

**THE FINGERPRINT INQUIRY SCOTLAND
WITNESS STATEMENT FOR DAVID HALLIDAY**

(i) NAME AND PERSONAL INFORMATION

1. My name is David Lindsay Campbell Halliday. I am a retired Police Sergeant. I retired from Strathclyde Police in 2001. Until my retirement I was based at the Glasgow Fingerprint Bureau as a fingerprint expert. This was a seconded post. In 1997 held the same position and was AFR Manager. At that time I was based at the Scottish Criminal Record Office at Police Headquarters, Pitt Street, Glasgow. I did exactly the same job as a civilian Fingerprint Officer, although as a police officer I was on a different salary scale and was subject to different disciplinary rules.

(ii) CAREER

2. I started my career with the police force when I joined Edinburgh City Police in 1971, where I served for 12 months before leaving. In 1973 I joined Lanarkshire Police. I started at Lanarkshire as a Probationary Constable, with a probation period of 2 years, after which I became a Beat Constable. I was based variously in Motherwell, New Stevenson and Newarthill within Lanarkshire. Upon regionalisation in around 1977/1978 Lanarkshire amalgamated with other forces to become Strathclyde Police. I remained with Strathclyde police until my retirement in 2001.
3. In November 1979 I began my training to become a fingerprint expert, following an advertised vacancy, and was based with the SCRO Fingerprint Bureau in Pitt Street, Glasgow, where I remained for the rest of my police service. After 5 years of training I was authorised by the Secretary of State for Scotland in 1984 to give expert evidence on fingerprint identification in court. I would say that I have given such evidence in court in hundreds of cases during my career.
4. All my training was delivered in-house at that time, and there were no further written qualifications to achieve, as such. Training would start off in the Main

Fingerprint Collection, for some considerable amount of time, then trainees would move to the Suspects team and then to Scenes of Crime Teams, where you would then move about periodically.

(iii) PROCEDURES FOR FINGERPRINT WORK AS AT 1997

5. I seem to remember at that time that there were procedures down in writing, which had evolved over a number of years (the 16-point identification standard, for example). As I recall they were committed to writing at that time as a result of a different approach to the management of the Bureau, insofar as the manager that came into the Bureau was not a Fingerprint Officer. Previously, Heads of Bureau had risen from the ranks within the Fingerprint Service and were themselves fingerprint experts. When this was no longer the case I recall that it was thought it worthwhile to put the procedures in writing for them.
6. Prior to that happening, working procedures became *au fait* to new recruits by experience in the team, doing the job over and over. Trainees were put with an expert for the first few weeks of their time in a team and given literature about the classification of fingerprint forms to study. In addition, when studying fingerprints at the National Collection at the start of a trainee's training, they would have looked at millions of fingerprints. The Main Collection referred to above forms part of the National Collection.

Joint Reports

7. I have been asked about the preparation of fingerprint evidence for court cases. Such preparation of joint reports was a matter of simply being allocated by management to do it. It was not always the case that you had actually worked on the case during the initial police inquiry. Rather, it was determined by which fingerprint experts were available to give evidence.
8. When preparing a joint report, you would have a note on the case envelope of the initial examiner's conclusions but would go about finding your own characteristics in the marks from scratch. You would be passed the case

envelope with details of the case, but not the specific characteristics found by the initial examiner.

9. In solemn cases you would also go about preparing your own charts for use in court. It is highly unlikely that 2 experts would ever find the same set of 16 characteristics for an identification. I personally think this way of preparation was good as it was another means of checking the marks in the case. That said, I do not recall there ever being a case where, after discussion, a case for court required to be reallocated because the allocated officer could not find 16 characteristics to support an identification. I'm not saying that that never happened, but I have never heard of it happening.
10. You could go back to the first checker of the mark to ask them where they were coming from to see if that assisted your own comparison.

Enlargements

11. The use of enlargements in court was not of any evidential value other than providing a way of explaining to the jury the way we went about identifying fingerprints, and the expertise of the expert that is used. This would be made clear in court when using the enlargement. Copies of the enlargements would be prepared for the jury, which were made clear in evidence as being only explanatory. General procedure was that only one enlargement would be prepared for a case. A case could have hundreds of fingerprints in it, but you wouldn't prepare an enlargement for every mark, it was just a way to explain your methods.

Confirmation of findings

12. I was never aware of there being any pressure placed on an expert to confirm an initial examiner's identification of a mark and was not aware of any bullying practices like that. I have never heard any talk in my time at the Bureau of experienced fingerprint officers getting upset at second-checking officers not confirming their findings. Whilst in my role as Automated Fingerprint

Recognition (AFR) Manager I was a bit separate from the main Fingerprint Hall, I would be surprised and disappointed to hear that.

13. During an investigation things could become contentious if, say, 14 or 15 characteristics could be found between a crime scene mark and a known ten-print form. I understood the practice of 16 characteristics being used because it is totally beyond any doubt that the crime scene mark belongs to the identified individual. Disagreements that I experienced would focus on the number of characteristics, but not as to the actual identification of a mark.
14. There is a concern that new trainees do not now get the same training as before based at the National Collection, but I am not aware of that having ever been a particular problem. Before the advent of AFR, the National Collection was classified according to the Henry System. Searching it was a labour-intensive exercise, but very good experience for comparing groups of prints, recognising patterns and for the development of searching and comparison skills. Since AFR this is done on computer, though training has changed to compensate. I have given evidence on identifications before where there are less than 16 characteristics found but I have been satisfied that an identification has been made. You could find that if one mark remained contentious it could be removed from a report if disagreement between experts could not be resolved.

(iv) MARK Y7

15. I have had no dealings with the marks QI2, QD2 or XF in relation to the Marion Ross murder inquiry. My only involvement has been with the mark Y7.
16. I cannot now remember when my involvement took place but it was during the murder inquiry, perhaps late 1997, early 1998. I cannot remember the date but do remember I was the AFR manager at the time. I have been referred to document (CO_1111) which is a statement I gave to Tayside police on [date]. In this I make reference to 'around January 1997'. I am asked if this helps jog

my memory so far as the date is concerned, which I am afraid it does not, as all marks that came through to me were by way of AFR or Livescan.

17. I have looked through document (DB_0003) Marks Worksheet BY31 and note that my signature does not appear there. I was not doing work on the actual case so I wouldn't expect it to. The involvement I had was that while working in the AFR room one day, as I did often, Alan Dunbar, Quality Assurance Officer came in and asked me if I would mind looking at a mark. This was a frequent practice at the time to get other opinions on marks.
18. I don't know if anyone else had seen the mark before me. It was not done as an official second check, just to get another expert's views on it. There was a comparator set up in the main Fingerprint Hall. I can't remember at what time of day this took place, but it was during the course of a normal working day, between 0900 and 1700 hours.
19. Alan Dunbar was the Quality Assurance Manager at that time and a fingerprint expert, who was involved with staff training. Alan Dunbar didn't tell me why he was asking me to look at the mark, although there was nothing out of the ordinary in him asking me for my opinion. At the time I was not aware of any importance attached to it. I think that became apparent subsequently. I was surprised when I took it off the comparator that it was from a sizable case, due to the number (Y7) allocated to it. There would have been a lot of marks in the case.

The Comparator

20. The scene of crime print and the known print were set up on the comparator, shown on the left and right screens respectively. The screens were blank, with no characteristics or signatures already marked. You would always wipe the screen after you were finished anyway, so as not to influence anybody. I remember that a full working complement of staff were present in the Hall at the time, and the comparator was set up in the aisle between the teams right in the middle of the office against the wall.

21. No member of staff was looking over me as I went about looking at the marks. They're all professionals. There would have been a full staff in the office. The comparator was in the centre against a wall. The comparator would generally focus in on a small area. The marks were sitting at the top of the comparator face down. I removed them from the comparator and used magnifying glasses to look at the mark and the form. The scene of crime mark looked initially to be a right hand thumb, but I could then see on further inspection that it was a left thumb with a lot of distortion in it.
22. The distortion gave the impression of right thumb ridges which appeared to run from top left to bottom right but when I took the mark off the comparator I could see near the top of the thumb and that it was, in fact, a left thumb print. I would describe the quality of the scene of crime mark to be pretty ropey and tricky. On a scale of 1 to 10 of identifiable marks, with 1 being the lowest and 10 being the highest quality, I would rate this mark as being a 2.
23. I remember the known print came from a ten-print form, but cannot remember whether it was a SCRO 1 Form or a standard elimination form. It was not a police card (taken when every police officer joins the force). From memory, I recall that the ten-print form was in the name of Shirley McKie, though I cannot remember if the name Jane was on it.
24. I was able to come to a conclusion. I got a start using glasses and old fashioned pointers on the mark and then put it back onto the comparator machine and marked up 16 characteristics in sequence and agreement. I had absolutely no trouble coming to the conclusion that it was the same person's print who appears on the ten-print form. I did not find any characteristics in disagreement or out of sequence, although there were some tolerances for movement, given the elasticity of the skin.
25. I could see that the twisting was probably towards the right in a clockwise direction to half past one or two o'clock. It was quite severe distortion and

what you would expect if any pressure was involved in leaving the mark. I marked up the characteristics on the left and right screens with a red dot pen.

26. I think I spent about 20 to 30 minutes on it from starting to look at it to marking up the screen. With my way of comparison, a really high quality mark and form could be compared in about 1 to 2 minutes. Looking for characteristics in sequence and agreement, this is how long a comparison of a really high quality mark would take me. I then signed the screen and informed Alan Dunbar that I was satisfied as to the identity of the mark. I think I went in to his room to tell him and that he had left me to it. I don't recall what Alan Dunbar's reaction was, he probably thanked me for my attention and that was the end of the matter. We were all very busy in those days and I went back to work.

27. I don't know how long it would have been between then and finding out that the mark was controversial. I probably quite quickly picked up on the office rumour machine that there was controversy relating to this. I did not know anything about DC McKie or the fact that she had left a print at a previous crime scene in 1993. I realised after having looked at the mark that it was apparent it was an elimination. The "rumour machine" as I have called it in the office was not malicious, and tended to be work-related gossip. It was not negative and more a means of staff supporting each other. I do recall there was fair degree of resentment at time spent identifying a mark left by an officer who should have known better. I had no further involvement with the case and was not involved in the preparation of reports or charts for either the Asbury or McKie trials.

(v) DISCUSSIONS IN RELATION TO Y7

28. I do believe that there were discussions between staff and officers shortly before the McKie perjury trial and certainly after it. Prior to the McKie trial, I think people just wanted it to be done and over with. The staff generally were fed up with the whole circus of the case and fed up with DC McKie's attitude to it. If she'd have just come clean she would have had a slap on the wrist and that would have been the end of it.

29. I was not aware of any discussions regarding any concerns about the robustness of the identification of Y7. So far as the Asbury murder case was concerned the mark was an elimination, for the McKie trial I think it may have then been an identification. There were no worries in the office about the identification of Y7 as it had been made by 4 experts, 2 of whom, in Hugh MacPherson and Charles Stewart, were world class. I had seen the mark myself and regarded it as a stonewall identification.
30. I was quite angry at the outcome of the McKie trial as the professionalism of the Fingerprint Service, fingerprint services everywhere and myself, was under attack. I was very disappointed, along with most other officers in the office. I can understand an inexperienced expert saying that the mark (Y7) is not good enough for an identification [Redacted]
[Redacted]
[Redacted]
31. The only other matter I wish to add is that I was present in the late 1990s, but definitely before the McKie trial, in Glasgow for a presentation in the Pitt Street Conference Room by a "renowned" fingerprint expert, Mr Arie Zeelenberg of the Dutch Fingerprint Department. I don't know what exactly he was trying to show in the presentation, be it appeared to me to that a very amateurish method of fingerprint analysis in the Dutch Fingerprint Department.
32. [Redacted] As I recall his presentation was on his methods of running his Fingerprint Bureau in Amsterdam and was supposed to be an exchange of views between the two Services. Instead it was more like him just expanding upon his own views. I did not attend any presentation by Robert McKenzie after the McKie trial at Tulliallan, although I was aware that such a presentation had taken place.

(vi) CASE DOCUMENTS

33. I have been shown a number of documents and can comment as follows. (DB_0002) Major Incident Diary Pages; (DB_0003) Marks Worksheet BY31; (CO_0198) Elimination Sheet BY4 - containing police staff; (CO_1444) Elimination Sheet BY6- Page number 2 and (CO_0197) Elimination Sheet BY6 - page number 4 are all elimination pages. (CO_1446) Elimination Sheet BY3 containing suspects is the suspect pages. I have never seen any of these documents before.
34. I have been shown document (SG-0349-51) David Asbury fingerprint prints forms dated 26/1/97. These are two fingerprint forms for David Asbury, one of which is inaccurate, which I have never seen before.
35. Document (SG-0395) Fingerprint form dated 6/3/98 in the name Shirley Jane McKie is a ten-print form in the name of Shirley McKie which I do not think was the ten-print form I looked at. I see this document is dated 6 March 1998 and taken at Ayr and is the charge form for the perjury charge. As such, this post dates when I compared Y7 with another form of DC McKie's prints.
36. I am shown document (CO_1985) Bag containing photographs of marks. I have never seen this before. This includes (CO_1987) Photograph of XF with handwritten annotations, (CO_2000) Photograph of QD2, (CO_1991) Photograph of QE2 and (CO_1992) Photograph of QL2. I have also been shown document (DB_0001) Negative bag containing Photograph of QI2 with handwritten annotations. I have never seen any of these before. I am shown document (DB_0001) Negative bag containing Photograph of QI2 with handwritten annotations. I have never seen this before either. I see it has two different sets of signatures, one for the deceased and one for the accused David Asbury, both signed by Hugh MacPherson, Charles Stewart, Alister Geddes and Edward Bruce.
37. I am shown document (PS_0002) Photograph of Y7 with handwritten annotations. This is what I saw when I compared this mark to a ten-print of DC

