

STATEMENT PRINT

Surname: BELL

Forenames: HENRY WOODS

Age: 54

Date of Birth: [Redacted]1946

Address:

Postcode:

Occupation: DIRECTOR SCOTTISH CRIMINAL RECORDS OFFICE D/C/SUPT [Redacted]

Telephone No.:

Statement Date: 07/09/2000

Appearance Code:

Height:

Build:

Hair Details: Position

Style

Colour

Eyes: /

Complexion: /

Glasses:

Use:

Accent Details: General

Specific

Qualifier

Number of Pages:

S177

HENRY WOODS BELL , age 54, born [Redacted]1946 at Greenock, Detective Chief Superintendent, SCRO Fingerprint Department, Strathclyde Police, Pitt Street, Glasgow , telephone 0141 [Redacted]

States:

I am presently a serving Detective Chief Superintendent as Director of the Scottish Criminal Record Office, based at Pitt Street, Glasgow.

I have 32 years service with Strathclyde Police and my police registration number is [Redacted]

Prior to taking up my post with SCRO on November, 1998 I was Detective Chief Superintendent in charge of CID intelligence for Strathclyde Police. Due to my position within the department this was where I first became aware of the Shirley McKie case, although I took no active part in it in any way. I did not have any great

knowledge of the case other than it was a murder enquiry in Kilmarnock and that there was a problem regarding a fingerprint having been found at the locus and identified as that of DC McKie.

On taking up my post with SCRO my responsibilities were to operationally run the fingerprint department, Information Technology Department and Livescan facilities and report to the SCRO Executive Committee and keep in touch with its Chairman. I also have the remit of reporting to the Scottish Executive regarding progress within the Bureau.

Other than my awareness through my previous position, I had no knowledge of the McKie case when I came to SCRO up until the trial finished in May, 1999. I was made aware by Chief Inspector Chris Griffiths at SCRO that Shirley McKie had been found not guilty at her perjury trial and that there appeared to be some difficulties regarding the fingerprint evidence at the trial being challenged. I was also aware that following the trial there was considerable media interest regarding the circumstances of the case including material being placed on the Internet.

As a result of this I decided to call a meeting between SCRO and the Crown on the 20 May, 1999 (20/05/1999) which was held at Pitt Street HQ in Glasgow.

Present at the meeting was Chief Inspector Chris Griffiths, Mr Robert McKenzie, deputy head of fingerprint department, Charles Stewart, fingerprint officer, Hugh McPherson, fingerprint officer, Fiona McBride, fingerprint officer, Mr Sean Murphy, Advocate Depute for the Crown and Mr Frank Crowe, Deputy Crown Agent. I chaired the meeting and there was one apology of absence from Detective Chief Superintendent Leitch who was to be the representative from Strathclyde Police.

Detailed minutes of this meeting were taken and are attached to this statement. The main points covered were that there was no need for a change of law in respect of fingerprint evidence and Mr Murphy stated that nothing effected the legal framework surrounding fingerprint evidence. In fact his opinion was that this case was unlikely to cause serious damage to fingerprint evidence and that the case was a one off, containing circumstances that were unlikely to be repeated.

He, in fact, said that prior to the presentation of fingerprint evidence there were other difficulties with regards to access to a secure locus and the need to prove that two people were in fact lying.

There was discussions regarding evidence which was initially thought would show that the print had been put on following the initial examination using aluminium powder and the second using black powder.

Basically Mr Murphy had no criticism of the SCRO evidence presented to the Crown. I also asked him about the late submission of defence fingerprint evidence. Murphy said he had only been made aware of this by Donald

Findlay QC just prior to Mr Stewart's and Mr McPherson's precognitions.

There was more discussion took place regarding the actual mechanics of the evidence presented by both sides but in summary he stated that he did not have a problem with the SCRO evidence and how it had been presented. He did say that in instances where experts were in dispute with one another it would be very difficult to prove and persuade a jury.

As a result of this meeting I took the decision to have the disputed mark re-visited by Alan Dunbar and Robert McKenzie as part of a quality assurance check. They reported back to me prior to the 24 May, 1999 (24/05/1999) that following a further examination of the print that they were satisfied that it was the print of Shirley McKie.

Subsequently I requested that the head of the department, Chief Inspector Chris Griffiths compile a report on my behalf to the fingerprint department detailing our position.

I have attached a copy of this

PROD NO SCRO MEMO DATED 24 MAY, 1999 (24/05/1999)

to my statement.

Following this, on the 2 June, 1999 (02/06/1999) I wrote a letter to all the Chief Constables within Scotland outlining our position and what action had been taken. This included a copy to the HMCIC.

I have attached a copy of this

PROD NO LETTER DATED 2 JUNE, 1999 (02/06/1999)

to my statement.

On the 10 June, 1999 (10/06/1999) I wrote to the Crown Office for the attention of Mr John Dunn explaining our position as before. This letter is identical to this one dated 2 June, 1999 (02/06/1999) .

I then sent a further copy to Mr Ian Snedden, Scottish Office Police Division, Saughton House, Edinburgh on 11 June, 1999 (11/06/1999) who was then liaison officer for the Scottish Executive for SCRO.

During this period SCRO received a number of letters from various fingerprint departments and forces throughout the UK and the world requesting clarification regarding what had taken place. I subsequently sent a series of letters to these departments explaining our position using a condensed version of my previous letter dated 2 June, 1999 (02/06/1999) .

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Media interest continued during all of this including interest by the BBC by way of the Frontline Scotland programme, all of whom were calling for answers from SCRO. The responses to this were co-ordinated by Mr William Robertson, Chief Constable of Northern Constabulary who was chairman of the SCRO Executive Committee at that time.

I was also aware of a letter submitted by fingerprint experts at Lothian and Borders Police submitted around February, 2000.

On 7 February, 2000 (07/02/2000) at Stirling Police Headquarters a meeting of the SCRO Executive Committee chaired by Mr Robertson took place and I had arranged for Mr Alan Dunbar and Mr Robert McKenzie to give a presentation to the committee regarding their identification of the crime scene mark.

Following on that the executive took the decision to conduct a review into the SCRO fingerprint department by the HMCIC which included revising the McKie mark. There was to be a review of the SCRO department in December, 2000, anyway and it was decided by the committee to bring the review of the fingerprint department forward.

The review was subsequently carried out by the HMCIC and I learned it had involved foreign fingerprint experts looking at the McKie print and that they would not verify that mark as hers. Mr Taylor announced this at a meeting to the Chief Constable's at Tulliallan. Superintendent Gorman attended at the meeting on behalf of SCRO and Mr Taylor announced that the SCRO fingerprint department was not efficient or effective.

X He made a number of recommendations which we are currently addressing along with Mr ^{McInnes} ~~McKinnes~~ from the Change Management Team, as well as assisting into the Criminal Investigation being conducted by Deputy Chief Constable Jim Mackay from Tayside Police. X

I later received a letter from Mr Rae on behalf of the SCRO Executive Committee which outlined the circumstances provided by the criminal enquiry team and that the position of the 4 (four) SCRO experts was untenable and asking me to consider the matter. As a result of which on the 3 August, 2000 (03/08/2000) in the presence of Superintendent Gorman and UNISON representatives, I precautionary suspended Fiona McBride, Hugh McPherson and Charles Stewart.

Tony McKenna was on annual leave and not available on this date. We later managed to contact him by phone and on 7 August, 2000 (07/08/2000) Mr McKenna was likewise precautionary suspended by myself in the presence of Mr Gorman and the UNISON representative.

X I wish to further add that I had been made aware that a number of defence experts had apparently looked at the crime scene mark prior to the trial and had confirmed that the mark had been made by that of Shirley McKie, in their opinion. X

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Annual Leave - 20/09/2000 - 03/10/2000

Statement noted by Detective Sergeant 9103 Gary Brown at 1415 hours on 7 September, 2000 (07/09/2000) at SCRO, Pitt Street, Glasgow and is corroborated by Detective Inspector 7903 Ian Laird.

Signed:

Signature witnessed by: