Justice for Megrahi supplement to its report to the Justice Committee of the Scottish Parliament of 2nd April 2013

On 2nd of April 2013, Justice for Megrahi (JFM) submitted its report covering the period 11th December 2012 to 31st March 2013 to the Justice Committee of the Scottish Parliament. What follows is a supplement to that report.

In relation to the criminal allegations lodged with the police, JFM representatives Superintendent of Police (Rtd) Mr Iain McKie and JFM Committee Secretary Mr Robert Forrester were invited to attend a meeting at 10 am on Tuesday 16th April at Cornwall Mount Police Headquarters, Dumfries. Police Scotland was represented by Senior Investigating Officer, Deputy Chief Constable Patrick Shearer, and Chief Inspector Mr William Sturgeon (Complaints).

The discussion covering practical matters and the process of the investigation. DCC Shearer informed us that since our allegations were handed over to him in November, 2012, he had amassed a considerable quantity of documentary reference material on each of the allegations with which to provide a foundation to take the investigation forward to the interview stage.

We informed Mr Shearer that while we did not believe that his investigations could be independent, given that ex members of Dumfries and Galloway Police were subject to allegations, this was not in any way meant to reflect on Mr Shearer’s or his team’s integrity. We made it clear that we put our faith in him to do his job objectively and would assist in any way possible.

For further detail on the arrangements regarding the police investigation process, the full report of this meeting between the Police and JFM delegations sent to the JFM membership on 17th April may be accessed by members of the Justice Committee [on The Lockerbie Case blog].

We reiterated ‘JFM’s’ position that we had reported our allegations to him under protest. Given that Mr Shearer’s report would be submitted to the Crown Office/Lord Advocate, and that they would be the final arbiters in respect of our allegations, their previous public media statements dismissing them and defaming JFM made an impartial, objective and independent decision impossible.

The reasons for our deep distrust of the Lord Advocate, the Crown Office and the manner in which Mr MacAskill has handled this affair are presented in our report lodged with the Justice Committee on 2nd April and were repeated to Mr Shearer.

We cited the fact that Mr MacAskill had handed our private and confidential letter of 9th September 2012, outlining our allegations, over to the Crown Office. They in turn deemed it responsible to respond to it in the Scotsman of 24th September by defaming our organisation and dismissing our allegations as unfounded without their having had sight of anything other than an incomplete outline of only some of the allegations.
This was then followed up by an interview with Lord Advocate Mulholland conducted by Mr Magnus Linklater in the Times (Scotland Edition) on 21st December 2012, in which the Lord Advocate, in the course of defaming us and seeking to dismiss our allegations out of hand yet again exposed economies with factual accuracy.

We further believe that the Lord Advocate’s actions in this matter fail to reach the standards laid down by the International Association of Prosecutors in its ‘Standards of Professional Responsibility and Statement of Essential Duties and Rights of Prosecutors’.

We also reminded Mr Shearer that numerous media reports had made it clear that the ongoing police investigations are not open and independent in that they are restricted to the Crown Office line that Mr Megrahi was guilty and that others from Libya might be involved. The whole thrust of police/Crown Office investigations to date has been to ascertain who was involved with him not probe evidence that he might have been wrongly convicted. The police therefore are acting under the instructions of a Crown Office that has already made it crystal clear that our allegations are being dismissed out of hand.

Finally we re-iterated our belief that this criminal investigation should be carried out by a body independent of the police/Crown Office, and will continue to press for that. We indicated however that we would welcome a statement to the media by the Crown Office and the Lord Advocate withdrawing the previous defamatory remarks levelled against ‘JFM’ and stating that our allegations are legitimate and will be investigated impartially and fairly.

In short, DCC Shearer was left in no doubt as to our strength of feeling on the subject of the scandalous conduct of the Lord Advocate and the Crown Office in this matter, and that we also made a clear distinction between the integrity of the police investigation and the prevailing attitude in the corridors of Chambers Street.

Mr Shearer thanked us for our attendance and stated that he would be in touch as his investigation continued.

In conclusion, it should be pointed out that Matthew Taylor of ITV Border News conducted interviews with the JFM delegation following the meeting.

Robert Forrester, Secretary.
The Committee of Justice for Megrahi.