



Scottish Criminal Record Office

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Dear Mr Gilchrist

Crown Office Expert Witness List

I refer to the above and our meeting of 16 July 2002. You will recall our discussions regarding the future status of the four fingerprint experts of the Scottish Fingerprint Service, involved in the McKie and Asbury cases, with regards to their inclusion on the Crown Office, List of Expert Witnesses, in line with the requirements of Sections 280(4) and 285(3) of the Criminal Procedure (Scotland) Act 1995.

That meeting followed on a letter of response to Mr McKie, advising that the Crown's position regarding the future use of the four experts would be kept under review, in light of developments in the civil case involving Ms McKie and the Asbury appeal.

In addition, the matter of public interest, was considered, where there could be potential for challenge at any future trial involving these officers, where reference could be made by a defence to the McKie and Asbury cases and then possibly compromise the actual case being heard.

You are clearly aware, of the situation now relevant to Asbury and the ongoing civil case concerning McKie. It is however now appropriate that I advise you, that since our meeting, the four officers in question have been involved in a detailed return to work strategy over a protracted period. The Head of the Scottish Fingerprint Service, Mr Ewan Innes, has reported that the officers have successfully completed the return to work strategy and it is now considered that they are all capable of performing their full duties and as such should now be included on the Crown Office List of Expert Witnesses.

I should also advise that it is apparent that the officers and their staff association have a high degree of expectation with regard to their inclusion on the expert list and while I would ask for a formal documented response from the Crown in regard to this matter, I would in addition, and at your convenience, welcome a meeting with you to further discuss matters.

As always, I am available for direct contact at 0141 585 Redacted

Yours sincerely

Harry Bell
Director