

17 December 2005

- While things have been relatively quiet on this site recently there has been frantic activity behind the scenes as **Shirley's civil hearing approaches in February 2006**. Her legal team led by **Andrew Smith QC** have been reviewing evidence and developing the final list of witnesses and lines of argument.
- A main source of interest has been 1000's of documents received under the **Freedom of Information Act** from the Scottish Executive, SCRO, Strathclyde Police and other sources. This material has already revealed many important insights into issues dating from 1997 when Marion Ross was murdered. Disturbing evidence has been revealed about the measures taken by some authorities before the trials of David Asbury and Shirley McKie to ensure conviction. Major new material has been revealed that throws doubt on the decisions over the past 9 years and challenges the motivation behind this never ending impasse. The panic that surrounded Mike Russell's application for a debate in the Scottish Parliament throws doubt on the validity of the creating principle of our Parliament as a place where Scotland's people can find a voice.
- Frustratingly over **1,000 important documents have been refused** and as required under the Act Iain has written to the various authorities requesting a review of these refusals. Eight main reasons have been given for refusal ranging from legal privilege to material likely to prejudice *'the effective conduct of public affairs'*. The phrase **'not in the public interest'** features regularly and at times we are left with the feeling that it is not the *'public interest'* that is being protected. The authorities have 20 days to respond after which Iain will appeal to the **Scottish Information Commissioner Kevin Dunion** asking him to enquire into the legitimacy of these refusals.
- The internal disputes within the **Scottish Fingerprint Service and SCRO** show little sign of resolution. It is clear that if their reputations are ever to be restored immediate and urgent action is required. There is little doubt about what needs to be done the problem is finding someone with the courage to 'grasp the nettle'. A large number of individuals including the families of the experts have been traumatised by this whole affair and there is an urgent need to bring an end to it and move forward. The reputation of Scotland's forensic services must be restored and the question of removing fingerprinting from Police control needs to be addressed. The time is long overdue for individuals to be allowed to heal and for Scotland's Forensic Services to move forward free from the cloud hanging over them for so many years.
- On a more positive note we were pleased to publicise the efforts of Donald Reid and his team in Beith as they decided on the final citation to appear on the Henry Fauld's memorial inaugurated last year. It fittingly ends:

“ .. the path of the just is as the shining light, that shineth more and more unto the perfect day.” Proverbs 4: 18

<http://www.shirleymckie.com/documents/Faulds14.12.05.pdf>

<http://www.shirleymckie.com/documents/HenryFauldsMemorial18.11.05.pdf>

- Thanks as ever for the messages of support for Shirley and visitors can look forward to regular site updates and remember your contributions and comments are always welcome. If you wish any friends or colleagues to receive this weekly update please pass this update onto them or send their e-mail address to: justiceforshirley@btinternet.com

January 2006 marks the 9th anniversary of Marion Ross' death. Let's hope that the New Year reveals the truth surrounding this tragic affair and that she can finally rest in peace.