

The Fingerprint Inquiry

STATEMENT OF MARTIN JOHN LEADBETTER

1. INTRODUCTION

Firstly, I wish to state quite unequivocally, that I have *only* involved myself in this case because I am totally convinced that my identification of the latent mark known as 'Y7' is completely accurate and I am appalled by the incompetence that has been shown by those so-called experts who have reached different conclusions.

Whilst I have never been *officially* involved in the fingerprint or any other aspects of this case, I have had an active interest in the latent mark known as 'Y7' and have spent hundreds of hours comparing it on and off, with the Left Thumb impression of Shirley McKIE for about the last nine years. The first time that I recall seeing the fingerprint material was about nine years ago, when I took an early morning telephone call from Mr Pat WERTHEIM, who tried to interest me in looking at the material. I said that it would interest me and Mr Wertheim later forwarded colour photographs to me. I was later unofficially provided with photographic copies of Mark 'Y7' by Mr Terry KENT, retired Home Office Scientist, while I was on a visit to the Home Office Police Research Scientific Branch (PRSB). I understand that Mr KENT had visited the scene of the murder of Marion ROSS where he took the photographs of Mark 'Y7'. Over the years I have received various copies of the Mark 'Y7' and copies of Shirley McKIE's Left Thumb impression from members of SCRO and from Mr Peter SWANN. I have not seen any original material.

My interest in this case is purely professional. I have never received or been offered any inducements, financial or otherwise for my involvement in this case or for proffering any conclusions on the provenance of Mark 'Y7'; neither have I ever requested or desired any financial reward, nor do I seek any.

I have been involved in identification of persons by means of fingers, thumbs, palms and feet for more than 42 years, without any break in service. In fact, since my retirement as Head of the Fingerprint Bureau for Cambridgeshire Constabulary, I have continued to practise fingerprint comparison and identification as a consultant, both for the police and the private sector.

In my 42 years service I can honestly say, that the Mark 'Y7' is one of the most complex and difficult comparisons I have ever had to undertake.

2. QUALIFICATIONS AND EXPERIENCE

As mentioned previously, I have been involved in the analysis and identification of fingerprints for more than 42 years. I commenced this career in October 1966, when I was employed by the Metropolitan Police at New Scotland Yard as a Trainee Fingerprint Officer. I resigned from the Metropolitan Police in 1972 and took up a post with Gloucestershire Constabulary, qualifying as a Fingerprint Expert at the Metropolitan Police Training School, Hendon, in 1973. In March 1974 I transferred to Hertfordshire Constabulary on promotion as Deputy Head of the Fingerprint Bureau for that Force. While with Hertfordshire, I was selected to take part in the first Home Office Project, to design and procure national AFR (Automatic Fingerprint Recognition). This secondment lasted from 1988-1990 and during this time I was part of a team of Fingerprint Experts, Scientists and IT Engineers led by a Senior Home Office Civil Servant, Dr. Tom MANN. The project did not come to the expected fruition and I returned to Hertfordshire Fingerprint Bureau in 1990. During my time at the Home Office, I had worked on the project in France and the USA and had been approached to work for the French Company, Morpho Systèmes and in 1991 joined this firm as Fingerprint Expert/Advisor. In 1995 I resigned from Morpho Systèmes and took an appointment with Cambridgeshire Constabulary as Head of that force's fingerprint bureau, a post I held until my retirement on 13th August 2005. Since then I have continued to practise fingerprint identification and comparison and have worked for the Forensic Science Service, the City of London Police, the Security & Safety Division of the European Union, Unisys (Belgium), Sagem SA (France) and have practised as an independent fingerprint consultant for various clients. I also have a contract with Haywards Associates (Forensics) of St. Ives, Cambridgeshire.

I consider myself competent and knowledgeable in all aspects of the fingerprint discipline, although my knowledge of the latest chemical treatments, IT advances and biology would need some refreshing. I do not like to call myself a fingerprint expert, preferring the less pompous term, 'Fingerprint Examiner', which in essence *is* what I do.

My duties have included all aspects of fingerprint work, comparison, searching and verification of identifications, preparing and presenting fingerprint evidence to all levels of court, chemical treatment of exhibits, crime scene examination, the fingerprinting of cadavers and severed hands, basic fingerprint photography, training recruits, and providing presentations to senior officers and distinguished persons. During my time with Cambridgeshire I conducted the final or third check on most of the identifications produced by the bureau staff and for the last 20 or so years, apart from my time with Morpho Systèmes (1991-5) have continuously been analysing, comparing and verifying the work of other fingerprint officers.

In addition, I have designed and taken part in more than 30 bench-marks both with the UK police and for the private sector in most countries of Europe, North and South America, Africa, Asia and in Russia, and Siberia. Between 2002/2005 I was part of the European Police Mission Team which designed and implemented a national computerised fingerprint system for Bosnia/Herzegovina.

I was a Registered Forensic Practitioner (Registration No. 12) with CRFP, (Council for the Registration of Forensic Practitioners) (subsequently subject to winding-up); until my retirement in 2005 my name appeared on the National Register of Fingerprint Experts, (1110) which is a list of all those persons in police, government or military employ within the UK qualified to give expert fingerprint evidence; I am a Founder Member and Honorary Life Fellow of The Fingerprint Society and currently Chair that organisation; I am a Distinguished Member, Life Member, UK representative and Member of the Editorial Board of IAI, (International Association for Identification) and I am a Member of the British Academy of Forensic Sciences.

I was selected by ACPO to sit on the Fingerprint Evidential Standards Project Board, which ran from 1997-2001. This Board was entrusted with investigating the need for the 16-point fingerprint standard and if to be abolished, to recommend what should replace it. Our work was completed in 2001 and the result was the disbandment of the 16-point standard in that year and it was replaced by a non-specific-numeric standard, i.e. there is now no requirement for any set number or minimum number of matching points in order to confirm and establish a finger or palm print identification. (See Chart 10).

Some concern was initially expressed by the profession that without the 16-point standard errors might occur. Thus, it was suggested by ACPO, that in certain instances, where there are very few matching points, or where the latent mark is distorted or indistinct, fingerprint experts should consider the use of ridgeology, that is to say, making use of additional features disclosed in the fingerprints other than conventional points. I was subsequently appointed by ACPO to Chair the Ridgeology Sub-Group and investigate the merits, if any, of this system for supporting fingerprint identifications. This Sub-Group sat from 2002 for 18 months and our recommendation was that fingerprint experts should feel free to use this additional information IF they felt it was necessary, but no identification should ever be established purely on the use of such information.

Since retirement I have acted as a consultant to ACPO's National Fingerprint Board and have written five policy documents for it.

I am also a part-time lecturer to BSc. and MSc. Students at the London South Bank University.

I have passed the ACPO Advanced Fingerprint Course and all other courses required by the UK Police Service. I have a Bachelor of Arts degree with Honours. As of 25th April 2009 I was to be a Lead Assessor for the Council for the Registration of Forensic Practitioners.

3. OTHER FINGERPRINT EXPERTS INVOLVED

I take no pleasure in having to be critical of fellow fingerprint experts, but due to the controversial nature of this case, I feel compelled to bring certain matters to the attention

of the Inquiry. I have grave doubts as to the competence of certain individuals who have provided 'expert' evidence as to the provenance of Mark 'Y7' and believe that this has led to confusion, a blurring of the truth, flawed opinions and the devaluing of fingerprint evidence to an abject level never before seen in British courts. I remain totally convinced that the mark 'Y7' has been made by the left thumb of Shirley McKIE and if I had the slightest doubts I would not have volunteered to be a witness at this inquiry.

In order to get to the truth, I believe that it is crucial to examine the qualifications, experience and competence of those experts who have provided evidence in the past that the Mark 'Y7' could not have been made by Shirley McKIE's left thumb. Unanimously their evidence is fundamentally flawed, in that all have failed to recognise that the Mark 'Y7' is angled between 60/70° out of horizontal. *Unless this fact is observed it is quite impossible to match the Mark 'Y7' with the left thumb impression of Shirley McKIE.*

Mr Pat WERTHEIM:

From almost the very beginning of this case one of the American Fingerprint Experts hired by the McKIEs, Mr Pat WERTHEIM, made a public statement that *'he could see in less than 90 seconds that the Mark 'Y7' could not have been made by Shirley McKIE's left thumb'* (not verbatim). He then goes on to make an even more boastful statement on BBC television's, 'Panorama' programme, and I quote verbatim:

"I knew within a minute of looking at this mark, that it could not have been made by Shirley McKie."

Frankly, for such a ridiculous and unprofessional statement to be made so publicly by a practising fingerprint expert is not only ludicrous, but verging on the totally idiotic. As stated earlier, the Mark 'Y7' is extremely complex and poses various issues that require the most careful and studious analysis before any conclusion should be reached: any competent fingerprint examiner would appreciate this. For my part, I had spent countless hours of examination, re-examination and meticulous scrutiny before I reached my final conclusion: I am aware that it has been the same for my colleague, Mr John BERRY.

In an article in Fingerprint Whorld, September 2000 on the process of fingerprint examination written by Mr Pat WERTHEIM, he states:

"As most experienced latent print examiners will recognize, the comparison process does not cease at the first instant the expert reaches a conclusion. In practice the comparison always continues past this point."

Clearly, Mr. WERTHEIM does not see the need to abide by his own maxim in respect of an expert reaching a hasty and erroneous decision. Obviously, once a self-proclaimed international fingerprint expert such as Mr WERTHEIM had made such a public announcement, to change his mind would have not only lead to ridicule but also professional suicide.

