

28th June 1999

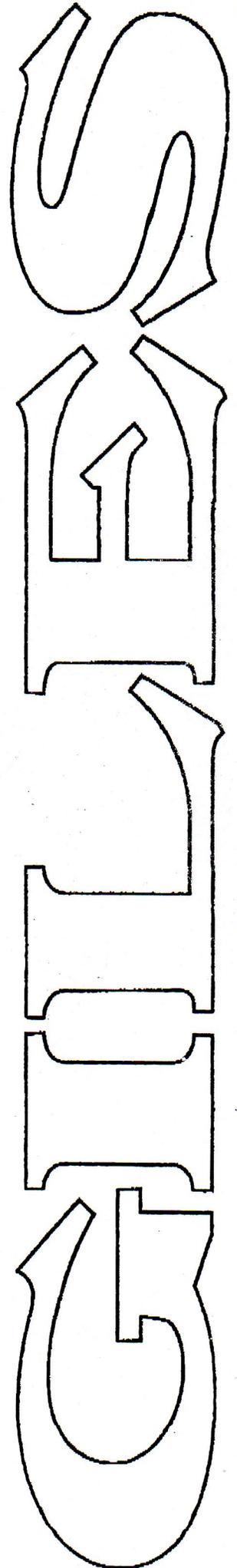
Report of Dr Audrey Giles

Subject: The forensic examination of documents
Client: Messrs Royds Treadwell
Matter: John Donovan -v- Shell UK Limited
Case No: DD04199

Client's Reference Number: RMW/JC/DON.13-3



**The Giles Document Laboratory, Manor Lodge, North Road,
Amersham, Buckinghamshire, HP6 5NA, United Kingdom.
DX: 50714 Amersham-1, e-mail: agiles@agiles.demon.co.uk,
Tel: 01494 726784, Fax: 01494 724076**



INSTRUCTIONS

To determine if two questioned letters dated 24th July 1990 were produced on that date or at a significantly later time.

SUMMARY OF FINDINGS

I have examined photocopies of two letters dated 24th July 1990, one to Mr Brian Horley of J Sainsbury plc and the second to Mr Paul King of Shell UK Oil. I have compared these letters with examples of correspondence from Don Marketing produced in the period 1985 to 1996. My findings are as follows:

1. My examinations, and therefore the conclusions which can be drawn from them, have been limited by the fact that I have not examined the original questioned letters. The photocopies available appear to be at least second generation copies and do not show all the details of the original documents.
2. The majority of the comparison documents have been produced using an impact printing process such as a daisy wheel. I am informed that in 1990 the company used a Qume printer. I understand this to be a primitive type of wordprocessor in which the printer would have been similar to an electric typewriter containing a type-element, probably a daisy wheel. These type-elements are made of plastic and can develop damage and wear features. They can be removed from the printer and replaced. Certain makes of type-element are interchangeable between machines of different manufacture.

Correspondence of Don Marketing 1990 was produced using either a Pica typestyle or a Courier typestyle, although there are only four letters produced in the Courier typestyle. The Pica typestyle also appears on the 1992 letter. The 1996 letter is produced using a laser printer. The questioned 24th July 1990 letters are in a Pica typestyle which matches that seen on the majority of the 1990 correspondence. I examined the printing of the 1990 correspondence in detail but I found no evidence of wear or damage features. The photocopy questioned letters are much more difficult to examine since they lack some of the details of the original documents. I found no wear or damage features on these copies. However, I cannot exclude the possibility that any such features have been lost in the photocopying process.

3. The printed letterhead of the questioned 24th July 1990 letters matches that on correspondence dated in the period 23rd March 1990 to 23rd July 1990. However, there are two other styles of letterhead in use by the company in July 1990. There are a number of changes in the letterhead in later years including the address and telephone number.
4. The layout of the questioned 24th July 1990 letters matches that used on 1990 correspondence. The layout used on the 1996 laser printed letter is different, with the date being printed on the right, not the left as on previous correspondence.
5. The questioned 24th July 1990 letters are, therefore, consistent with correspondence produced at Don Marketing in July 1990. If the questioned letters had been produced significantly later it would have been necessary to have used a type-element of either the same manufacture or, an identical one from a different source. If the same word processor were available containing a type-element in the same condition as that used for the 1990 correspondence, this could have been used at any time to produce the questioned documents. It would be more difficult if the original processor were not available because the typestyle would have to be matched exactly and a machine obtained which was compatible the type-element. The production of the documents at a later date would also require the use of the appropriate 1990 letterhead. However, this could have been derived from a photocopy of a 1990 letter. Lastly, the questioned letters would have to have been written in 1990 style.

I have therefore considered two propositions for the condition of the questioned 24th July 1990 letters:

- a) That they were produced in 1990 as dated.
- b) That they have been produced at a later date using the appropriate 1990 style and materials.

The questioned letters are consistent with having been produced in 1990 as dated but, providing the appropriate materials were available, the possibility that they were manufactured at a later date cannot be excluded.

QUALIFICATIONS AND EXPERIENCE

I am a Bachelor of Science, a Doctor of Philosophy and I have extensive experience in the scientific examination of documents and handwriting. I was trained and worked for thirteen years in the Questioned Documents Section of the Metropolitan Police Forensic Science Laboratory in London. During the period 1986 to 1989 I was Head of that Section supervising the work of twelve experienced scientists. In addition to carrying out casework, my responsibilities at that laboratory included Quality Assurance and Training of Questioned Document Examiners.

Since 1989 I have practised as an independent Expert. My laboratory is equipped to the highest standards for forensic document examination and operates a fully documented Quality Management System. The Giles Document Laboratory is accredited to the internationally recognised quality standard, BS EN ISO 9002 : 1994.

I have continued as an active member of the Forensic Science Society, the American Society of Questioned Document Examiners, the Gesellschaft für Forensische Schriftuntersuchung, and serve on the Editorial Boards of a number of international forensic document journals. During my employment at the Metropolitan Police Laboratory, and since in my own Laboratory, I have both carried out and supervised a number of research projects into questioned document problems. I have contributed to scientific journals and forensic science text books.

I have provided expert advice for a wide range of Banks, Building Societies, Financial Institutions, Solicitors, Companies, Government Agencies and the Police, and have presented evidence in person to the Courts in Britain and overseas, as well as Arbitration and Industrial Tribunals.

DOCUMENTS EXAMINED

Questioned documents

- [1] Photocopy letter to Mr Brian Horley dated 24th July 1990.
- [2] Photocopy letter to Mr Paul King dated 24th July 1990.

Comparison material

- [3] Letter dated 5th March 1985.
- [4] Internal Memo dated 1st November 1985.
- [5] Letter dated 23rd March 1990.
- [6] Letter dated 10th April 1990.
- [7] Letter dated 12th April 1990.
- [8] Letter dated 17th April 1990.
- [9] Photocopy letter headed Fundraisers Ltd dated 19th April 1990.
- [10] Letter dated 14th May 1990.
- [11] Compliments Slip dated 24th May 1990.
- [12] Letter dated 8th June 1990.
- [13] Letter dated 11th June 1990.
- [14] Letter dated 12th June 1990.
- [15] Letter dated 14th June 1990.
- [16] Letter dated 27th June 1990.
- [17] Letter dated 28th June 1990.
- [18] Letter dated 17th July 1990.
- [19] Letter dated 18th July 1990.
- [20] Letter dated 23rd July 1990.
- [21] Letter dated 31st July 1991.
- [22] Photocopy letter dated 31st July 1991/0.
- [23] Letter dated 2nd August 1990.
- [24] Letter dated 26th September 1990.
- [25] Letter dated 27th November 1990.
- [26] Letter dated 19th September 1990.
- [27] Letter dated 18th November 1991.
- [28] Letter dated 14th December 1992.
- [29] Letter dated 19th March 1996.

DECLARATION

1. I understand that my primary duty in written reports and giving evidence is to the Court.
2. The report reflects my views as an independent expert.
3. I believe my report to be accurate and to cover the issues which I have been asked to address.
4. Where relevant I have included in my report any information of which I have knowledge, or of which I have been made aware, that might adversely affect the validity of my conclusions.
5. Where relevant I have indicated in my report any sources of information upon which I have relied.
6. I will notify those instructing me immediately, and confirm in writing, if for any reason my existing report requires any correction or qualification.
7. I understand that my report, subject to any corrections before swearing as to its correctness, will form the evidence to be given under oath.
8. I understand that any cross-examination on my report may be assisted by an expert.
9. I confirm that I have not entered into any arrangement where the amount or payment of my fees is in any way dependent on the outcome of the case.

Signed:



Date:

28th June 1997