

# The Fingerprint Inquiry | Scotland

## TEXT OF LETTER SENT TO VARIOUS CORE PARTICIPANTS IN THE INQUIRY ON 17 MARCH 2009

### THE FINGERPRINT INQUIRY INQUIRY EXPERTS

Subsequent to his decision of 3 February, the Chairman received further submissions concerning Professor Champod and Inquiry experts more generally, and I have been asked to update you.

It is envisaged that experts instructed to assist the Inquiry will have a role similar to that of an expert witness retained by a party in a court case in Scotland. Where reports are prepared for the Inquiry these will be in writing and made available and the author may be called as an expert witness at Inquiry hearings. Within the context of the law and practice in Scotland, it will be for the Chairman to accept or reject any expert evidence that he receives. The experts will not be assessors. Nor is it intended that they will operate collectively as a panel.

As announced by the Chairman on 3 February, Professor Champod currently has a specific, limited, task. Using the existing reports and witness statements he is doing a technical review the purpose of which is to identify the points of agreement and the points of disagreement as between those who have undertaken the comparison of marks and prints. Arrangements are being made to have such a technical review done also, independently, by another expert. It is intended that this will assist the Inquiry team to identify the specific areas in dispute, which will, in turn, help focus the relevant Inquiry hearings. The report that Professor Champod produces, together with that of any other expert who is asked to perform the same task, will be made available to core participants, and used in the production of the Inquiry team's analysis that will be circulated for core participants' consideration and comment.

Professor Champod has informed the Chairman that, although he is one of the members of a recently established Working Group set up by the National Institute of Standards and Technology in the USA, his involvement so far has been limited to receipt of items such as minutes and meeting papers and he has declined to attend its meetings.

Professor Champod made the Inquiry aware that he had agreed to give a paper at the Spring 2009 Educational Conference of the Chesapeake Bay Division of the International Association for Identification (IAI). He intends to provide his report to the Inquiry before attending the meeting and has agreed not to attend the presentation by Mr Garrett, IAI President, on the recent IAI Y7 (McKie print) Committee Report, nor to discuss any matter directly or indirectly that is the subject matter of the Inquiry either formally or informally. These steps have been taken in the circumstance that Professor Champod regarded himself as under an obligation to fulfil his agreement to speak and deliver workshops at the meeting.

As indicated, Professor Champod will be available to give evidence about his activities should that be necessary, and his position in relation to the Inquiry continues to be kept under review.

Yours sincerely

**Ann Nelson**

Solicitor & Secretary to the Inquiry