

Criminal Justice Committee
Wednesday 11 March 2026
10th Meeting, 2025 (Session 6)

Consideration of petitions

Overview

1. At this meeting, the Committee will consider the following petitions which have been referred to it this parliamentary session:
 - [PE1370: Justice for Megrahi](#)
 - [PE1458: Register of Interests for members of Scotland's judiciary](#)
 - [PE2136: Make non-fatal strangulation a standalone criminal offence in Scotland](#)
2. A short description of each petition is provided below.
3. **Additionally, where provided, the annexes to this paper set out additional information sent in by the respective petitioners.**

PE1370: Justice for Megrahi

4. This petition was submitted in October 2010 by Dr Jim Swire on behalf of the Justice for Megrahi campaign. It calls on the Scottish Parliament to urge the Scottish Government to open an independent inquiry into the 2001 Kamp van Zeist conviction of Abdelbaset Ali Mohamed al-Megrahi for the bombing of Pan Am flight 103 in December 1988.
5. At the end of the previous parliamentary session, the then Committee agreed to keep the petition open for consideration in session 6 and await the conclusion of any legal proceedings first, before considering the merits of the petition.
6. It is understood that there are related legal proceedings still underway in the USA.
7. Details of the history of the consideration of the petition by various iterations of the justice committee can be found on the petitions [webpage](#).

PE1458: Register of interests for members of the judiciary in Scotland

8. This petition was submitted in October 2012 by Mr Peter Cherbi calling on the Scottish Parliament to urge the Scottish Government to create a Register of Pecuniary Interests of Judges Bill (as was being considered in New Zealand's Parliament) or amend present legislation to require all members of the Judiciary in Scotland to submit their interests & hospitality received to a publicly available Register of Interests.

9. At the end of the previous parliamentary session, the then Committee agreed to keep the petition open for consideration in session 6 as the idea for such a register was part of the then manifesto of the current Scottish Government in the run up to the 2021 election¹.
10. The idea was cited in the 2021/22 Programme for Government but not in later iterations.
11. In an answer to a written parliamentary question (Liam Kerr MSP, S6W-37547, 13 May 2025²), the Scottish Government said:

“Consideration of introducing a judicial register of interests began during this parliamentary session. However, following the introduction of a revised statement on judicial ethics last year, which included more detailed declaration requirements for judicial office holders and a greater emphasis on judicial independence, the commitment was delayed to allow time for its impact to be assessed. Now that a year has passed since the revised statement was introduced, work has recently commenced on evaluating its effects. An update will be provided to Parliament at the appropriate time.”
12. At the time of writing, the clerks are not aware of any further update having been provided to the Committee.
13. Details of the history of the consideration of the petition by various iterations of the justice committee can be found on the petitions [webpage](#).

PE2136: Make non-fatal strangulation a standalone criminal offence in Scotland

14. This petition was submitted in January 2025 by Ms Fiona Drouet calling on the Scottish Parliament to urge the Scottish Government to make non-fatal strangulation a standalone criminal offence in Scotland.
15. The Committee has explored the matter on several occasions during this parliamentary session, writing to the Cabinet Secretary and the Lord Advocate on various matters³.
16. Most recently, the Committee has received a letter from the Cabinet Secretary indicating that it has [published a consultation](#) on several areas to help improve

¹ <https://www.gov.scot/binaries/content/documents/govscot/publications/foi-eir-release/2024/02/communications-relating-to-petition-pe1458-foi-review/documents/foi-review---202300348435---information-released---annex-b/foi-review---202300348435---information-released---annex-b/govscot%3Adocument/FOI%2BReview%2B-%2B202300348435%2B-%2Binformation%2Breleased%2B-%2BAnnex%2BB.pdf>

² [Written question and answer: S6W-37547 | Scottish Parliament Website](#)

³ <https://www.parliament.scot/chamber-and-committees/committees/correspondence?committeeSelect=dc8408f0-421f-48ac-b39c-f51ff39f898f&qry=strangulation&dateSelect=7503b6d994e241ef904c18fa9ad3ab70%7CThursday%2C+May+13%2C+2021%7CTuesday%2C+3+March+2026&dtDateFrom=2021-05-13&dtDateTo=2026-03-03#filter-panel>

protection within the justice system for women and girls. One of the areas which the consultation discusses is non-fatal strangulation.

17. In line with the Programme for Government commitment, the consultation provides an analysis of the law on non-fatal strangulation in Scotland. In explaining how current Scots law operates, the consultation confirms that consent is not a feature of Scots law which is one of the ways in which significant protection is afforded to victims. Consultees are able to consider the information provided and offer views on steps that could be taken to help reduce harm arising from non-fatal strangulation.
18. The consultation runs until June 2026, and the Cabinet Secretary states that any views offered will be for the next administration to consider in terms of next steps.
19. Details of the history of the consideration of the petition by this Committee can be found on the petitions [webpage](#).

Procedure

20. At the end of each parliamentary session, it is good practice for committees to review any ongoing petitions and consider what actions they wish to take. In general terms, the options are whether to:
 - close the petition
 - keep the petition open for consideration in the following parliamentary session
21. Member may wish to note that it is possible for a petitioner to re-introduce their petition in a subsequent parliamentary session, for example, if there are developments in relation to the issues they raise.
22. Where a committee closes a petition it shall notify the petitioner that the petition is closed and of the reasons for closing it.

Action

23. Members are asked to consider the three petitions mentioned in paragraph 1, considering the additional information in the annexes to this paper, and decide what action they wish to take on each.

Clerks to the Committee
March 2026

Annexe A: Additional information on PE1370, Justice for Megrahi

We refer to the email of 27th February to Dr Jim Swire intimating that the Criminal Justice Committee will further consider the above petition on 11th March, 2026.

On 28th June 2011, the Public Petitions Committee referred the Justice for Megrahi (JfM) Petition PE01370 to the Justice Committee for consideration. Its terms were as follows.

‘Calling on the Scottish Parliament to urge the Scottish Government to open an independent inquiry into the 2001 Kamp van Zeist conviction of Abdelbaset Ali Mohamed al-Megrahi for the bombing of Pan Am flight 103 in December 1988.’

As you will be aware, in 2022, Abu Agila Mohammad Masud (Masud) was arrested by the American authorities on charges related to the Lockerbie bombing and while trial was set for 2025 it was further delayed and is expected to take place later this year.

Controversy continues to surround the whole circumstances behind the investigation of the Lockerbie bombing and subsequent legal action in the UK and abroad. Until fully resolved this tragedy will continue to cast a shadow over the Scottish Justice System nationally and internationally.

Over the years, JfM has consistently emphasised the importance of the Justice Committee keeping our petition on the table until all legal action is completed. We believe that it is only then that an objective and informed decision can be made on holding an independent inquiry into Mr Megrahi’s conviction and the subsequent actions by the UK, American and Scottish governments.

It is our understanding that successive Justice Committees have agreed with our rationale. It seems to us a tragedy that has such a profound effect on Scotland and the reputation of our Justice System at home and abroad must continue to be considered in our Parliament on behalf of the people of Scotland.

We greatly value the Criminal Justice Committee’s continuing scrutiny and political oversight, which we believe is very much in the public interest, and we would respectfully urge the Committee to allow Petition PEO 1370 to remain on the table.

Iain McKie

On behalf of the Committee of Justice for Megrahi

Annexe B: Additional information on PE1458, Register of interests for members of the judiciary in Scotland

Noting the Criminal Justice Committee's scheduled discussion of Petition PE1458 for the 11 March 2026 meeting, I would like to request members keep the petition open at this time and until the Scottish Government provide further information on a proposed judicial register, and a date for when the working register of judicial interests as given in the commitment by the Scottish Government & First Minister in March 2021 is to come into being.

By way of information, I have provided to the Justice Committee, a compiled set of documents obtained by Freedom of Information legislation from the Scottish Government – from 2022 onwards, which give an indication of discussions and work undertaken by the Scottish Government in relation to the petition and the creation of a judicial interests register [see note from the clerks below].

Having been informed of an evaluation process currently underway at the Scottish Government in relation to increased requirements for declarations of members of the judiciary, I have requested information on this evaluation be provided to the Committee for members scrutiny.

Given the significant work of MSPs from all parties on this petition and both the Justice Committee and Public Petitions Committee, and the fact the Scottish Parliament allowed this petition to go through the process to achieve considerable support and public interest, I would like to see members have a chance to scrutinise the Scottish Government's work on creating the register of judges' interests and additionally for myself as petitioner to be able to offer a submission to the Justice Committee in relation to Scottish Government's proposals to take the register forward, and comment on what exactly the requirements and rules of, and the content of the proposed register of judicial interests will be.

Yours sincerely

Peter Cherbi
Petitioner

Note from the clerks: Mr Cherbi has also provided the clerks with a substantial amount of correspondence from the Scottish Government, such as responses to FOI requests. These relate to the progress of the Scottish Government's commitment to create a register of judges' interests as called for in his petition. These have not been published but are available to Members on request.