

From:

**Andrew G Brown**

**Chief Constable**

**Chairman — SCRO Executive Committee**

**Date 21 March 2002**

Dear Mr McKie

Following your letter providing your telephone contact details events have overtaken my reply to you. During our telephone conversation on 20 March I was able to provide you with a flavour of the conclusions of the independent investigators report and endorsement by the independent Scrutiny Panel. I am now in a position to provide details of the composition of the Scrutiny Committee and outline the conclusions in more detail.

The Scrutiny Committee comprised three panel members agreed by myself, as Chairman of the SCRO Executive Committee, and the Convener of Strathclyde Joint Police Board. The Scottish Trades Union Congress (STUC) nominated one member of the Scrutiny Committee while the Scottish Branch of the Institute of Personnel Development nominated another. The third member is a recently retired Employment Tribunal Chairperson. The individuals concerned were selected for their considerable professional experience, integrity and independence.

The Scrutiny Committee were remitted to consider any report produced by the Investigating Officer with a view to deciding whether there is sufficient evidence to warrant disciplinary proceedings being commenced in respect of any of the employees. The Scrutiny Committee were entitled, contrary to the view of the Investigating Officer, to conclude that there was sufficient evidence to warrant disciplinary proceedings being taken in respect of one or more of the employees. Similarly, contrary to the view of the Investigating Officer, the Scrutiny Committee were entitled to conclude that there was insufficient evidence to warrant disciplinary proceedings being taken against any individual.

As you are now aware, the Committee concluded that there are no matters of misconduct or lack of capability surrounding the fingerprint comparisons.

The following are conclusions and recommendations of the Investigating Officer, carried out in respect of the officers of the Fingerprint Bureau of the Scottish Criminal Record Office in accordance with the requirements of the Ad-Hoc Investigation and Discipline Procedure established for this purpose.

“Conclusions

1. It is the conclusion of this report that no matters of misconduct or lack of capability have taken place in the work surrounding the fingerprint comparisons of the McKie and Asbury marks and prints.
2. It is recommended that all four experts be returned to their normal positions at SCRO Fingerprint Bureau without any disciplinary action being taken.

It is essential that support be put in place for their reintroduction both in relation to their technical skills and relationships with other members of staff who have not been caught up formally with the case.

3. It is recommended that the two managers presently placed upon non-operational duties be returned to their full role immediately.”

As detailed, the Scrutiny Committee has been selected for their professional experience, integrity and independence. They were remitted to consider the report from the Investigating Officer and therefore were not provided with copies of your previous correspondence.

I am very aware that this does not close the mailer for you and despite the current litigation proceedings, should you find it helpful, I am prepared to meet and discuss the issue in general terms.

Yours sincerely

Andrew G Brown

Chief Constable

Chairman — SCRO Executive Committee