

The 'Peter Swann' Letter

The repercussions from the circulation of the '**Peter Swann**' letter by his solicitor **David Russell** continue to reverberate in Scotland.

This letter that was highly critical of Shirley, myself, the Lord Advocate, fingerprint experts, media and almost everyone else involved in the SCRO controversy was circulated to the media and individuals and agencies including individual experts within the **Scottish Fingerprint Service**.

As readers will see from the latest response to parliamentary questions asked by MSP Alasdair Morgan, the Lord Advocate denies any complicity in the circulation and apparently seeks to distance himself from the letter.

While I can understand Mr Russell circulating the '**Peter Swann**' letter it would be interesting to know if others were involved in the circulation of a letter addressed to the Lord Advocate that is highly critical of the Lord Advocate and contains untruths, inaccuracy, unsubstantiated innuendo and defamatory comments.

Was the Lord Advocate's permission obtained for its circulation by other than Mr Russell? If not what was the motivation?

If any of our readers have been given a copy we would be interested in who circulated it to them. I can be contacted confidentially or otherwise at: iainaj.mckie@btinternet.com

Information on the letter is available at:

http://www.shirleymckie.com/documents/SCROANDPETERSWANN4_001.pdf

For Parliamentary Questions and answers - see below.

SCOTTISH PARLIAMENT

WRITTEN ANSWER

7 June 2005

Index Heading: Crown Office and Procurator Fiscal Service

Alasdair Morgan (South of Scotland) (SNP): To ask the Scottish Executive to whom it copied a letter from solicitors acting for Peter Swann to the Lord Advocate on 28 April 2005 regarding matters pertaining to the wrongful identification of fingerprints.

(S2W-16930)

Colin Boyd, QC:

The letter referred to was not copied to anyone outwith the Scottish Executive. I understand that the author of the letter was responsible for its public release and circulation.

SCOTTISH EXECUTIVE

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7 June 2005

Index Heading: Crown Office and Procurator Fiscal Service

Alasdair Morgan (South of Scotland) (SNP): To ask the Scottish Executive whether it publicly released a letter from solicitors acting for Peter Swann to the Lord Advocate on 28 April 2005 regarding matters pertaining to the wrongful identification of fingerprints and, if not, whether it will institute an inquiry into the leak of the contents of that letter and report the outcome of that inquiry to the Parliament.

(S2W-16931)

Colin Boyd, QC:

The Scottish Executive did not publicly release the letter referred to. I understand that the author of the letter is responsible for its release. There is therefore no basis for an inquiry into this matter.

SCOTTISH EXECUTIVE

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7 June 2005

Index Heading: Crown Office and Procurator Fiscal Service

Alasdair Morgan (South of Scotland) (SNP): To ask the Scottish Executive what reply it has made, or will make, to a letter from solicitors acting for Peter Swann to the Lord Advocate on 28 April 2005 regarding matters pertaining to the wrongful identification of fingerprints.

(S2W-16932)

Colin Boyd, QC:

The Office of the Solicitor to the Scottish Executive replied to the letter referred to on 24 May 2005. A copy of this letter has been placed in the Parliament's Reference Centre (Bib number 36715). A separate response is to be sent by Crown Office officials and this will also be placed in the Parliament's Reference Centre.

SCOTTISH EXECUTIVE

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7 June 2005

Index Heading: Crown Office and Procurator Fiscal Service

Alasdair Morgan (South of Scotland) (SNP): To ask the Scottish Executive whether letters to the Lord Advocate regarding matters relating to fingerprinting are routinely copied to officers in the Scottish Criminal Record Office and, if so, what guidelines there are in respect of their confidentiality at all stages of the process.

(S2W-16805)

Colin Boyd, QC:

I refer the member to the answers given to questions S2W-16930, S2W-16931 and S2W-16932, answered on 7 June 2005. All answers to written PQs are available on the Parliament's website, the search facility for which can be found at <http://www.scottish.parliament.uk/webapp/wa.search> .

It is impossible to generalise on the procedures followed upon receipt of correspondence addressed to me. This will always depend on the content of the correspondence itself and the particular circumstances to which it relates.

SCOTTISH EXECUTIVE