
Expert highlights McKie case 'errors'; Supporters say new evidence could lead to flood of appeals;

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FLAWED fingerprinting techniques that led to Shirley McKie, the former policewoman, being falsely accused of lying during a murder trial could lead to dozens of cases being appealed, it was claimed yesterday.

Allan Bayle, a fingerprint consultant who has examined the case, said groundbreaking technology showed that mistakes made by forensic experts were "at best incompetent and at worst criminal".

His evidence, which will be used to support the former Strathclyde detective constable's claim for compensation, will include software developed in America which allows the detailed aspects of fingerprint-matching to be understood by non-experts.

Ms McKie, 42, was cleared of perjury in 1999 after insisting that a fingerprint found at the scene of the murder of Marion Ross in Kilmarnock two years earlier was not hers.

Speaking at the launch in Glasgow of a website supporting her campaign, Mr Bayle - who has recently helped overturn a conviction in the US after showing that fingerprint evidence used by the FBI was unsound - said that the fingerprint that led to Ms McKie's prosecution was "very poor".

He said: "It's like taking a picture of someone's face with the eyes, nose and mouth missing.

"They have cut it down and left important pieces out. We're not getting the full picture. If they were shown the full picture, they wouldn't have made the same errors. It's terrible - even the angle of the picture is wrong as well."

Mr Bayle said that the Scottish Criminal Record Office (SCRO), responsible for gathering fingerprints, should stop destroying evidence used in previous cases as these could now be the basis of a successful appeal.

The meeting heard calls from Ms McKie's supporters, including Nationalist politicians Winnie Ewing, Alex Neil and Michael Russell, for a public inquiry into the original murder case and subsequent prosecutions.

Mrs Ewing, a former criminal defence lawyer, said: "Why are we getting this intransigence (from Scotland's legal authorities)?

"I can only think of one reason, and that is that there are doubtless languishing in the country's jails people convicted on fingerprint evidence, and these people will be

possibly going to raise their case publicly and the Crown is terrified of this happening.

"All these people will be looking at a public inquiry and appeal in their case and that's what they're scared of."

Iain McKie, Ms McKie's father, said the fingerprint used in the 1999 case "looks like a moon landing". He added: "We can now give them very clear images."

Ms McKie, who lives in Troon and is receiving medication for depression, has fought a seven-year battle for compensation.

She brought two prosecutions for "malicious prosecution", the first of which she lost in February 2002 against Strathclyde Police because she could not prove the police acted maliciously.

Another case is still pending against Scottish Executive ministers, who are ultimately responsible for the SCRO.

Mr Russell, who has championed Ms McKie's case, said the case had become a cause celebre of the fingerprinting world and was referred to regularly in international cases.

He said: "This case has been running for the best part of seven years, and everyone involved in it is astonished it is still going on.

"The Scottish Executive is still trying to pretend that nothing happened. While it continues to deny that, we will continue to bring forth new evidence for the appeal, which is continuing at a massive cost to the taxpayer."

Fighting back tears, Ms McKie told reporters that she was disgusted with the response she had received from the Scottish justice system after nearly eight years of trying to clear her name.

She said: "I shouldn't have to be here. Time after time, we have again proved beyond doubt the point that the SCRO got it wrong. For some reason, the authorities are ignoring that and passing the buck. By fighting this, I hoped that this would prevent it happening again. But the truth is this could happen again today, tomorrow or next year.

"All that we have done has made no difference. I've had to accept that.

"The best I can hope for is some form of financial compensation. I'm just disgusted."

[Illustration]

Caption: RULE OF THUMB: Shirley McKie holds up her left thumb at the meeting in Glasgow where fingerprint consultant Allan Bayle announced new evidence using technology he claims will show that mistakes were made by forensic experts. Picture: Colin Mearns



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