



# PROCURATOR FISCAL'S OFFICE

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**Solemn Team C**

Regional Procurator Fiscal: Alfred D Vannet

The High Court Unit  
Crown Office  
25 Chambers Street  
EDINBURGH  
EH1 1LA

Your reference 97900623/GYC/NJ

Our reference DMG/MB/98007845

Date 15 May 1998

FAO: Gillian Y Climie

Dear Sir

SHIRLEY JANE McKIE or CARDWELL

I refer to our previous correspondence in connection with the above and now enclose copy of the report by Terry Kent.

I also return the precognition and copy productions for your information. The only part of Mr Kent's report which causes any concern is page 2, paragraph 9. The concerns I have relate to the fact that print Y7, Shirley Cardwell's print, was not the only print discovered after the use of black powder. Prints Z7 and A8 were also found (see production 169 - page 12) but I note from Production No 168 - page 3 that these contained insufficient ridge characteristics to allow any comparison.

The witness Michael Moffat at page 262 of the precognition states in total, in this area, we discovered a total of 9 impressions which had not previously been revealed by the aluminium powder. I have checked Production No 169 and note that on 14 January 1997 prints Y7, Z7, A8, F8, G8 and H8 were found. These all appear to be in the same area but this only totals 6 impressions. F8, G8 and H8 also appear from Production No 168 - page 3 to have insufficient ridge characteristics to allow comparison.

Another 4 impressions found on 14 January are included in that section and are possibly those referred to by Michael Moffat, these are B8, C8, D8 and E8. Impression B8 has insufficient ridge characteristics for comparison. (Pro No 168 - page 3). Impression C8 remains outstanding. Production No 174 - page 4. Impressions D8 and E8 have been identified as those of Marion Ross. Production No 127 - page 6.

My concerns about Mr Kent's report are therefore that he seems to be saying that Shirley Cardwell must have placed her fingerprint after the aluminium powder dusting. This is what we considered had occurred. Dr Kent's reasons for reaching this conclusion are however, that the aluminium powder would have shown up any print later disclosed by the black powder. It may be suggested by the defence that prints D8 and E8 identified as those of Marion Ross should also be subject to scrutiny.

Please/

Please let me have your comments and any further instructions.

Please note I am in court all week May 18th to 22nd and am unlikely to be available for discussion.

Yours faithfully

D M GREAVES  
Principal Depute