



Article Title: UK Court of Appeal - R vs Peter Kenneth Smith
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Article's Subject Matter: Fingerprint evidence was refuted at a murder trial by Defense experts which led to conflicting opinions. Upon appeal, due to significant confusion over the fingerprint evidence, the Court who ordered a new trial for the accused. The Crown witness was poorly prepared and lacked notes to articulate his conclusion.

Key Points in Article

- Crown expert initially reported a latent print that was found in blood on the back side of a lever type door handle was insufficient to individualize.
- At a later date, technology advances enabled him to re-examine the case where he subsequently formed a positive conclusion on the latent impression.
- At the trial, all of the expert testimony was confusing and conflicted on several fronts. The witness was ill prepared for the challenges and his evidence confused the court.
- Experts for Defense refuted the Crown witness's positive conclusion.
- There was disagreement over it being a double tap, dispute over ridges vs. furrows, pores vs. incipient ridges and other pressure distortion arguments.
- The absence of notes, confusing/conflicting testimony and significant arguments over the qualifications of the various "fingerprint examiners" all lead the Appeal Court to quash the original conviction and order a new trial where the fingerprint evidence could be re-examined.

Fallacies and or Issues

- From reading the Decision of the Court, there seems to have been little or no supervision of the Crown witness's work. The Court spoke about the absence of quality assurance and adherence to accepted modern practices. The Crown witness was very senior and experienced but reading between the lines, it would seem old habits, confidence in his own skills and failing to modernize his methods all contributed to his failure to be clear and precise. It was difficult to have confidence in his conclusion as it was not consistent with current expectations of the discipline.