

THE FINGERPRINT INQUIRY SCOTLAND
WITNESS STATEMENT OF GRAEME WILLIAM MCINTYRE

(i) NAME AND PERSONAL INFORMATION

1. My full name is Graeme William McIntyre. I joined Strathclyde Police on 23rd December 1991. In January 1997 I was a Police Constable. In January 1997 I had served for just over five years. In 2002 I became a Detective Constable. I have now served over seventeen years. I am currently a Detective Constable in CID. I have passed the Police Scotland Crime Exam.
2. Prior to providing this statement I obtained a copy of my Witness Statement to the Strathclyde Police Complaints and Discipline team, (CO_1592) Statement of Graeme McIntyre dated 10/7/1997. I gave this statement on Thursday 10th July 1997 to Chief Inspector Wilson at Saltcoats Police Office.
3. I have reviewed this statement. I cannot remember all of the details in the statement now. However I was telling the truth at the time. I was careful to ensure that anything I said was accurate. I was fully aware of the very serious nature of the investigation at the time. I was also aware that I could have to give evidence in the High Court on the matter. There is nothing I believe to be incorrect in the statement.

(ii) INITIAL DUTIES AT IRVINE ROAD: 9th JANUARY 1997

4. I was initially asked to go to the locus, 43 Irvine Road, Kilmarnock, on 9th January 1997. This would have been around 10.00 a.m. Marion Ross had been found dead the previous day. The front door key was missing and I had been asked to search for it. At this stage the death of Marion Ross was being treated as suspicious. It was thought that the death could be the result of murder or suicide. Accordingly the locus was being treated as a murder locus. I wore protective clothing at all times. There was a door keeper at this time.

(iii) APPOINTMENT AND DUTIES AS PRODUCTIONS OFFICER

5. During 9th January 1997 it was confirmed that the inquiry was a murder inquiry. On 9th January 1997 I was appointed to work on the inquiry as a productions officer. I was told to assist DC Kerr, now Inspector Kerr, with productions. I would explain my duties as a productions officer as follows. Scenes of Crimes Officers (SOCOs) were at the locus. The SOCOs would work through each room. Items in each room would be examined by the SOCOs. These items would then be placed in bags and labelled by DC Kerr or myself. Accordingly my job was to bag up and label each such item or production. The labelling was in standard form. Each production would also be recorded in a production book.
6. Once bagged and labelled the productions would then be taken to Kilmarnock Police Office and forwarded if necessary to the laboratory for further work.
7. I cannot now remember exactly who instructed that I act as a production officer. The instruction would have come from Detective Chief Inspector Heath or Detective Inspector McAllister but would probably have been passed to me via Detective Sergeant Peter McPike.
8. One room was done at a time. The starting point was the bathroom and the SOCOs, DC Kerr and I worked out from the bathroom to other rooms.
9. DC Kerr and I were also tasked with dealing with any locus specific inquiries from police officers. The basic position was that persons other than SOCOs, DC Kerr and myself were not to enter the locus. The objective was to maintain the integrity of the locus. Accordingly if officers had a query regarding the locus, or required a search for specific items, they had to telephone DC Kerr or myself. We would

then answer the query or look for the item in question. With that in mind we had both been provided with a mobile telephone. There were quite a few calls from officers and I can remember that we were under a lot of pressure as a result.

10. These were my duties at the locus on each day I was in attendance at the locus at this time until the production work and forensic work was completed.

Use of protective clothing

11. The SOCOs, DC Kerr and I wore protective clothing at all times when we were in the locus. One of the SOCOs had explained to me that it was possible to leave fingerprints even whilst wearing latex gloves. Accordingly I would wear cotton gloves underneath, or two sets of latex gloves to avoid this outcome.

Arrangements for entry to the locus

12. I was not responsible for authorising entry into the house. Any person entering the house would need an instruction or permission to do so. Logkeepers were present. Their task was to record who entered the locus and also check to ensure that persons entering the locus had authority to do so.
13. Each time I arrived or left the locus I was signed in or out.

General instructions regarding locus

14. I cannot now remember the exact instructions given regarding the locus. However I was being very careful, hence the "double gloving" I refer to above as I was worried about leaving a mark at the scene. At the briefings to officers involved in the investigation DCI Heath had stressed the importance of preserving the integrity of the locus. I was a junior officer and did not want to do anything that jeopardised the enquiry.

15. I suspect that instructions must have been given not to enter the locus. I cannot now remember the exact instructions. However even if they were not, it was well known that you should not enter a locus unless absolutely necessary. This was a "no brainer". The arrangements I describe above regarding contacting either DC Kerr or myself were put in place with this in mind.

(iv) ATTENDANCE AT LOCUS 9th and 10TH JANUARY 1997

16. I was present at the locus on 9th and 10th January 1997 in my role as a productions officer. SOCOs were present at the locus on these days. I cannot now remember who they were. I was carrying out my production officer duties as described above.

Discussions regarding types of powders to be used

17. At the start the SOCOs were examining articles for fingerprints using aluminium powder. I remember that thereafter the SOCOs started using black powder to examine items for fingerprints. I was taking a keen interest in the SOCOs' work, as I wished to learn as much as possible. I knew that the examination with black powder could disclose marks that had not been exposed by the aluminium powder. However I cannot now recall participating in or overhearing any discussion as to which type of powder to use in looking for fingerprints, or as to the order in which such powders should be used.

Visit by Officers from the Serious Crime Squad

18. On the 10th January 1997 four police officers visited the locus. I remember that they all had their hands in their pockets. It was well known that it was imperative not to touch things at a crime scene, so it was sensible to keep hands in pockets. The officers were not wearing protective clothing. Some SOCOs, DC Kerr and I were present. I cannot remember who showed them round. I think that it was a SOCO. DC Kerr told me that they were from the Serious Crime

Squad. I cannot now remember anything else about this visit. I do not know who the officers were.

(v) ATTENDANCE AT LOCUS: 11th JANUARY TO 14th JANUARY 1997

19. I was at the locus on 11th January. Indeed I was at the locus for much of the time during the period 11th January to 14th January 1997.

However I cannot now remember the exact times I was at the locus, or whether it was morning or afternoon. During this time I was carrying out my production officer duties as described above. SOCOs were also present at the locus on these days. I cannot now remember who they were. If DC Kerr was on duty on the 11th January he would have been with me. We would leave the locus to convey productions or to go for lunch and return together. I am asked whether productions may have been stored in shoe boxes on 11 January; I do not recall ever using shoe boxes and I am sure these were never used, I am 100% sure of that.

Shirley McKie

20. I am aware that Shirley McKie asked DC Kerr if she could visit the locus at some time when we were productions officers. I only became aware of this request at some point in time after mark Y7 had been identified as Shirley McKie's. DC Kerr told me about this request. I cannot remember exactly what DC Kerr said to me about this. I was not aware of this when I was working as a production officer.

21. In January 1997 I knew who Shirley McKie was and could recognise her. During the period from 9th January 1997 to 14th January 1997 I did not see Shirley McKie at the locus. However the fact that I did not see someone at the locus does not mean they were not at the locus. Someone could enter the locus without me seeing them, even though I was present in the locus. This is because of the size and layout of the house. As an example if I was upstairs or in the loft then I would not see someone downstairs.

Mark Y7

22. I learned at some point in time that mark Y7 had been located as part of the black powder exercise. I cannot remember when I came to learn this, however it must have been before I pointed out mark Y7 to DI McAllister.
23. I cannot remember how I came to learn about the finding of mark Y7. It may have come up in discussion amongst those of us in the house. However I may simply have overheard the SOCOs discussing it.
24. I cannot remember Michael Moffat or anyone else saying anything about the mark. I cannot remember any mention of Gary Gray as being the potential donor of mark Y7 or any other mention of Gary Gray in the context of fingerprints. I cannot remember any discussion as to the identity of any potential donor of mark Y7. Indeed I cannot remember any discussions amongst the SOCOs about Y7 around the time mark Y7 was located or otherwise.

(vi) VISIT BY DI MCALLISTER

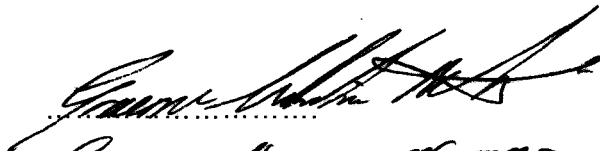
25. I cannot remember exactly when the SOCOs' work and the work on productions was completed. However it may have been around two weeks after the 9th January 1997. Around this time the locus was visited by DS McAllister. I showed DI McAllister mark Y7. I cannot now remember if he said anything about Y7.
26. I cannot remember if anyone else was there at the time. I do not think DC Kerr or Michael Moffat were there. If they were it would probably have been them that showed DI McAllister.
27. I cannot remember any discussion about Mark Y7. I cannot remember DI McAllister mentioning Shirley McKie, Gary Gray or any potential donor. I cannot remember what DI McAllister said. In my Witness

Statement to the Strathclyde Police Complaints and Discipline team, (CO_1592) Statement of Graeme McIntyre dated 10/7/1997, I state that Detective Inspector McAllister looked at the unidentified mark on the downstairs bathroom door facing. This would be mark Y7. I then state that he "said it looked like a child or a female". I now cannot remember DI McAllister saying that. However I believe my statement to be correct.

28. I have no other information that would assist the Inquiry.

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



Print Name

GRAEME WILLIAM MCINTYRE

Date

29/4/09