint evidence the case is closed, he's guilty." David Wilson, a criminologist at the University of Central England, said he was surprised by the police admissions. He said: "Ultimately, fingerprint identification is a matter of opinion and what we need is a system which ensures that we get the correct opinion."