

CORRESPONDENCE BETWEEN MR RUSSELL AND THE INQUIRY
STATEMENTS: MR SWANN AND MR BERRY BEM 2011

Certain correspondence received from Mr Russell during 2011 together with replies is listed below. This correspondence is published on the Inquiry Website in order to disclose criticisms of the Inquiry. Certain allegations against third parties and statements related to other matters have been redacted.

The documents can be found on the Inquiry Website by using the search function, and searching using the document reference, (e.g. TS_0029).

This document refers to correspondence between Mr Russell and the Inquiry between 2008 and 2009. A detailed list of that correspondence can be found [here](#).

1. Warning letter addressed to Mr Swann dated 2 June 2011. (FI_2465)
2. Letter from Mr Russell to Mrs Nelson 20 June 2011. (TS_0029)
3. Letter from Mrs Nelson to Mr Russell 21 June 2011. (FI_2421)
4. Letter from Mr Russell to Mrs Nelson 4 July 2011. (TS_0049)
5. Letter from Mr Russell to Mrs Nelson 5 July 2011. (TS_0050)
6. Letter from Mrs Nelson to Mr Russell 6 July 2011. (FI_2425)
7. Letter from Mr Russell to Mrs Nelson 13 July 2011. (TS_0021)
8. Letter from Mrs Nelson to Mr Russell 15 July 2011. (FI_2415)
9. Letter from Mr Russell to Mrs Nelson 19 July 2011. (TS_0028)
10. Letter from Mrs Nelson to Mr Russell 21 July 2011. (FI_2420)

11. Email from Mr Russell to Mrs Nelson 28 July 2011. (TS_0091)
12. Email from Mr Russell to Mrs Nelson 28 July 2011. (TS_0092)
13. Letter from Mr Grady to Mr Russell 29 July 2011. (FI_2448)
14. Master Statement of Mr Russell in response to the Fingerprint Inquiry on behalf of John Berry, Peter Swann, and Martin Leadbetter 29 July 2011. (TS_0053) Any references in the Master Statement to the Report are references to extracts of the chairman’s draft of the Report of the Inquiry and not to the final Report of the Inquiry. Much of the documentation incorporated in the Master Statement constitutes copies of other documents provided to the Inquiry. Where this is the case the Master Statement is redacted and reference should be made to the document referred to in the “Ref” column. As an example where the Master Statement refers to a letter sent by Mr Russell to the Inquiry reference should be made to the original letter and where the Master Statement duplicates material provided in Mr Berry’s statement of August 2011 reference should be made to Mr Berry’s statement. This approach is taken in order to ensure that redactions are consistent. The following table sets out redactions made on this basis and provides references for the relevant source documents.

Page	Document	Ref
5-9	Letter from Mr Russell to Mrs Nelson 4 July 2011	TS_0049
10-13	Letter from Mr Russell to Mrs Nelson 13 July 2011	TS_0021
14-18	Letter from Mr Russell to Mrs Nelson 19 July 2011	TS_0028
19-20	Letter from Mrs Nelson to Mr Russell 21 June 2011	FI_2421
22-23	Mr Berry, BEM, CV	SG_0231
24-31	Strabismus 2002 “Editorial” “The Rosetta Characteristic” “No Can of Worms”	SG_0093
32-34	Precognition 17 09 03	SG_0100
34-35	Strabismus 2004	TS_0055

Page	Document	Ref
		pages 40-41
35-36	Statement 11 01 05	TS_0055 pages 41-42
36-37	Statement 09 12 05	SG_0230
38-45	Official Report, Justice 1 Committee, Monday 26 June 2006. This can be accessed at: http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=2173&i=10200&c=379577&s=berry	
45-47	Statement 29 01 09	TS_0055 page 52
50-52	Warning letter Mr Swann 2 June 2011	FI_2465
88	"Martin Leadbetter: (2009) Comparative Exercise:"	FI_0148 pages 12 & 14
89	Heading "SCRO Chart 1S:"	FI_0138 page 18
89	Heading "The Latent Mark Q12"	FI_0148 page 16
89	Heading "Q.12"	FI_0137 page 1.
90-105	Letter from Mr Russell to Mr Flinn 24 February 2009.	TS_0031
106-124	Letter from Mr Russell to Mrs Nelson 3 March 2009.	TS_0034
125-136	Letter from Mr Russell to Mrs Nelson 6 March 2009.	TS_0051
137-140	Chairman's Decision Regarding the Position of Senior Counsel to The Inquiry. 16 03 09: http://www.thefingerprintinquiryScotland.org.uk/inquiry/files/2009-03-17%20Chairmans%20Decision%20regarding%20the%20Position%20of%20Senior%20Counsel%20to%20the%20Inquiry.pdf	
141-153	Letter from Mr Russell to Sir Anthony Campbell 20 March 2009.	TS_0030
155	Reference should be made to the original document.	CO_4023a

Page	Document	Ref
156	Reference should be made to the original document	CO_4023
157-158	Reference should be made to the original document	CO_3988
161-163	Reference should be made to the original document	CO_3989
165-170	Reference should be made to the original document	CO_3989
172	References for letters referred to by Mr Russell are as follows: 30 09 08	TS_0035
172	15 10 08	TS_0026
172	14 11 08	TS_0023
172	28 11 08	TS_0032
172	04 12 08	TS_0048
172	17 12 08	TS_0027
172	24 02 09	TS_0031
172	03 03 09	TS_0034
172	03 04 09	TS_0033
172	06 03 09	TS_0051
172	20 03 09	TS_0030
172	13 05 09	TS_0022
172	06 06 09. No such letter was submitted with the Master Statement. A letter dated 06 09 2009 was submitted.	TS_0052
172	01 10 09	TS_0020
172	20 06 11	TS_0029
172	04 07 11	TS_0049
172	13 07 11	TS_0021
172	19 07 11	TS_0028
173	Email from Mr Russell to Mr Flinn, 12 February 2009. The sent time on some emails differs slightly between the Inquiry's copies and that stated in the Master Statement.	TS_0057
175	Email from Mr Russell to Mr Flinn sent 3 March 2009	TS_0058
176	Email from Mr Russell to Mrs Nelson sent 15 May 2009	TS_0060
177-178	Email from Mr Russell to Ms Gilpin sent 30 March 2009	TS_0059

Page	Document	Ref
179	Email from Mr Russell to Mrs Nelson sent 8 June 2009.	TS_0084
180	Email from Mr Russell to Mr Flinn sent 10 July 2009	TS_0062
181-182	Email from Mr Russell to Mr Flinn sent 3 July 2009	TS_0062
183-186	Emails from Mr Russell to Mrs Nelson sent 31 July, 3 August and 10 August 2009	TS_0063
187-189	Email from Mr Russell to Ms Gilpin sent 11 August 2009.	TS_0064
190-193	Email from Mr Russell to Mrs Nelson sent 14 August 2009	TS_0065
194	Email from Mr Russell to Mrs Nelson sent 14 August 2009	TS_0066
195	Email from Mr Russell to Mrs Nelson sent 24 August 2009	TS_0067
196	Email from Mr Russell to Mrs Nelson sent 24 August 2009.	TS_0068
197-198	Email from Mr Russell to Mrs Nelson sent 26 August 2009	TS_0069
199-202	Email from Mr Russell to Mrs Nelson sent 27 August 2009.	TS_0087
203-204	Email from Mr Russell to Ms Gilpin sent 7 September 2009.	TS_0072
205	Email from Mr Russell to Ms Gilpin sent 10 September 2009	TS_0074
206	Email from Mr Russell to Mr Moynihan QC sent 7 September 2009	TS_0071
207	Email from Mr Russell to Mr Moynihan QC sent 10 September 2009.	TS_0070
208	Email from Mr Russell to the Inquiry sent 17 September 2009.	TS_0075
209	Email from Mr Russell to The Rt. Hon. Sir Anthony Campbell and Mr Moynihan QC sent 22 September 2009	TS_0076

Page	Document	Ref
210	Email from Mr Russell to Mr Moynihan QC sent 25 September 2009	TS_0077
211	Email from Mr Russell to Mr Moynihan QC sent 25 September 2009	TS_0077
212	Email from Mr Russell to Mr Moynihan QC sent 28 September 2009	TS_0078
213-214	Email from Mr Russell to Mr Moynihan QC sent 2 November 2009.	TS_0079
215-216	Emails from Mr Russell to Mrs Nelson sent 5 November and 6 November 2009	TS_0080

15. Letter from Mrs Nelson to Mr Russell 3 August 2011. (FI_2464)

16. Email from Mr Russell to Mrs Nelson dated 12 August 2011 attaching Definitive Paper in Answer to the Findings of the Fingerprint Inquiry by Peter M Swann and Witness Statement of John Edward Berry 10 August 2011. (TS_0088).

17. Attachment to 12 August email. Definitive Paper in Answer to the Findings of the Fingerprint Inquiry by Peter M Swann, Fingerprint Expert and Core Participant 9 August 2011. (TS_0054). Any references in the Definitive Paper to the Report are references to parts of the chairman's draft Report of the Inquiry, and not to the final Report of the Inquiry.

18. Attachment to 12 August email. Witness Statement of John Edward Berry 10 August 2011. (TS_0055). No warning letter was issued to Mr Berry, but parts of the chairman's draft of the Report of the Inquiry were issued to him for comment. Any references in the statement to the Report are references to parts of the chairman's draft and not to the final Report of the Inquiry. Note that various documents included in the statement are redacted because the originals have been published on the Inquiry Website. This is in order to avoid reviewing the same documents twice for the purpose of redactions.

These are as follows, following the order in the document, (page numbers are pdf page numbers).

Page	Document	Ref
13-14	Letter from Mr Russell to Mrs Nelson 4 July 2011	TS_0049
15-18	Letter from Mr Russell to Mrs Nelson 13 July 2011	TS_0021
19-23	Letter from Mr Russell to Mrs Nelson 19 July 2011	TS_0028
24-25	Letter from Mrs Nelson to Mr Russell 21 June 2011	FI_2421
28-29	CV for Mr Berry BEM	SG_0231
29-37	Reference should be made to the original document.	SG_0093
38-40	Reference should be made to the original document	SG_0100
42-43	Statement 09 12 05	SG_0230
44-51	Official Report, Justice 1 Committee, 26 June 2006. http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=2173&i=10200&c=379577&s=berry	
55-59	Reference should be made to the original document.	SG_0093 pages 6-10

19. Letter from Mrs Nelson to Mr Russell dated 19 August 2011. (FI_2471)
20. Email from Mr Russell to Mrs Nelson dated 19 August 2011 (16.11). (TS_0089)
21. Letter from Mrs Nelson to Mr Russell dated 19 August 2011. (FI_2470)