

Lord Advocate under fire for 'false advice'

Justice for Megrahi call for new probe

THE Lord Advocate's advice to the Scottish Government over Lockerbie has been slammed as "patently inaccurate and false."

Now campaigners have called for a parliamentary investigation.

The row has erupted after Lord Advocate Elish Angiolini wrote to the Scottish Parliament's petitions committee to tell them there is no power for law officers to open a new investigation into the conviction of Abdelbaset al-Megrahi.

Outraged

She was replying to MSPs who are discussing a petition calling for an independent inquiry into the case.

But some aspects of her letter have outraged petitioners Justice for Megrahi, who believe the conviction was a miscarriage of justice.

They allege her statement shows she gave "erroneous advice" to ministers before their rejection of the calls for an inquiry.

Now they want their concerns probed by the

EXCLUSIVE
By Bob Smyth

parliament's justice committee or even debated at Holyrood.

The group includes Lockerbie relative Dr Jim Swire, Archbishop Desmond Tutu, TV journalist Kate Adie, retired politician Tam Dalyell and Professor Robert Black, who was central to the setting up of the Lockerbie trial.

They say Scotland's top law officer has wrongly claimed in her response to the committee that Megrahi's case was subjected to "rigorous examination" at both his trial and his first appeal in 2002.

They allege the appeal didn't include the grounds that there was insufficient evidence and that no reasonable court could have convicted him.

They say, "The Lord Advocate therefore is arguably being

disingenuous in asserting that both courts subjected the evidence we are challenging to a 'rigorous examination'.

"The Scottish Government, in response to our petition, stated, 'The Government does not doubt the safety of the conviction'.

"How much did the Lord Advocate's erroneous advice that the evidence which led to the conviction had been 'rigorously' examined by two courts affect their judgment?"

"The effect would have been considerable and might even have swayed the Government in its belief in the conviction.

"What is certain is that her fingerprints are all over their refusal of the petition.

"That the Lord Advocate should have played such a central role in the decision making and yet should issue such patently inaccurate and false information is extremely worrying and demands an immediate investigation."

They add they've previously questioned Ms Angiolini's advice



■ Lord Advocate Elish Angiolini has sparked a row over new Lockerbie inquiry.

on whether an inquiry was legally possible.

"Yet again we are forced to draw attention to the quality and accuracy of the advice and information being given.

"That there might have been serious flaws in the briefings the Scottish Government was receiving is a matter of great concern."

They say their petition, to be discussed for a third time by the committee next month, should be kept alive to probe these worries.

"How can we be confident that other misinformation has not been supplied regarding our petition and perhaps even in respect of the wider matter of Mr Megrahi's release and other issues related to Lockerbie?" they ask.

They are calling for a full inquiry by the justice committee or for the petitions committee to "consider making a bid for parliamentary time for our petition to be debated by the whole parliament".

A Crown Office

spokesman said, "The Lord Advocate wholly rejects the suggestions made by the petitioners.

"They do not mention that the grounds of appeal in relation to the sufficiency of evidence and reasonable-ness of the trial court's verdict were argued fully before the Court of Appeal in 2009.

"The decision to discontinue those appeal proceedings before a judicial determination could be made was taken by Mr al-Megrahi."

Domestic violence won't be tolerated

SCOTTISH Labour Leader Iain Gray yesterday pledged to make tackling domestic violence a major priority if a Labour Government is elected in May.

Mr Gray claimed the SNP had got the balance wrong on victims' rights, and said the decision to scrap custodial sentences of three months or less was putting more women in danger.

He said that of those offenders previously going to jail for domestic abuse, more than half would now go free under SNP plans.

He added that a Labour Scottish Government would work to introduce a number of measures, including widening the Victim Notification Scheme so all victims of domestic abuse are included — not just those whose abusers received long sentences.

This would mean victims would be informed if an individual was about to be released from custody.

"Scotland needs to send out a stronger message to those who commit domestic violence, that it will never be tolerated," said Mr Gray.