

**PRESS CONFERENCE - ST ANDREW'S HOUSE
THURSDAY, 14 SEPTEMBER 2000**

**HMCIC'S PRIMARY INSPECTION REPORT ON THE SCRO FINGERPRINT
BUREAU**

ASSOCIATION OF CHIEF POLICE OFFICERS IN SCOTLAND

CHIEF CONSTABLE WILLIAM RAE, PRESIDENT

HMCIC's Report

This morning the HMCIC, Mr William Taylor, published his Report on the primary inspection of the Scottish Criminal Record Office (SCRO) Fingerprint Bureau and the review of the identification of the disputed fingermark in the case involving Shirley McKie. I welcome the Report. Its findings lay the foundations on which to rebuild public confidence in the service and restore the high standing SCRO has enjoyed in the Criminal Justice Community - and that is a vital step forward.

I will tell you this morning what the police service has been doing about this matter and then invite your questions.

In his report, Mr Taylor points to processes and procedures which need to be improved, where investment is required and to structural changes necessary to achieve a modern, efficient and effective fingerprint service. There is no question: The SCRO fingerprint bureau must be independent; the integrity of its identifications must be unassailable; and the service's reputation must never again be compromised.

The SCRO Executive Committee considered Mr Taylor's 25 recommendations and 20 suggestions when his Report was in draft form. These have been accepted and will be taken forward quickly. But before I go further I would like to mention specifically the case of Shirley McKie.

Uppermost in the minds of the Executive Committee was the trauma and distress suffered by Ms McKie, and her family, as a consequence of the misidentification of the fingerprint mark. We are still searching for a final explanation for what happened and I am optimistic this will emerge in due course. Without waiting for that, though, we agreed that I should meet the family and offer our apologies for what they have been through. Consequently, I recently met Shirley and her father Iain and apologised to them. I am personally saddened that they had to endure such torment, but anyone who has met Ms McKie will be impressed by her courage and fortitude.

She is determined to do all she can to ensure her experience is never repeated and she generously welcomed my apology.

ACPOS Presidential Review Group

When emerging findings were revealed on 22 June, ACPOS immediately established a Presidential Review Group under my chairmanship to oversee and co-ordinate the Police response. Chief Constables recognised the need for swift and positive action and I received their full support in drawing together the expertise and resources needed to launch our investigation and develop plans for implementing the changes and improvements recommended by Mr Taylor. I promised to produce an Interim progress Report to coincide with the release of Mr Taylor's Report. It is published today and you should all have copies. In view of the wide public interest, a copy has also been placed on the ACPOS website (www.scottish.police.uk).

My Review Group has worked closely with the HMI inspection team and we have taken account of their recommendations and suggestions. It is a complex matter and it is too early to produce firm conclusions but this Interim Report explains what we are doing. It does so by addressing three key areas:

1. the Investigation of the circumstances surrounding the Shirley McKie case;
2. the requirement to maintain the continuity of business of the fingerprint bureau; and
3. a review looking at the management of change in the service.

I will touch on each of them briefly.

Firstly, the Investigation:

Mr Jim Mackay, Deputy Chief Constable of Tayside Police, was appointed to investigate the circumstances surrounding the fingerprint identification and he established a full Inquiry Team. Meanwhile, the Lord Advocate instructed Mr Bill Gilchrist, the Regional Procurator Fiscal for North Strathclyde, to enquire into allegations of criminal conduct made by Mr Iain McKie in a letter to the Minister for Justice. He is being assisted by Mr Mackay.

This investigation is now a major criminal enquiry. I do not wish to comment on the investigation in detail, but I can confirm that considerable progress has been made. Analysis of material is now ongoing and a full report will be submitted to the Regional Procurator Fiscal by 15 October. The Inquiry Team has maintained regular contact with Miss McKie and her father and, from my meeting with them, I know they are satisfied with the manner in which the matter is being addressed.

On 22 August, David Asbury was freed by the Court of Criminal Appeal pending a full appeal hearing against his conviction for the murder of Marion Ross. One of the grounds for the appeal concerns fingerprint identification and I can confirm that this aspect has also been referred to Mr

Gilchrist and Mr Mackay to examine. Again, because this is a live appeal, I cannot comment further.

Secondly, I would like to turn to the question of **Business Continuity**

One of the challenges has been maintaining business in the Fingerprint Bureau in the face of the continuing inquiries and the subsequent upheaval and the legal requirements. These included the Lord Advocate instructing that in all cases where fingerprint evidence is submitted by SCRO to Procurators Fiscal, an independent and external check of this evidence should be made, either by another bureau or independent expert, prior to the start of proceedings. For cases already in the system, this process had to be carried out prior to trial.

Short-term arrangements were immediately put in place by bringing in experts from Central Scotland Police and Fife Constabulary, but from 30 July independent verification has been undertaken by experts from the Royal Ulster Constabulary. Since this process began, there have been confirmed identifications in 600 cases involving over 2000 marks and over 3000 impressions. All of these have been independently verified.

When the HMI announced his emerging findings, there was speculation this could generate a massive increase in appeals against conviction. This has not materialised, other than in the associated Asbury case. Despite this, we have evaluated the work required to re-examine and validate historical cases. This will be taken forward at the earliest opportunity.

On 3 August, 4 fingerprint experts were suspended on a precautionary basis whilst Mr Mackay's investigation continued. Inevitably, this has reduced the number of staff available and affected the morale of the Bureau. I am pleased to say, however, that all staff have given a commitment to work with the Review Group to resolve any difficulties. I am grateful in the circumstances that they have been flexible and supportive in managing the work of this busy service. In the meantime, efforts are ongoing to find additional experts to provide short-term assistance.

The third strand of the work of the Review Group was to establish a **Change Management Review Team**, under the direction of Mr Kenneth McInnes, the Deputy Chief Constable of Fife Constabulary.

This will pick up the recommendations from the HMI inspection published today and link them with changes already being pursued by the SCRO Executive Committee to develop action plans to speed up implementation. A report will be ready for approval by the Executive Committee in mid-October.

At the same time a Project Management Team will drive forward the changes necessary. It will report to a Project Board chaired by Mr John Hamilton, the Chief Constable of Fife Constabulary.

A critical issue is the resourcing of the Fingerprint Bureau and the need for additional funding. I have met with officials from the Scottish Executive to discuss the position and we are working together with the Director of SCRO to agree the budget requirements. We meet again next week and I am sure the difficulties highlighted by Mr Taylor can be overcome.

Many of the HMI's recommendations are being put into place quickly. Others, in relation to oversight, structure and the strategic position of the Bureau, will require commitment, co-operation and significant resources if they are to be fully addressed. For instance, Mr Taylor calls for a single specialist fingerprint service within a new common police services arrangement and he suggests some models to explore. This is crucially important. A radical review of common police services and future specialist support functions is already on the political agenda as part of the Government's review of the structure of policing in Scotland. So far as Chief Constables are concerned, we believe there is a pressing need to change the current arrangements. As this requires primary legislation it is imperative there is no delay in commencing the planning for a new structure of common police services.

Those are the three key areas. The Interim Report I am publishing today shows clearly that as soon as Mr Taylor announced his emerging findings, we in ACPOS and the SCRO Executive Committee acted quickly. We will be equally proactive in seeing this through to a satisfactory conclusion. The next milestones will be the reporting of the investigation into the McKie case and the publication of the Review Team's full report in October. Mr Taylor has said he will revisit SCRO in December. He will find that significant advances will have been made by then.

As I said earlier, the integrity of the fingerprint service is vitally important. Quite simply, we will take whatever measures are necessary to restore public confidence in the service.

QUESTIONS