

## Fingerprints of despair

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Shirley McKie sits by the sea, enjoying the warmth of the sun on her face, on a day borrowed from early summer. She is a former police detective who has spent five years challenging the system - a system that appears at best incompetent, at worst open to an accusation of corruption. McKie takes what comfort she can.

Just a day before our meeting, she had received a letter that made her despair. In it, she learnt that the men she claims ruined her life would have no action taken against them after a two-year investigation. It was the last straw.

In 1997 McKie was 34, a police detective in Ayrshire, a career cop following her father, a former superintendent, into the family business. She was an independent and strong woman. But then, during the investigation into the murder of Marion Ross, a spinster from Kilmarnock, fingerprint experts from the Scottish Criminal Record Office (SCRO) claimed they had lifted McKie's thumbprint from the victim's home. It meant, they said, that she had contaminated the crime scene.

McKie was aghast. She said it was impossible - she had never been in the house and could not possibly have left the print. They were mistaken. The experts said there was no mistake; it was McKie's print. At the trial of David Asbury, the man who was charged and ultimately convicted of the murder, McKie herself was effectively put on trial in the witness box. She was asked to explain how her fingerprint was found at the scene. It was not, she testified to the court. The SCRO was wrong. McKie was dismissed as "mad". No-one believed her - not the judge, not the defence, not the prosecution, not even her father.

McKie's story is simply told; the effects of it on her life are not, although the misery she has endured since 1997 has been rewarded with a new sense of oneness with her family, especially her father, Iain. He remains her greatest supporter in her search for the truth, but he admits there was a time when he was too busy with his own glittering career to forge any true relationship with his daughter.

And McKie is in love. Six months ago, she met a caring person with "dreadful dress sense" but the stability of a rock. It's the first time in years she has been able to relate to anyone outside her family. She has waited what seems like forever for this new stability. Her father has been her rock, but he cannot fulfil all her emotional needs, and those needs have been great since 1997.

Mr McKie admits he had to overcome "30 years of police culture" before he could believe her. After all, he says, for a century fingerprints were an infallible benchmark of guilt. They could not lie.

"When I was a detective we cracked open the Champagne whenever we got a

print," he says. "We didn't need more evidence. We made the arrest."

His former colleagues agreed. McKie was put on trial for perjury. However, five independent British fingerprint experts and two Americans, regarded as the world's leading experts, testified that the SCRO evidence was a "joke". The print, they said, was not a forgery, but it definitely did not belong to McKie. In addition, all 56 police officers involved in the inquiry testified they had not, at any time, seen McKie in the house.

The jury's verdict was swift and unanimous. She was cleared.

A police inspectorate report subsequently condemned the SCRO as "not fully effective and efficient" and raised questions over fingerprint evidence. That was backed up by a government inquiry that recommended 28 changes to the fingerprint verification system.

The four experts who accused McKie were suspended, and remained so until McKie received the letter from Andrew Brown, the chairman of the executive committee of the SCRO. He wrote that the scrutiny committee had found "... there are no matters of misconduct or lack of capability surrounding the fingerprint comparison of the McKie and Asbury prints".

The experts, said Brown, would resume their duties at the SCRO fingerprint bureau without disciplinary action being taken.

At his home in Ayr, Iain McKie is restless with anger. "There is no middle ground. Either the system is incompetent or it is corrupt. I was a cop for 30 years; I am pro-police. We swept the shit off the streets, and, sometimes, we made mistakes. You own up to them.

"Shirley was apologised to by Jim Wallace, the Justice Minister, and in the last few weeks Colin Boyd, the Lord Advocate, said her case indicated serious defects at the SCRO. My daughter has cowered on the floor in despair. She has been to the edge of destruction, stood by the water and contemplated suicide.

"In the beginning, I thought it was her print. I said: 'Own up, Shirley, and it's over.' When I held her and we cried, I believed her. No-one would put themselves through this hell for no reason."

Shirley McKie adds: "Naturally, my mother believed me, and among all the terrible stuff, I found my father; we were never close. He was pursuing his career and it consumed him."

McKie senior adds: "I wouldn't have put Shirley through this, but the silver lining to the cloud is that I've come to a realisation that my sense of priority was wrong. You don't get to be a superintendent without working at it. However, I now realise I'd rather have been a father."

He has become a fiercely protective father, one who has instilled steel in his

daughter.

She says: "When I got the letter from the SCRO, I said it was the end. I lay crying on the floor. I said: 'I give up! I want my life back.' But I know I have to go on. I have no choice.

"I don't want revenge. I want justice. Those inside and outside the system cannot realise what that system has taken from me. I became a police officer because I believed in justice and integrity. I was determined to be the best cop I could be. I studied. I sat exams. I became a detective. I decided where my life was going. I knew what I wanted, and I knew it meant turning my back on domesticity, children, marriage. As I approach my 40th birthday, I have been left with none of these things. They stole my life, my career. I live in that obsessively ordered way of a person with too much time."

Has love made it easier?

"We adore each other," she says. "We met through mutual friends. He did not know who I was and accepted me as I am. Now he does know, and he has become another rock. He works abroad a lot, but, for instance, when I phoned him about the letter, I was very upset ... he has a talent for calmness and stability.

"He is a very special individual," she says. "Believe me, he has to be."

One has the impression that this man is regarded as a beacon in the darkness. He fulfils her need - demand - for honesty. "If someone lies about leaving milk out of the fridge, it freaks me," she says. "The most stupid acts of innocent dishonesty have the ability to floor me. I have to be able to trust.

"The one blot on the horizon is that his work requires him to be based in Europe. I will visit him; he will visit me. We will not allow anything to come between us."

Her father is clearly delighted. He says: "It is a good relationship. For too long, allowing someone to get close to her was too difficult, nay impossible."

McKie's renewed emotional stability will be tested, for father and daughter agree the fight is not over. McKie says: "I am innocent of wrongdoing. That has been established by experts and the courts. I want justice, and the spineless maggots who persist in ruining my life to be accountable."

Daughter and father plan to pursue a civil case. In January, McKie lost a £100,000 damages claim against the police when Lord Emslie ruled that there had been no malice on the part of officers in the manner of her arrest for perjury.

Her father says: " Justice may have to be served by placing in the witness box the Justice Minister, Jim Wallace, the former Lord Advocate, the present Lord Advocate, the former and incumbent Chief Constables of Strathclyde, and

every senior police officer involved.

"If that is what it takes, that is what we will do.

"This is not just about Shirley. It is the implications for justice. We are the first people in a century to attack the integrity of fingerprints. Consider the so-called experts, who clearly made a mistake in Shirley's case. Has that mistake been made before? How many people are in jail on the basis of such errors?

"I was at a fingerprint conference two weeks ago and I was approached by men from all over Britain, who whispered - whispered - that they knew we were right, but they could say nothing because of fear. The system sought to roll over Shirley, to maintain its conspiracy of silence. Such a travesty must not go unchallenged."

Shirley adds: "A few nights ago, I was lying pummelling the floor in despair. Today, I'm ready to fight on. And I will."