

## Comment from Jim Swire

It is not entirely clear why a document which has for years been fully in possession of the prosecution and the Scottish police in the Lockerbie case still cannot be viewed by the defence. One can see that there could be a reason associated with 'National Security' why perhaps its origin could not be fully divulged in open court, though even this takes a bit of believing after close on 20 years.

In the event that Megrahi's defence team believe that denial of full access to the document impedes their client's case, it seems they will refer the matter to the Privy Council on human rights grounds. These grounds could also presumably involve the European courts, all of which suggests significant further delay.

The report below suggests that the Foreign Office already believes the High Court to have decided on a 'special defender': IF this is true it would be a new departure for the Scottish justice system to accept selective modification of the provision of evidence to the defence alone, by a 'defender' who presumably would be provided and paid for by Whitehall.

We must again wait till their Lordships publicly announce their decision.

Jim S.

21 October 2008

#####

Court rules Lockerbie timer details stay secret

[http://www.theherald.co.uk/news/news/display.var.2448974.0.Court\\_rules\\_Lockerbie\\_timer\\_details\\_stay\\_secret.php](http://www.theherald.co.uk/news/news/display.var.2448974.0.Court_rules_Lockerbie_timer_details_stay_secret.php)