

MEETING OF THE PARLIAMENT

Monday 24 August 2009

Session 3

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Scottish Parliament

Monday 24 August 2009

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Abdelbaset Ali Mohamed al-Megrahi (Decision)

The Presiding Officer (Alex Fergusson):

Good afternoon. The only item of business today is a statement by the Cabinet Secretary for Justice regarding the decision on Mr Abdelbaset Ali Mohamed al-Megrahi. This topic is of the utmost seriousness, and the eyes of many people around the globe are on the Parliament today. Although I know that today's business will be understandably emotive, I respectfully remind members that we all have a part to play in maintaining the sense of dignity and decorum that is expected of us. The cabinet secretary will take questions at the end of his statement, so there should be no interruptions or interventions during it. This will be a 20-minute statement.

14:30

The Cabinet Secretary for Justice (Kenny MacAskill): On 20 August, I announced the decisions that I had taken in relation to two applications in respect of Mr Abdelbaset Ali Mohamed al-Megrahi. I am absolutely committed to the integrity of this institution, so I believe that it is appropriate that I lay out the basis and reasoning of my decision. Accordingly, I will now repeat the substance of that announcement, for the benefit of Parliament, and then answer any and all questions that members may have.

On the evening of 21 December 1988, a heinous crime was perpetrated. It claimed the lives of 270 innocent civilians. Four days before Christmas, men, women and children who were going about their daily lives were cruelly murdered. They included 11 from one small Scottish town. That town was Lockerbie—a name that will forever be associated with the worst terrorist atrocity ever committed on United Kingdom soil.

A prisoner transfer application was submitted by the Government of Libya seeking the transfer of Mr al-Megrahi, the man who was convicted in the Scottish courts of those offences. He also sought to be released on compassionate grounds.

The crime preceded both the election of our Government and even the restoration of a Parliament to Scotland. The decisions were a consequence of the post of justice secretary that I

am proud and privileged to hold. The applications had been lawfully made, and I was obliged to address them. Final advice from my officials was given late on Friday 14 August 2009. I reflected on that advice before making and announcing my decisions. It was my responsibility to decide on the two applications. They were my decisions, and my decisions alone.

In considering the applications, I strictly followed due process, including the procedures laid down in the prisoner transfer agreement and in the Scottish Prison Service guidance on compassionate release. I listened to many representations and received substantial submissions. I have already published key material on the applications for both prisoner transfer and compassionate release. I will now look to publish other relevant material. Some of it can be published only with the permission of others, which we are now seeking.

The Scottish police and the prosecution service undertook a detailed and comprehensive investigation, with the assistance of the United States and other authorities. I pay tribute to them for the exceptional manner in which they operated in dealing with both the aftermath of the atrocity and the complexity of a worldwide investigation. When Mr al-Megrahi was brought to justice, it was before a Scottish court sitting in the Netherlands. I pay tribute to our judges, who presided and acted justly.

Mr al-Megrahi was sentenced to life imprisonment for the murder of 270 people. When such an appalling crime is perpetrated, it is appropriate that a severe sentence be imposed. Mr al-Megrahi has since withdrawn his appeal against both conviction and sentence. As I have said consistently throughout, that is a matter for him and the courts. That was his decision. My decisions were predicated on the facts that he was properly investigated, a lawful conviction passed and a life sentence imposed.

There remain concerns to some about the wider issues of the Lockerbie atrocity. This is a global issue, and international in its nature. The questions to be asked and answered are beyond the jurisdiction of Scots law and the restricted remit of the Scottish Government. If a further inquiry were felt to be appropriate, it should be initiated by those who have the required power and authority. The Scottish Government would be happy to co-operate fully in such an inquiry.

On 5 May 2009, the Libyan Government applied for the transfer of Mr al-Megrahi. Prisoner transfer agreements are negotiated by the United Kingdom Government. Throughout the negotiations, and at the time of the signing of the PTA with Libya, the Scottish Government's opposition was made clear. It was pointed out that the Scottish Prison Service

had only one Libyan prisoner in custody. Notwithstanding that, the UK Government failed to secure, as was requested by the Scottish Government, an exclusion from the PTA for anyone who had been involved in the Lockerbie air disaster. As a consequence, Mr al-Megrahi was eligible for consideration for transfer in terms of the agreement that was entered into by the Governments of the United Kingdom and Libya.

I received numerous letters and representations, and recognised that a decision on transfer would be of personal significance to those whose lives have been affected. Accordingly, I decided to meet groups and individuals with relevant interests. I met the families of victims: those from the United Kingdom who had relatives on board the flight, and those whose kinfolk were murdered in their homes in Lockerbie. I met a lady from Spain whose sister had been a member of the cabin crew, and I held a video conference with families from the United States. As I said earlier, I am grateful to each and every one of them for their fortitude on a matter that I know is still a source of great pain.

I also spoke to the United States Secretary of State, Hillary Clinton, and to the United States Attorney General, Eric Holder. I met Minister Alobidi and his delegation from the Libyan Government. I noted and considered all the points that were presented, and the relevant written representations that I received.

Prior to being ratified, the prisoner transfer agreement was scrutinised by the Westminster Joint Committee on Human Rights. It was the first PTA that did not require the consent of the prisoner. As a result, Jack Straw, the United Kingdom Secretary of State for Justice, gave a commitment that, in cases in which applications were not submitted personally by the prisoner, the prisoner must be given the opportunity to make representations. Mr al-Megrahi had the opportunity to make representations and he chose to do so in person. That was his decision. It would have been outwith the tenets of natural justice to refuse that request; therefore, I was duty bound to meet him.

It was clear that the United States Government and the American families objected to a prisoner transfer. They did so on the basis of agreements that they said had been made, prior to trial, regarding the place of imprisonment of anyone who was convicted. The United States Attorney General, Eric Holder, was Deputy Attorney General at the time of the pre-trial negotiations. He was adamant that assurances had been given to the United States Government that any person convicted would serve his sentence in Scotland. Many of the American families spoke of the comfort that they had placed on those assurances during the past 10 years. That clear understanding

was reiterated to me by the US Secretary of State Hillary Clinton.

I sought the views of the United Kingdom Government, and I offered it the right to make representations or to provide information. It declined to do so. It simply informed me that it saw no legal barrier to transfer, and that it had given no assurances to the US Government at the time. It declined to offer a full explanation. As I said last Thursday, I found that highly regrettable. I therefore do not know what the exact nature of those discussions was, nor what may have been agreed between the Governments. However, I am certain of the clear understanding of the American families and the American Government: it appeared to me that the American families and Government either had an expectation, or were led to believe, that there would be no prisoner transfer and that the sentence would be served in Scotland. It was for that reason that I rejected the Libyan Government's application for prisoner transfer for Abdelbaset Ali Mohmed al-Megrahi.

I turn now, as I did then, to compassionate release. Section 3 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 gives the Scottish ministers the power to release prisoners on licence on compassionate grounds. The act requires that ministers be satisfied that there are compassionate grounds to justify the release of a person who is serving a sentence of imprisonment. Although the act does not specify what the grounds for compassionate release are, guidance from the Scottish Prison Service, which assesses applications, suggests that it may be considered when a prisoner is suffering from a terminal illness and death is likely to occur soon. There are no fixed time limits for life expectancy, but less than three months may be considered an appropriate period. The guidance makes it clear that all prisoners, irrespective of sentence length, are eligible to be considered for compassionate release. That guidance dates from 2005.

On 24 July 2009, I received an application for compassionate release from Mr al-Megrahi. He was diagnosed with terminal prostate cancer in September 2008, and I have been regularly updated on the progress of his illness. I have received numerous comprehensive medical reports, which include the opinions of consultants who have been treating him. It is quite clear to the medical experts that he has a terminal illness—and, indeed, that there has recently been a significant deterioration in his health.

I was provided with reports and recommendations by the governor of Greenock prison, the doctors and prison social work staff, and—as is laid out in statute—I consulted the Parole Board for Scotland. They all recommended compassionate release.

The opinion of Mr al-Megrahi's Scottish Prison Service doctors, who have dealt with him prior to, during and following the diagnosis of prostate cancer, and who have seen him during each of those stages, is that his clinical condition has declined significantly. Assessment by a range of specialists reached the firm consensus that his disease was, after several different trials of treatment, hormone resistant—that is, resistant to any treatment options of known effectiveness.

Mr al-Megrahi was examined by Scottish Prison Service doctors on 3 August 2009. A report dated 10 August from the director of health and care for the Scottish Prison Service indicates that a three-month prognosis is now a reasonable estimate. The advice that the doctors provided is based not only on their own physical examination, but draws on the opinion of other specialists and consultants who have been involved in his care and treatment. He may die sooner or he may live longer. I could base my decision only on the medical evidence that I had before me.

It had been suggested that Mr al-Megrahi could be released from prison to reside elsewhere in Scotland. The clear advice from the deputy chief constable of Strathclyde Police was that the security implications of such a move would have been severe—a minimum of 48 officers would have been required simply to allow Mr al-Megrahi to live in Scotland. I therefore ruled that out as an option.

As the criteria had been met, it fell to me to decide whether Mr al-Megrahi should be released on compassionate grounds. I was conscious that there are deeply held feelings and that many people would disagree whatever my decision, but a decision had to be made. The decision that I took was based on the law of Scotland and on the values that I believe we seek to uphold. It was not based on political, diplomatic or economic considerations.

It is a matter of great regret that Mr al-Megrahi was received in such an inappropriate manner, which showed no compassion or sensitivity to the families of the 270 victims of Lockerbie. Assurances had been given by the Libyan Government that any return would be dealt with in a low-key and sensitive fashion. Advance notice of my decisions was given to the UK and US Governments so that they could seek similar assurances. However, my decision was made following due process and according to the law of Scotland. I stand by the values and laws of Scotland.

Scotland will forever remember the crime that was perpetrated against our people and those from many other lands. As I said, the pain and suffering will remain forever—some hurt can never heal and some scars can never fade. Those who

have been bereaved cannot be expected to forget, let alone forgive, but, as I said, Mr al-Megrahi now faces a sentence that has been imposed by a higher power. It is one that no court in any jurisdiction, in any land, could revoke or overrule. It is terminal, final and irrevocable. He is going to die.

In Scotland, we are a people who pride ourselves on our humanity. It is viewed as a defining characteristic of Scotland and the Scottish people. The perpetration of an atrocity and outrage cannot and should not be a basis for losing sight of who we are, the values that we seek to uphold, and the faith and beliefs by which we seek to live. As I said, Mr al-Megrahi did not show his victims any comfort or compassion. They were not allowed to return to the bosom of their families to see out their lives, let alone their dying days. No compassion was shown by him to them, but that alone is not a reason for us to deny compassion to him and his family in his final days.

Our justice system demands that judgment be imposed, but that compassion be available. Our beliefs dictate that justice be served, but that mercy be shown. Compassion and mercy are about upholding the beliefs that we seek to live by, and about remaining true to our values as a people, no matter the severity of the provocation or the atrocity perpetrated.

For those reasons, and those reasons alone, it was my decision that Mr Abdelbaset Ali Mohamed al-Megrahi, who was convicted in 2001 for the Lockerbie bombing, and who is now terminally ill with prostate cancer, be released on compassionate grounds and allowed to return to Libya to die. That was my decision. I will now answer questions.

The Presiding Officer: As the cabinet secretary indicated, and as I said earlier, he will now take questions on the issues that were raised in his statement. It would be extremely helpful if members who wish to ask questions pressed their request-to-speak buttons now.

Iain Gray (East Lothian) (Lab): I thank the Cabinet Secretary for Justice for his statement and for making it available in advance.

Last week, the Scottish Government made a wrong decision, in the wrong way, with the wrong consequences. The Scottish judicial process has compassion running through it. That is why we have no death penalty, that is why we have the right of appeal and parole, and that is why prisoners can apply for compassionate release. However, that compassion is at every point tempered by justice and by the rights of victims and wider society. That is why the final judgment in this case was rightly the minister's. He had a

requirement to consider an application, but not a duty to grant it.

I acknowledge that the decision was a difficult one, but does the cabinet secretary understand how much it has angered the silent majority in Scotland? Does he understand how ashamed we were to see our flag flying to welcome home a convicted bomber? Does he understand how astonished we were when he visited a convicted murderer in prison? He quoted Jack Straw to justify that, but what Jack Straw told the Joint Committee on Human Rights was that

"A prisoner ... would be invited to make written representations."

I have the letter here. Will the cabinet secretary now admit that it was his decision and his alone to visit al-Megrahi? He had no obligation to do so.

After that visit, al-Megrahi dropped his appeal. Will the cabinet secretary tell us whether there was any discussion of that in his meeting and—for the avoidance of doubt—will he publish his note of that meeting? How does the justice secretary explain the fact that the media told us a full week before the formal decision exactly how and when al-Megrahi would be released?

Surely the prisoner transfer application could have been ruled out because of the two on-going appeals that applied to the case. Instead, however, Mr MacAskill dragged that decision out over the 90-day recommended period and then rejected the application for prisoner transfer because the American families believed that the sentence would be served in Scotland. How does he think those families felt when he acknowledged in one breath that their views that the sentence would be completed in Scotland meant that al-Megrahi could not be released to a Libyan prison, but in the next breath he sent al-Megrahi home to freedom in Tripoli on licence, his sentence not commuted?

The cabinet secretary has mishandled the whole affair from start to finish. Between the scenes of triumph in Tripoli and the pain and anger at home and abroad, is there nothing that Mr MacAskill now regrets about his decision and the way in which it was reached?

Kenny MacAskill: I will only reiterate what I said in my statement—that this was my decision and mine alone. That is what I have said throughout. I fully accept that Mr al-Megrahi showed neither compassion at the perpetration of the atrocity nor, indeed, sensitivity when he was shown compassion by us, but I reiterate that I stand by the values that we have.

On the decision, I did, as I said, meet Mr al-Megrahi. I did not put any pressure on him to drop his appeal. It was his decision and his alone. That

was made clear to him, it was made clear to his agents, and it has been made clear throughout.

The basis on which my decision was made was that I had to consider two matters—first of all, the prisoner transfer application. Iain Gray is wrong to say that it would have automatically been ruled out on the basis of the outstanding appeals. It is quite clear, and it was submitted by his agents, that those could have, as I say, been matters that were purified. Accordingly, I was required to go through matters and to consider the advice. Indeed, that was also made clear by the UK Government.

On compassionate release, as I said, I followed two leads. I followed the due process that has been laid down by the law of Scotland—law that we inherited as a Government and that I inherited in my post of cabinet secretary. I followed the guidance and the submissions that I am required to—not simply the law, but what is laid down to ensure that justice is done. That included taking account of the views of the prison governor, the social work staff, the medical experts and the Parole Board for Scotland. As I said in my statement, each and every one of them recommended compassionate release.

It is correct that there was still a further judgment for me to make, but I believe that due process was followed according to the law of Scotland and that—as is written on the mace—we are required to show compassion even when compassion and sensitivity are not shown to us. It is our position as the people of Scotland that we wish to treat people as we would have them treat us. Mr al-Megrahi's failure to show us compassion does not mean that we should ignore our position. I believe that I followed due process and upheld those values, and I stand by my decision.

Annabel Goldie (West of Scotland) (Con): I, too, thank the minister for the advance copy of his statement.

The image of the Lockerbie terrorist atrocity is etched indelibly in my memory. I shall never forget my sense of disbelief and horror. That is why I want to make it clear that the decision to release Mr al-Megrahi was not made in the name of Scotland, in the name of this Parliament or in my name: it was made by Mr Salmond's SNP Government and Mr Salmond's minister.

If Mr al-Megrahi's condition is so severe that keeping him in prison is inhumane, why could he not have been released to a secure house, a hospice or a hospital in Scotland? Is the SNP Government seriously suggesting that our Scottish police, who coped so admirably with the security arrangements for G8 leaders, could not adequately protect Mr al-Megrahi? Forty-eight police officers for a few weeks seems a small price

to pay to protect Scotland's international reputation.

Is the SNP Government seriously arguing that our excellent national health service is incapable of providing compassionate and sensitive palliative care? Even Mr al-Megrahi's own lawyer, Dr Ibrahim Legwell, considers that Mr al-Megrahi would receive better treatment in Scotland than in Libya. Compassion and justice would have been better served by that approach than by a convicted terrorist being fêted as a hero in Libya to a backdrop of waving saltires.

Equally disturbing is the extraordinary and incomprehensible silence of the Prime Minister, Gordon Brown. The SNP Government's flawed decision has significant implications for foreign policy and trade. What joint efforts are now being undertaken by Alex Salmond and Gordon Brown to limit the damage done to our country's international reputation and to our economy?

Kenny MacAskill: The suggestion that Mr al-Megrahi could have gone to a hospice is ludicrous. As I have, Miss Goldie and many other members will have visited hospices, where people go to have dignity in their last few moments. It is denigrating to suggest that we could have sent Mr al-Megrahi to any hospice in Scotland, where others would have, frankly, seen a travelling circus. There was a suggestion that he could have gone to the house in Newton Mearns. As I said, we took clear advice from the deputy chief constable of Strathclyde Police, our largest police authority, that 48 officers would have been required simply to cope with his being in the house, let alone the other problems relating to that. In a hospice, that would have been a problem for those who are entitled to dignity in their last moments. I took that view and followed the security advice of our officers.

On compassion, I quote Archbishop Mario Conti, who has said that

"compassion ... is, after all, one of the principles inscribed on the mace of the Scottish Parliament by which Scotland's Government should operate. The showing of mercy in any situation is not a sign of weakness. Indeed in this situation, with the pressures and circumstances of the case, it seemed to me a sign of manifest strength. Despite contrary voices, I believe it is a decision which will be a source of satisfaction for many Scots and one which will be respected in the international community."

I accept that there are many in America who disagree with my decision. I have said that I understand that. Nothing can assuage the grief and pain that they have felt since 21 December 1988. They can be assured, though, that we followed due process according to the laws and values of the Government and people of Scotland. Equally, I am aware that there is some support in

the international community for what we have done as a Government.

Tavish Scott (Shetland) (LD): I, too, thank the cabinet secretary for providing a copy of his statement.

In the eight years since Mr al-Megrahi was found guilty and imprisoned, the world has changed, but now because of the handling of the decision to release him, Scotland finds itself on the wrong side of change, with its international reputation failing, not growing. The Parliament has been recalled too late to influence the Cabinet Secretary for Justice—that is wrong. I have asked for support to allow a vote next week, as a demonstration to the world that Scotland has a wider view, and not just the narrow view of its minority Government. Why did the Government choose to announce the biggest decision in 10 years in the basement of St Andrew's house and not to the Parliament? Where is the accountability in that?

In last Thursday's statement, Mr MacAskill said at least eight times that he was responsible for the decision, but at least eight times he sought to pass the blame on to others, from Jack Straw, to a superior Scottish national character, and a so-called "higher power". Why did Mr MacAskill visit al-Megrahi in prison? What was said and will the notes be published? Was an appeal discussed during the meeting? Above all, why did Mr MacAskill make the visit when not one, but two appeals were in progress? What advice did Mr MacAskill take from the Crown Office on that? We now know that Mr MacAskill did not need to visit al-Megrahi in Greenock prison as, despite what Mr MacAskill has said, a written representation was all that was required. How many prisoners can elect to have a minister visit them in their cell, even though they have a well-equipped set of lawyers who are perfectly able to write a letter? Does Mr MacAskill's comment on the use of Scottish compassion mean that no prisoner, however bad their crime, will ever have a request turned down again?

The First Minister and his Government have split Scotland—they have split our country within and split our nation from many international friends. Next week, Colonel Gaddafi can parade al-Megrahi as part of his 40th anniversary celebrations. Next week, will the Scottish Government support a vote in the Parliament to restore our national reputation? Otherwise, the defining image of the SNP's four-year term of government will be rued by many across our nation for many, many years to come.

Kenny MacAskill: Decisions on timetabling business for the Parliament are a matter for the Parliamentary Bureau and, ultimately, the Presiding Officer. I say to Mr Scott, as I said last

Thursday, that the decision was mine and mine alone—I stand by it and I live with the consequences.

I turn to the other matters that Mr Scott raises. I did not speak to the Crown Office, as that would have been entirely inappropriate. As Mr Scott should be aware, we have separation of powers and it would have been contrary to that and wrong for me to have approached the Crown Office. Therefore, I did not do so.

On the papers and process, we are looking to release as much of the information as we can, but we must ensure that those who have written, co-operated and given evidence—perhaps not on the basis that the information would be released—are at least given the courtesy of being asked whether they wish their names and the testimony and information that they provided to be released. Mr Scott has an absolute assurance from me, as the Cabinet Secretary for Justice, that we will seek to provide the papers.

I turn to two final matters. I appreciate that Mr Scott has spoken as the leader of the Liberal Democrats. He asked about the situation for people in future. When I looked back to find out about people who had previously been given compassionate release, I found that, on the watch of Jim Wallace—a former leader of the Liberal Democrats—a child killer who had been given a life sentence was released. Clearly, that man took but one life, not 270, but Jim Wallace was prepared to follow due process and to adhere to the values of the people of Scotland.

Finally, I will simply quote from another former leader of the Liberal Democrats, Lord Steel, who said on the radio this morning that my decision was

“clearly made on compassionate grounds. It wasn’t made as part of a prisoner deal. It wasn’t made as part of a trade agreement. People should focus on that. Most opinion in Scotland therefore is in favour of a decision to release him on compassionate grounds.”

Mr Scott might take a different view from Jim Wallace and David Steel, but I repeat what I said earlier—it was my decision. I stand by it and I will live with the consequences.

The Presiding Officer: We come to open questions. Thirty members want to ask questions and I am keen to ensure that every member who wishes to ask a question can do so. I must therefore insist that questions are very brief and that the answers are as brief as possible.

Michael Matheson (Falkirk West) (SNP): The Cabinet Secretary for Justice will be aware that others outside Scotland have criticised our legal system and the application of justice in this case. He will also be aware that there was a wide range of support for the decision to release Mr al-

Megrahi on compassionate grounds, ranging from the former First Minister, Henry McLeish, to the Law Society of Scotland.

Does the cabinet secretary agree that, if a prisoner fulfils the criteria for compassionate release that are set out in our justice system, as Mr al-Megrahi did, to deny that release would be to politicise that decision? Can the cabinet secretary confirm whether anyone who has met those criteria before has ever been refused compassionate release?

Kenny MacAskill: I can confirm that, leaving aside applications from those who failed to meet the criteria and were taken out at sift, no cabinet secretary has refused any application for compassionate release since 2000. That is the position in the guidance on the laws of Scotland that I followed and my predecessors followed before me.

Richard Baker (North East Scotland) (Lab): When will the cabinet secretary publish the advice that he received on his decision to meet al-Megrahi personally, given that it is clear that he was not required to meet him? How would it have been outwith natural justice to decline the meeting in person when, after all, the cabinet secretary did not meet personally the American victims’ families?

Given that the media knew about the decision a week before those families, will there be a full leak inquiry into this appalling error?

Kenny MacAskill: Mr Baker is quite right to say that I did not meet the American families personally. That was not possible. However, we had a simultaneous videoconference link with families in New York and Washington. We had an exchange, and I listened for over an hour to matters that they raised.

In respect of information and papers, we are seeking to make as much of that available as possible. We have to ensure that those who made contributions and provided us with information are able to give their consent to those papers being made available. If they do not give their consent, it would be inappropriate and wrong of us to publish those papers. However, as I said, we will deal with that issue.

On a leak inquiry, there has been a huge amount of speculation about the issue that we are discussing. I did not read yesterday’s *Sunday Post*, but I am told that it said that the decision had been made—and that it knew of it—four weeks ago. *The Times* of England—that great organ of the British establishment—said that I had made a decision to refuse Mr al-Megrahi’s request. There was a wide range of speculation. However, as I said, I made my decision on Wednesday 19 August 2009 and I made it public on 20 August

2009. I stand before the chamber of the Scottish Parliament today to account for my actions, and I stand by them.

Tricia Marwick (Central Fife) (SNP): I remind the Cabinet Secretary for Justice of the four words that are intertwined on the mace: wisdom, integrity, justice and compassion. Those are the values that underpin the actions of the Parliament and the Government.

Is the Cabinet Secretary for Justice aware of the many expressions of support from some of the victims' families, the Church of Scotland and Archbishop Conti, whom he mentioned earlier?

There still seems to be some confusion about what is meant by compassionate release in Scots law. Would the cabinet secretary set out more fully what that means and the guidance that underpinned his decision?

Kenny MacAskill: The guidance that underpins my position is laid down in the Scottish Prison Service rules that have been followed by my predecessors and by me. However, it was not only the law and guidance in Scotland that were important but the values of Scotland. Tricia Marwick referred quite appropriately to Archbishop Conti, and I am glad that there is an ecumenical position on this matter in Scotland. The Rev Ian Galloway, the convener of the church and society council of the Church of Scotland said:

"This decision has sent a message to the world about what it is to be Scottish."

We are defined as a nation by how we treat those who have chosen to hurt us. Do we choose mercy even when they did not choose mercy?

I understand the deep anger and grief that still grips the souls of the victims' families, and I respect their views, but to them I would say that justice is not lost by acting in mercy; rather, our deepest humanity is expressed for the better. To choose mercy is the tough choice, and our nation met that challenge. I made that choice. It was a tough decision, but I believe that I followed due process and I believe that I stood up for the humanity that we pride ourselves on as a people.

Elaine Murray (Dumfries) (Lab): In the weeks following the horror of the bombing of Pan Am flight 103, the people of Lockerbie offered support and succour to the families of the victims. That was particularly appreciated by the relatives of the 180 Americans who died in the skies over Scotland, and a relationship of trust and friendship has continued for more than 20 years.

How many of the families of the American victims did the Cabinet Secretary for Justice consult as he was making his decision to release Abdelbaset Ali al-Megrahi on compassionate grounds and what account did he take of their

views? Other than speaking to the deputy chief constable of Strathclyde constabulary, what advice did he receive on compassionate alternatives? Did he fully explore those alternatives, which would have enabled those families to feel that the promise to them that al-Megrahi would remain in Scotland for the duration of his sentence had been honoured?

Kenny MacAskill: I say to Dr Murray what I said to Annabel Goldie: the suggestion that we could have sent Mr al-Megrahi to a hospice in Scotland is ludicrous. People in a hospice are dying: they are terminally ill and they go there to spend their last moments with some tenderness and to be in the bosom of their family. That should not be turned into a media circus, which is what would have happened.

We discussed matters with the deputy chief constable of Strathclyde. As I have said in debates in the chamber on a variety of issues, I do not direct the police on operational matters. Their clear advice was that the consequences, if Mr al-Megrahi remained in Newton Mearns, would be severe. A minimum of 48 officers would be required just to have him located there, without any other considerations being addressed. I decided, on the basis of that advice, that that course of action would be inappropriate.

I had a videoconference with those members of the American victims' families who wished to participate. They were contacted and we offered them every courtesy, as I have done since, and I am conscious of the hurt that remains. What I can say, Dr Murray, is that their hurt and pain started on 21 December 1988—it was caused by the action perpetrated by Mr al-Megrahi. I am aware, from having listened to them talk about their heartfelt pain and suffering, that I can do nothing to take away or assuage that pain, which will remain with them until the day that they die. I had to make a decision based not only on the ability to impose a judgment, which we had done, but to stand up for the values and law of Scotland, which is to be able to show mercy, which I did.

Bill Aitken (Glasgow) (Con): The cabinet secretary has sought to allay suspicions that deals have been done behind the scenes. However, Tony Blair and Colonel Gaddafi did the original deal in the desert on prisoner transfer, Gordon Brown has had contact with the Libyan leader in the past six weeks and Lord Mandelson has met Colonel Gaddafi's son twice in the past two months. The Libyans seem to be suggesting that none of those events and the release are unrelated. Did the First Minister or the cabinet secretary feel at any stage that, because of their naivety and inexperience in international affairs, they were being stitched up and used as pawns in a much bigger international game?

Kenny MacAskill: I made it clear that I thought that it was highly regrettable that the Government of the United Kingdom failed to exercise the opportunity to make representations, which was available to it, or to provide any information that would have counteracted information that I received from the families of the American victims and the Government of the United States. I believe that that was highly regrettable.

I cannot comment on or state what did or did not take place, whether it involved Lord Mandelson, Gordon Brown or Tony Blair. As I said, I acted without consideration of political, economic or diplomatic considerations; I acted on the basis of the law and values of Scotland. It will be for others to decide whether my judgment was right or wrong; equally, it will be for others to decide whether the actions of others were appropriate.

Nicol Stephen (Aberdeen South) (LD): How much advice and support did the cabinet secretary receive from the First Minister in his damaging and disgraceful mishandling of the release of Mr al-Megrahi? Was there any or was there none?

Will Kenny MacAskill confirm that his definition of Scottish compassion and his bizarre reference to the role in all this of “a higher power”—whatever that might be—mean that every terminally ill prisoner, however heinous their crime, will now be released from Scotland’s jails? Is that Scottish justice? It is certainly not Jim Wallace’s view of justice in Scotland.

Does Kenny MacAskill now offer—

The Presiding Officer: Briefly, please.

Nicol Stephen: Does Kenny MacAskill now offer to meet every convicted criminal who seeks release on compassionate grounds, if they demand it? Does he appreciate that many people, not only in the chamber but across Scotland, have major concerns about his conduct and his credibility as justice minister? [*Interruption.*]

The Presiding Officer: I must ask for there to be no applause from the public gallery; it is against the rules of the Parliament.

Kenny MacAskill: It is for each and every one of us to decide what our definition of compassion is. When members take the oath and when the mace is brought in, they might give some consideration to what is inscribed upon it. Those words reflect the tenets to which I subscribe, and which I believe are also supported by the Church of Scotland and the Catholic Church in Scotland. The member may disagree—that is his right and entitlement—but I stand by my definition of compassion, which I believe is supported by many.

I have been extremely grateful for the support that the First Minister has shown to me on this

matter but, as I said, this has been my decision and my decision alone. I repeat: I made the decision, I stand by it and I face the consequences.

The Presiding Officer: If we are to get through the questions of all those members who wish to ask them, they must make them briefer than they have been so far. I must insist on one question per member, without too much preamble.

Gil Paterson (West of Scotland) (SNP): The cabinet secretary has emphasised the process of consultation in relation to the prisoner transfer agreement. With regard to his meeting with Mr al-Megrahi, can the cabinet secretary confirm the position of Jack Straw when the PTA was ratified: that the subject of a PTA has the right to put their case if that is requested? Can he also say—

The Presiding Officer: I said one question per member. Thank you, Mr Paterson.

Kenny MacAskill: As I said, this was the first ever prisoner transfer application that could be made by a national Government without the consent of the prisoner involved. The application that came before me was made by the Government of Libya. Accordingly, I required to hear representations from the prisoner involved. Mr al-Megrahi chose to make those representations himself. I practised in the courts of Scotland over a period of 20 years and—except in an instance in which someone was seeking to harass a witness in a sensitive sexual offence case—I have never yet come across an instance of somebody who chose to represent themselves being refused that right and entitlement. Natural justice dictated it.

Paul Martin (Glasgow Springburn) (Lab): A number of people have raised concerns about the way in which Mr al-Megrahi was received—with a hero’s welcome—on his return to Libya. I note from Mr MacAskill’s statement that he made representations to the Libyan Government. Can he provide that information for the public record? Did he consider the possibility of the attachment of a precondition to Mr al-Megrahi’s release, which would have prevented him from engaging in the kind of public grandstanding that has so hurt the Lockerbie victims?

Kenny MacAskill: As I said in my statement, assurances were given to me by the Libyan Government, and I regret that they were not upheld. Assurances were sought by the Foreign and Commonwealth Office—clearly, there were going to be implications, for UK nationals and others, irrespective of which way the decision went. Accordingly, the Foreign and Commonwealth Office and the United States Government sought assurances. I regret very much that those assurances were not adhered to.

Patrick Harvie (Glasgow) (Green): Regardless of the current controversy and the strong views on both sides, it remains the case that Mr al-Megrahi is a dying man. It is likely very soon to become a fact of history that he will have died in Libya, not in a Scottish prison.

Does the cabinet secretary agree that the decision with far longer-term consequences is that which must be taken by both the Scottish Government and the UK Government to publish all the information that is relevant not only to Mr al-Megrahi's release and to any prior discussions but to his original conviction, so that everyone—Scots, Americans, Libyans and the world—will be able finally to answer the serious and troubling outstanding questions in this case?

Kenny MacAskill: I stand by the investigation and the conviction, and indeed the fact that the conviction was upheld on appeal. I recognise that there are issues of concern to many; those are matters to be proceeded with by others.

If an inquiry in Scotland is sought in the chamber or anywhere else, we can consider that. However, the laws of Scotland are clearly restricted to our small jurisdiction, the powers of the Scottish Parliament are constrained by the Scotland Act 1998, and many of the matters to which Mr Harvie refers are beyond the jurisdiction of the law of Scotland and the restricted powers of the Scottish Parliament. They may be matters that should be investigated, but that should be an issue for those with the powers and the relevant authority to do so.

Christine Grahame (South of Scotland) (SNP): Further to Patrick Harvie's question and the cabinet secretary's undertaking to publish other relevant material, will the cabinet secretary clarify that, in light of the aborted appeal proceedings, the untested findings of the Scottish Criminal Cases Review Commission, and the evidence to that commission that named a resident of Washington DC as the bomber, there may have been a miscarriage of justice? Will the relevant material include the publication of the full SCCRC report? If that is not in his power, will he support my call for full publication?

Kenny MacAskill: I stand by the position that I stated on 20 August. As the Cabinet Secretary for Justice, I have great pride in the actions that the police, the prosecution service and the Scottish courts have taken. They did Scotland a great service in seeking to bring Mr al-Megrahi to justice and to trial. I recognise that individuals here and elsewhere have cause for concern. It will be for them and others to decide whether there are to be any further inquiries. I say to Ms Grahame and everyone else that the Scottish Government will fully co-operate in any way to ensure that questions are answered, but it is for others to

decide on future inquiries. Our rules are restricted to the jurisdiction of our land, and our powers are restricted to the limited powers of the current devolved Parliament.

Duncan McNeil (Greenock and Inverclyde) (Lab): I am sure that the Cabinet Secretary for Justice is well aware that his decision with respect to Mr al-Megrahi has, sadly, resulted in widespread criticism and the threat of boycott. The situation could seriously deteriorate if a planned visit by the Scottish Government to the middle east to seek investment funds for public projects in Scotland goes ahead. Does he agree that such a visit would not be well understood or appropriate at the current time and that it should be ruled out to avoid further damage to Scotland's reputation?

Kenny MacAskill: I am not aware of any such visit. We as a Government will do nothing to damage Scotland's interests in the middle east or anywhere else. Duncan McNeil may disagree with my decision, but I refer him to the view of his former colleague Tam Dalyell, who has said:

"Mr MacAskill, the ... justice minister, has arrived at the right decision on compassionate grounds."

Margo MacDonald (Lothians) (Ind): What did the cabinet secretary say to Mr al-Megrahi in his prison cell and what did Mr al-Megrahi say in return? Has he made any effort to discover from Mr al-Megrahi's counsel why he believed that Mr al-Megrahi would enhance his chances of returning to Libya if he gave up his appeal?

Kenny MacAskill: I made no such reference to Mr al-Megrahi, his counsel, whom I have never met, nor, indeed, his solicitor, who was with him throughout the meeting. No such suggestion was ever made; indeed, such a suggestion would have been entirely inappropriate. At the outset, I said that due process and proper guidance would be followed, and I made it clear that Mr al-Megrahi's appeal was a matter for him and the courts. He made his decision without any interference from me.

Ian McKee (Lothians) (SNP): The future lifespan for people who have been diagnosed as having prostate cancer can vary from a few months to many years, and the condition can vary in severity: it can cause extreme handicap or be compatible with living an almost normal life. Can the cabinet secretary detail the advice that he received about Mr al-Megrahi's prognosis and the prospect for treatment of his cancer?

Kenny MacAskill: Dr McKee is better qualified in medical matters than I am. However, I can say that, at the request of the United States Government, the medical report has been provided to it; indeed, it has been made much more widely available. It is clear from the evidence contained in that report—not simply from the

director of health and social care at the Scottish Prison Service, but from consultants and other experts who dealt with Mr al-Megrahi's situation and treatment prior to, during and after diagnosis—that Mr al-Megrahi is terminally ill. That is a matter of record. He may live longer or not as long, but the information was that the prognosis was terminal. A three-month timescale was reached, and I made my decision on that basis.

Margaret Curran (Glasgow Baillieston) (Lab): Does the cabinet secretary recognise that, for those of us who genuinely take a different view in believing that he made a grave error of judgment, the suggestion that we somehow all lack compassion is deeply offensive? Did he ask his officials to investigate details of compassionate alternatives in Scotland? What did he specifically ask his officials to investigate? What were the results? Will he publish the full details?

Kenny MacAskill: We spoke to the deputy chief constable of Strathclyde Police. He is the man in charge of operational guidance. He gives the advice that we have to accept. I do not believe that I should ever seek to interfere with operational matters that are within the domain of the police.

Annabel Goldie and Margaret Curran might believe that a hospice should have been made available in Scotland, but I believe that our hospices should be treated with the dignity and sanctity to which they are entitled. I do not believe that they should have had placed on them the encumbrance of numerous police officers, never mind the entourage that would have followed. Our people should have the opportunity to die in dignity and comfort.

John Lamont (Roxburgh and Berwickshire) (Con): The cabinet secretary said that the views of the UK Government were sought on the prisoner transfer agreement. To assist our understanding of the decision-making process on the compassionate release order, will he ensure that all communications between the Scottish Government and the UK Government will be made public? Alternatively, will he confirm that there was no such correspondence or communication?

Kenny MacAskill: As I said, we will be more than happy to produce whatever information we can. We are seeking for others—whether they be victims or national Governments—to provide us with their authority to release it. I cannot comment on what they will do or say because I have not heard from them. It will be for them to justify their actions.

Jim Hume (South of Scotland) (LD): The people of Lockerbie long ago made it clear that they want to move on from that dreadful night. Unfortunately, the decision has brought the matter to a head for them again.

I understand that this is a matter for the Parliamentary Bureau and the Presiding Officer, but will the cabinet secretary and his party support the Liberal Democrat call for the Parliament to debate at the earliest opportunity the release of Mr al-Megrahi so that we can show the world the true Scottish view on the matter rather than the view of this minority Government? Yes or no?

Kenny MacAskill: As I said at the outset, such matters are for the Parliamentary Bureau. I do not seek to impose my view. If that is the wish of the bureau, clearly I will answer and account for my decisions as I have been prepared to do today. On such matters, we will be more than happy to co-operate fully.

Brian Adam (Aberdeen North) (SNP): I will never forget that day because the very next morning I left with my family on a Pan Am flight out of Heathrow, so the implications are firmly in my mind.

Will the cabinet secretary elaborate on the advice that he got from Strathclyde Police on the house in Newton Mearns? In particular, was he given any costs?

Kenny MacAskill: Costs are not a factor that we take into account in the implementation of our justice system. Had the option been viewed as feasible or operationally appropriate, the Government would have been prepared to bear the cost. The decision was based on the consequences and severe problems that would have been faced by Strathclyde Police in ensuring the safety of Mr al-Megrahi and of a variety of other people. There would have been consequences for those who would have been living in close proximity to him. I had to consider such matters in relation to the suggestions about hospice care. I had to consider the consequences of a decision that would have forced Mr al-Megrahi on a hospice in Scotland that spends a lot of its time raising hard-earned funds to look after our people in their dying days. I followed operational advice. My decision was based on sound operational reasons, not on the dictates of finance.

Pauline McNeill (Glasgow Kelvin) (Lab): It is a matter of great regret that the criminal justice system was not tested to its full extent. The cabinet secretary has said today that it was not a condition of release that Mr al-Megrahi had to withdraw his appeal. Can he offer an explanation as to why Mr al-Megrahi said:

"I have been faced with an appalling choice: to risk dying in prison in the hope that my name is cleared ... or to return home still carrying the weight of the guilty verdict?"

Will the cabinet secretary confirm whether it was competent for the appeal to continue and whether the appeal was an obstacle to Mr al-Megrahi's release?

Kenny MacAskill: According to the laws of Scotland, it would have been perfectly competent for the appeal to continue, even if Mr al-Megrahi was abroad or, indeed, deceased. That is a matter of fact under the laws of Scotland.

However, I reiterate that no pressure was brought to bear on Mr al-Megrahi. I refer once again to *The Times* of London, which made it clear that Mr al-Megrahi was clear in his own mind that no pressure had been brought to bear on him by the Government of Scotland and that he had been returned home to die.

Sandra White (Glasgow) (SNP): I thank the cabinet secretary for his statement and decision, which I fully support. Does he agree with the comments that Jack McConnell made in 2007? Mr McConnell said:

"We need someone to preside over the Parliament who embodies the words on the mace: justice, wisdom, compassion and integrity. Each of us should embody those principles every day in carrying out our duties".—[*Official Report*, 14 May 2007; c 13.]

Kenny MacAskill: I do not seek to impose my views or my faith, beliefs and values on anyone. As I have said, I made the decision following the guidance that is laid out in the laws of Scotland and my interpretation of the values of Scotland. Many will disagree, as Mr Stephen and Mr McConnell have made clear; equally, I am heartened by the support that I have received from many other people in Scotland, in particular Archbishop Conti and the Rev Ian Galloway.

Patricia Ferguson (Glasgow Maryhill) (Lab): In his statement last week and again today, the justice secretary said that he had ruled out a prisoner transfer request in respect of Mr al-Megrahi. However, at the time of the Libyan request for transfer, appeals were still pending, and, as the cabinet secretary must be aware, prisoner transfers may take place only when all other legal processes have been completed. Will he advise members how he could possibly rule out a prisoner transfer when no ruling was required of him and whether his officials have ever advised him that his admissions on this matter are incompetent?

Kenny MacAskill: No, my admissions have never been advised to me as incompetent. My ruling out of the prisoner transfer was clear: I felt it to be entirely inappropriate. It was clear to me that the Americans had either received, or had an impression that they had received, clear information prior to the trial that Mr al-Megrahi would serve his sentence in Scotland. It was on that basis that I made my decision.

Jackson Carlaw (West of Scotland) (Con): One of the more preposterous consequences of the cabinet secretary's decision—one that has

been met with dismay by the local community—is the fact that it now falls on East Renfrewshire Council to be responsible for the whereabouts of Mr al-Megrahi. What conversations has the cabinet secretary had with East Renfrewshire Council? In those discussions, did he explain the arrangements that he has put in place to recall Mr al-Megrahi to custody should that prove to be necessary?

Kenny MacAskill: As Mr Carlaw will be aware, we do not operate criminal justice social work directly from St Andrew's house, and it is for that reason that the East Renfrewshire Council social work department has become responsible. Officials have been in discussions with that department, because it is appropriate that there should be such discussions at official level and because it was necessary to lay out the terms and conditions of the licence that Mr al-Megrahi required to sign. I will be happy to be kept advised—and I doubtless will be if there are problems.

The fact is that the guidance in the law prescribes that the responsibility must lie with East Renfrewshire Council. There is no alternative: that is what is laid down in the due process that I followed. We have sought to ensure the appropriate conditions regarding place of residence, limitations on travel and other matters—conditions that are appropriate not only in Scotland and which take into account the peculiar and unique circumstances of this case.

David Whitton (Strathkelvin and Bearsden) (Lab): As someone who was in Lockerbie as part of the Scottish Television reporting team the day after Pan Am flight 103 was brought down, I saw at first hand the full effects of the atrocity. It is something that I will certainly never forget.

The cabinet secretary said that he did not take his final decision until after 14 August, but days beforehand the BBC was able to report exactly what he would do—something that it would not have done unless it was absolutely sure of its facts. On the morning of his decision—

The Presiding Officer: Come to a question, please.

David Whitton: *The Herald* also reported the cabinet secretary's decision hours before he made it.

The cabinet secretary has been asked three times now whether he will order a leak inquiry, and I will ask again. Will he do so? Somebody has been leaking information—it was either the minister himself or his press advisers—and they showed little sensitivity to the relatives of those who died.

Kenny MacAskill: I remind Mr Whitton of the timeline. The application for compassionate release came in on 24 July. The medical report I received from the director of health and social care in the Scottish Prison Service was dated 10 August. I received the final submissions from my officials late on 14 August. I made my decision on 19 August, and I made a full statement on 20 August. As I said in response to previous questions, there has been a variety of speculation on the issue. Some papers speculated that I was going to refuse compassionate release. Many institutions speculated that I was going to grant compassionate release. The *Sunday Post* speculated that it knew all of that four weeks ago. I can only go by what I have stated. I have narrated the timeline. I followed due process.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): As a former associate member of the Society of British Urological Surgeons, I am interested in the health grounds. I understand that the guidance from the SPS is that death should be anticipated to take place within three months. The medical reports, which I have read, indicate that in July, the lower end of the previous estimates was to be considered, which means that in July Mr al-Megrahi was expected to survive for eight months—until April 2010. All medical advisers have said that prognosis is difficult to determine, so the three-month rule is highly questionable in this case. Who did the minister take advice from, other than a consultant urologist and the prison medical officer? Did he take any advice from a palliative care expert, who would have had a greater understanding of the possibilities in this case? If Mr al-Megrahi lives for much longer than three months, it will add to the insult to American families and others.

Kenny MacAskill: I followed the three-month rule. That was the medical information given to me. The medical report from the Scottish Prison Service's director of health and social care was dated 10 August and was based on an interview and examination of Mr al-Megrahi on 3 August, when it was made clear that there had been a change for the worse in his circumstances. I do not have the benefit of Dr Simpson's training in medicine or psychiatry, but I follow the rules and guidance that are laid down for cabinet secretaries for justice. I recall that Dr Simpson, too, has served as a justice minister. I followed the same rules and regulations that he would have been required to follow had the issue come before him.

The Presiding Officer: I ask members to be extremely brief because we are getting very short of time.

Angela Constance (Livingston) (SNP): There have been countless reports in the media and comments from members concerning the

availability of information on the case prior to last week's announcement. In order to bring to an end baseless accusations, will the cabinet secretary once again confirm when the medical report and other reports from the Parole Board, the prison governor and social work, on which his decision was based, were received and the timescale in which the decisions were made?

Kenny MacAskill: As I indicated, I received full and final submissions late on 14 August and I made my decision on 19 August.

Lewis Macdonald (Aberdeen Central) (Lab): Did the cabinet secretary discuss any of the potential economic impacts arising from his decision, prior to its announcement, with Cabinet colleagues or with anyone outwith the Scottish Government?

Kenny MacAskill: Absolutely not.

Ken Macintosh (Eastwood) (Lab): As the Presiding Officer may be aware, under the terms of Mr al-Megrahi's release it falls on the local authority representing my constituency, East Renfrewshire Council, to monitor him. It is my understanding that the Scottish Government has insisted only that Mr al-Megrahi attend a videoconference once a month. What action will the Scottish Government take if Mr al-Megrahi fails to show up for his monthly appearance?

Kenny MacAskill: On the basis of the medical evidence given to me, I have returned him to Libya to die.

Anne McLaughlin (Glasgow) (SNP): The cabinet secretary will be aware that a UK Tory MP, Daniel Kawczynski, has suggested that basing the decision on judicial grounds was

"throwing away a ... bargaining chip."

Will the cabinet secretary join me in condemning that comment as utterly inappropriate? Will he urge all other politicians in this Parliament to reject such ideas?

Kenny MacAskill: The laws that I followed are the laws that were laid down by previous Administrations. Some of them were laid down under a Tory Administration south of the border and some were laid down under a Liberal-Labour Administration in the Scottish Parliament. I followed due process. I hope and believe that everyone who is given the privilege of serving as justice secretary, whatever political party they belong to, would follow due process without taking account of political, economic or diplomatic considerations.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I regret the politicisation of what is a quasi-judicial matter and, for my part, commend the justice secretary for a courageous decision

that is entirely consistent with the principles of Scots law and Christian morality, as evidenced by the widespread support for it of churches across Scotland. Does he share my revulsion at what happened when al-Megrahi returned to Libya, but does he accept that there is nothing that anyone in this Parliament could have done to stop it, and does he agree that it is entirely irrelevant to the rights or wrongs of the original decision?

Kenny MacAskill: I am very grateful to Malcolm Chisholm. I am glad that we share the same beliefs and values, and that they transcend our political affiliations. He is quite right—what took place was deeply regrettable. Mr al-Megrahi acted without compassion and showed no sensitivity, but as I said, our values are deeper and different.

Karen Gillon (Clydesdale) (Lab): I am sure that the cabinet secretary would not suggest that he has a monopoly on beliefs and values. As a Christian, I do not share his position. However, we are both entitled to our positions.

The cabinet secretary indicated that cost is not a factor in the Scottish justice system. Which specific alternative compassionate release options did he consider? What advice did he receive on them? What were the costings? If he is not prepared to give us those answers today, I ask him to publish the advice that he received as a matter of urgency.

Kenny MacAskill: I say to Ms Gillon, as I have said to others, that I was not prepared to foist the encumbrance of having to deal with Mr al-Megrahi on any hospice in Scotland that deals with the terminally ill in their last moments. That would have been unfair on them. Accordingly, I and I alone ruled that out.

My decision on the other option of Mr al-Megrahi residing in a house was based on the advice that I had from the deputy chief constable of Strathclyde Police. I am a great supporter of our police, both as regards what they did following Lockerbie and what they do on a day and daily basis.

The Presiding Officer: I thank all members for the forbearance and patience that they have shown during this extended session.

Meeting closed at 15:42.

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