

Getaway Car

Kevin's palmprint that was discovered on a bin liner recovered from the getaway car was the only scientific evidence that connected him to the Magill murder incident. Kevin admitted that he had some innocent association with the car some days before the incident and this was his explanation for how his palm print may have got on to the bin liner. This is supported by Kevin's neighbours who reported seeing the car at his home in Potton prior to the incident. There was some confusion concerning when the neighbours had actually seen the car. The neighbours reported seeing the car much earlier than the period Kevin claimed he had it in his possession – which was from the 7th to the 10th October. It was established that the neighbours had been mistaken about the timing of the sighting of the car because it had not been purchased at that stage

It is supported by police intelligence records that separate individual had possession of the car and a witness statement from him confirms his possession. His possession of the car before the incident goes a long way in supporting Kevin's explanation that he had an innocent association with the car. Kevin claimed he must have touched the bin liner during his association with the car; or that the bin liner originated from an address that Kevin's car was observed at in the area where the bin liner was distributed; this fact coincides with Kevin's evidence that he was selling wholesale designer clothes and perfumes on a sale and return basis shortly before Christmas at the said address. This information was not disclosed by the prosecution until 2006 preventing Kevin from introducing it into his defence.

Kevin's five year old son had also deposited his fingerprints on the car which were discovered by fingerprints experts. This factor supports Kevin's explanation that he borrowed the car solely for domestic use and not for the purpose of using it to murder Mr Magill.

WPC Atkinson reported seeing the car being driven by an unknown man on the 11th October but stated the driver was not Kevin, who was known to her. Atkinson's sighting of the car on that date along with the earlier sighting of the car by Kevin's neighbours support Kevin's claim that he had an innocent association with the car. Vincent's fingerprints seven in total were discovered on a separate bin liner recovered from the boot of the getaway car. Vincent never put forward an explanation accounting for his fingerprints on the bin liner. The police evidence asserts that Vincent and Smith gave the getaway car to Bennett for disposal; Although Vincent and Smith were believed to have passed the car to Bennett for disposal they have never been pressed to explain their reasons for doing so.

The BMW loaned to Kevin is in its self distinctive; however it remains to be substantiated if the BMW he was loaned was indeed the car used by the murderers to

make good their escape. This conclusion is based on the following accumulative evidence:

On the morning of the murder a BMW mechanic Simon Barden had occasion to have a good look round the BMW parked at the scene; he stated that the BMW he looked at was an “E23 model”. This we take to be consistent with a BMW “323” and if this is correct, then there are only two alternatives:

Mr Barden is just wrong; or

The BMW he saw parked at the scene was indeed, not the 320 loaned to Kevin. There are several other differences to support this theory. Mr Barden made several other observations, one of these was to the exact style of the wheels on the car he saw, of which he supplied the police with a picture from a magazine (not disclosed) we suspect because it does not match the wheels on the car Kevin was loaned.

He also noted the distinctive colour of the paint finish and supplied a colour match to the police that has also not been disclosed, also the vehicle he looked over had a 323i badge fixed to the front grille; the car Kevin loaned had a 320 badge.

The rear parcel shelf interior of the BMW according to Mr Barden was “Light Tan” the rear parcel shelf interior of the car Kevin was loaned is Black. Unless Mr Barden is colour blind it would be rather difficult for him to mistake “Light Tan” for “Black”.

Bearing in mind Mr Barden previously worked as a BMW mechanic, mistaking these differences mentioned above would seem to be certainly a very stupid error, **unless, of course Mr Barden is correct**

It is worthy of mention that the police failed to answer requests in relation to photographic disclosure of the tyres marks left at the scene from the car used by the gunmen. Tyre marks are indeed themselves like fingerprints and should therefore be easy to match.