

**THE FINGERPRINT INQUIRY SCOTLAND
SUPPLEMENTARY STATEMENT OF ALISTER GEDDES**

(i) PAPERWORK IN THE MARION ROSS CASE: OVERVIEW

1. I have been shown a number of original documents in relation to this matter, namely document (DB_0252) BY9 SCRO Case Envelopes.

SCRO Case Envelopes

2. I have not seen these case envelopes since dealing with the case in 1997 but can comment as follows.
3. I have been shown documents (DB_0530) Newspaper Cutting Headline "Woman Murdered in Her Home"; (DB_0532) Newspaper Cutting Headline "Murder: Man on Remand"; (DB_0533) Newspaper Cutting Headline "Man to Appear on Murder Charge" and (DB_0537) Newspaper Cutting Headline "Police Hunt After Lonely Marion is Found Murdered". These are all contained in document (DB_0259) SCRO Case Envelope "Murder (i)". I have been asked to comment on the presence of these newspaper cuttings. In times gone by we, in the Fingerprint Bureau, sometimes got a suspect notification from police comments in the media. It would not be the first time that we got a named suspect from a newspaper article when the police forgot to tell us about the identity of any suspect but had told the press.
4. Where the newspaper cuttings were kept depended on the individual working on the case. In standard cases you would not generally need to keep them. It was not a set procedure laid down within the office but some of the more experienced fingerprint officers would do it for serious crime cases. I understand it still happens today.
5. By way of an example, I was working on an attempted murder case in which no suspect forms or elimination forms were received. A few days in to my inquiries I got a hit on the Ident 1 System for a potential match. I then found out from checking the Criminal History System, that the

woman in question had been arrested, charged and appeared in court in the intervening days between my receiving the case papers and making the identification.

6. In relation to the other notes within BY9 SCRO Case Envelopes (DB_0252), diary pages were not introduced until about 1997. At that time, they were only used to record telephone calls. Other important matters would be noted and would go into the case envelopes.
7. Such notes provided a paper trail for those involved in the inquiry and have no bearing on fingerprint analysis. They would simply inform us of the police progress in the case.
8. The suggestion that police officer input would influence a fingerprint officer's analysis was raised at the Justice 1 Committee. It is, frankly, irrelevant whether we as fingerprint experts have information germane to the case. To us it means nothing. It happened a number of times where we relayed a negative result to police and they replied "it has to be him". Such comments have no bearing on the outcome of analysis within the Fingerprint Bureau. The only information we use for fingerprint analysis is that disclosed in the mark and nothing else.
9. I am shown document (DB_0265) Handwritten Note beginning "*Asbury a bit slow??*" and asked to comment. I have no idea to which mark this note relates. I do recall there was a mark identified on a gift tag and whether this note relates to that I do not know. Things like this would have been noted if raised in conversation between the fingerprint expert and Scene of Crime Officers or police officers. If such conversations took place the fingerprint officer would note down any information and if that information were noted down then it should be put in the case envelope.
10. I have been shown document (DB_0261) Special Case Form Reference UC01050197. It states "Z8 to Remain". This means that the mark is to

remain on the unsolved marks database as it is of searchable quality. This document lists the marks that were searched on the AFR System.

11. Within Special Case Form Reference UC01050197 (DB_0261) the reference to the term 'deleted' means that a mark has been searched on the AFR System, has come back as a negative result and the mark has then gone on to be eliminated from the Inquiry.

12. **If crime scene marks had been compared with a negative result against all quoted suspects and eliminations received; had been searched with a negative result on the national database and as such remained unidentified then they would be put onto the unsolved marks database. This would enable them to be automatically searched against any new forms received at the Bureau.**

Form 13

13. I am shown document (DB_0251) BY23 Original Reply Form 13B. This is relative to marks QB2 to QL2. I have been asked to comment on the "instructions" present on this form. In my experience it is often the case when dealing with police officers and Scene of Crime Officers that they think they are 'Columbo' and make suggestions as to the identity of the particular mark.

14. We do not identify marks on request. Police officers might very well be looking for a mark because it might be crucial to an Inquiry, or they may ask us to go to certain individual's prints first. If the result of those comparisons is negative then that is the result of the comparison.

15. Police officers phone up the Fingerprint Bureau all the time saying that they have "red hot suspects". Fingerprint officers when carrying out their comparisons are not influenced by anything other than the detail disclosed within a mark or print.

16. If that means that we identify a “red hot suspect” then we identify that person and the police regard us as being the best thing since sliced bread as we have given them what they wanted. But if the detail in the mark means that we cannot identify, then we do not identify.
17. I am shown documents (CO_0197) Elimination Sheet BY6 - page number 4 and (CO_1444) Elimination Sheet BY6- Page number 2. The large X’s presence in relation to groups of marks means that all those marks have either been identified, eliminated or are insufficient for comparison.

Worksheets

18. In the crime scene worksheets (CO_0209) Marks Worksheet BY31 [] I am referred to page 11 and asked to comment on the use of the term ‘identified’ as opposed to ‘eliminated’, in relation to the deceased Marion Ross. The terms eliminated and identified are basically one and the same thing. They both mean that ownership of a mark has been assigned to an individual. I can see in (DB_0003) Marks Worksheet BY31 that I have written “eliminated” whereas Hugh McPherson uses “identified”.
19. I should add that procedures have changed in the office this year so that any mark which is now eliminated requires three experts’ signatures, the same number as an identification of a suspect.
20. I understand that the rationale for that is that elimination is still identifying an individual as being the owner of a mark. There has never been any difference in respect of how a fingerprint officer would carry out a comparison of an elimination as opposed to an identification. An expert will have a mark from a named donor and a crime scene mark, before his comparison and thereafter identify ownership if possible.
21. In the Marion Ross case, David Asbury was initially regarded as somebody with legitimate access to Mrs Ross’ house and his prints were initially received as an elimination.

22. We do not identify marks by point count; rather, I would compare first, come to my conclusion, if my conclusion is that of identity I would then revisit the mark to find the required 16 characteristics for court purposes. If I had eliminated a mark in the first instance then I would have to revisit that mark if that eliminated individual's status changed to being that of a suspect. If an individual was always a suspect in a case, then similarly I would do my comparison, come to my conclusion and revisit the mark directly as part as the same process.
23. I am referred to document (DB_0001) Negative bag containing Photograph of Q12 with handwritten annotations and asked why the bag was marked with the reference "only to Marion Ross, deceased". The reason for this is that there would have been two bags; one bag attributed to the accused; and one for the deceased.
24. In relation to the Mark Q12, if one were being pedantic, the only entry on the elimination sheet that should have been there but is not, is that against Marion Ross as every other mark in that particular bundle had been accounted for. Ideally, Hugh McPherson should have initialled for first check and the second checker should also have initialled. The elimination sheets are more a tracking document to ensure that relevant comparisons are being conducted and work is not being duplicated. As such the particular column that includes Q12 has been crossed out indicating that all marks have been accounted for. The mark worksheets are considered a more relevant place to note findings on marks and it is here that Hugh has fully documented his findings on Q12

(ii) REMARKS REGARDING ELIMINATION OF Q12

25. I take great offence at the suggestion that findings in relation to the elimination of Q12 as being that of Marion Ross was as a result of a direct instruction by police officers as opposed to a fingerprint officer considering all appropriate eliminations and coming to an ethical, accurate and fully verifiable conclusion.

26. In any event, Marion Ross was number one on the list of eliminations as she was the deceased in this case. If the detail on her elimination print identified the mark Q12 as belonging to her, then that was our finding. In the science of fingerprints uniqueness and permanence is firmly established, as such if you find a sufficient volume of ridge characteristics occurring in sequence and agreement then and only then will you have an identification, not because a police officer demands so. If the mark had not been eliminated as Marion Ross then we would have continued in our endeavours to identify the donor.
27. For myself, I am not going to arrive at a finding in relation to a mark simply to assist with a police officer's ego and I am insulted at the suggestion. As previously stated the investigating officers can direct us to consider or prioritise certain marks and quoted individuals, which we would happily carry out. They do not influence us on our conclusion on a mark. This line of questioning, in my opinion, is suggesting that I as a fingerprint expert fabricated fingerprint evidence. I regard that suggestion as being wholly offensive.

Insofar as the facts to which I attest in this, my witness statement, are within my direct knowledge I confirm that they are true. Where based on information provided to me by others I confirm they are true to the best of my knowledge information and belief.

Signature Alister Geddes
Print Name ALISTER GEDDES
Date 30th April 2009