

## Expert Difference of Opinion

For 9 years the Scottish Criminal Records Office has maintained that the prints of **Shirley McKie** and **Marion Ross** were correctly identified.

In defending their identification against the conflicting findings of official enquiries and hundreds of experts worldwide they have offered the following, “**It is a matter of opinion**”, proposition.

***That in evaluating two fingerprints where they agree the latent contains sufficient detail and quality for comparison it is legitimate and acceptable for one expert to come to a conclusion that they are identical (positive) and another to come to a conclusion that they are not identical (negative).***

In defence of this patently absurd proposition it has been stated that friction ridge analysis is not a science but ‘**a mix of art and opinion**’

With such statements the SCRO experts and their supervisors have challenged the world community of fingerprint experts, their Scottish Fingerprint Service colleagues, the stated guidelines of SWGFAST and the status of fingerprinting as a forensic science.

The **SWGFAST position** that is accepted across the fingerprint world is that the **evaluation** process allows for only three conclusions:

### **‘3.3 Evaluation**

***Evaluation is the formulation of a conclusion based upon analysis and comparison of friction ridge impressions. Conclusions which can be reached are:***

#### **3.3.1 Individualization (Identification)**

***Individualization is the result of the comparison of two friction ridge impressions containing sufficient quality (clarity) and quantity of friction ridge detail in agreement.***

***Individualization occurs when a latent print examiner, trained to competency, determines that two friction ridge impressions originated from the same source, to the exclusion of all others.***

#### **3.3.2 Exclusion**

***Exclusion is the result of the comparison of two friction ridge impressions containing sufficient quality (clarity) and quantity of friction ridge detail which is not in agreement.***

***Exclusion occurs when a latent print examiner, trained to competency, determines that two friction ridge impressions originated from different sources.***

#### **3.3.3 Inconclusive**

***Inconclusive evaluation results when a latent print examiner, trained to competency, is unable to individualize or exclude the source of an impression.***

***Inconclusive evaluation results must not be construed as a statement of probability. Probable, possible or likely individualization (identification) conclusions are outside the acceptable limits of the friction ridge identification science.’***

See: <http://www.swgfast.org/>

In layperson's terms this means that when comparing two fingerprints the expert can only come to **one of three** conclusions

- The fingerprints are from the same person - **POSITIVE**
- The fingerprints are not from the same person – **NEGATIVE**
- The expert is not able to come to either a POSITIVE OR NEGATIVE conclusion - **INCONCLUSIVE**

From these principles we can understand that a **difference of opinion** can only occur between experts when:

- one deems that two prints **are** the same (positive) and another expert is unable to conclude whether they are a match or not (inconclusive) or
- one deems that the two prints **are not** the same (negative) and another expert unable to conclude whether they are a match or not (inconclusive)

What is **not possible** is for one expert to say it is an identification (positive) and for another to say that it isn't (negative) and for **both to be right**.

**One of the experts must be wrong.**

This does not apply in the **Scottish Fingerprint Service** however. On the one hand we have the **Grampian experts** supporting the worldwide conclusion that the SCRO identification is wrong and on the other **SCRO experts** saying it is **right**.

Despite the massive evidence supporting the Grampian experts the heads of SCRO **John McLean** and the Scottish Fingerprint Service **Ewan Innes** continue to allow SCRO to perpetrate their fiction. They show no signs of taking action to resolve the issue and demonstrate little concern for the damage being caused to fingerprinting in general and the Scottish service in particular.

**Despite the efficiency and integrity of the vast majority of the Scottish experts how can we have any faith in a Scottish Fingerprint Service where its leaders support the unsupportable?**

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