



NEWS RELEASE

Application on behalf of Mr Abdelbaset Ali Mohmed Al Megrahi

The Scottish Criminal Cases Review Commission announced today that it has agreed to accept the current application in the case of Abdelbaset Ali Mohmed Al-Megrahi to proceed to stage 2 of its process, and will now conduct a full review of his conviction for “the Lockerbie bombing” in order to decide whether it would be appropriate to refer the matter for a fresh appeal.

Gerard Sinclair, the Chief Executive of the SCCRC, said today:- “ *In any application where an applicant has previously chosen to abandon an appeal against conviction the Commission will, at the first stage of its process, look carefully at the reasons why the appeal was abandoned and consider whether it is in the interests of justice to allow a further review of the conviction.*”

The Commission has now investigated this particular matter and interviewed the key personnel who were involved in the process at the time the previous appeal was abandoned in 2009. The Commission has also sought access to the relevant materials and has recovered the vast majority of these, including the defence papers which were not provided during its previous review.

Having considered all the available evidence the Commission believes that Mr Megrahi, in abandoning his appeal, did so as he held a genuine and reasonable belief that such a course of action would result in him being able to return home to Libya, at a time when he was suffering from terminal cancer.

On that basis, the Commission has decided that it is in the interests of justice to accept the current application for a full review of his conviction.”

The Commission does not intend to make any further comment at this time.

Notes for Editors

The Scottish Criminal Cases Review Commission was established as an independent body on 1 April 1999 to review alleged miscarriages of justice in Scottish convictions and/or sentences. Under section 194A-L of the Criminal Procedure (Scotland) Act 1995, as inserted by section 25 of the Crime and Punishment (Scotland) Act 1997, the Commission may refer a case to the High Court if it believes that a miscarriage of justice may have occurred and that it is in the interests of justice that a reference should be made. Once the Commission refers a case to the High Court, the case will proceed as a normal appeal.

Mr Megrahi was convicted in 2001 of the murder of the 259 passengers and crew on board Pan American World Airways flight PA 103 from London to New York, and 11 residents of Lockerbie on 21 December 1988. He subsequently appealed his conviction and his first appeal was refused by the High Court in 2002.

Mr Megrahi first applied to the Scottish Criminal Cases Review Commission for a review of his conviction in 2003, and, after a full review, his case was referred by the Commission to the High Court for a new appeal in 2007. Mr Megrahi subsequently abandoned that appeal in 2009. He was released from prison on compassionate grounds shortly thereafter. Mr Megrahi died from cancer in 2012.

A further application was received on behalf of Mr Megrahi by the SCCRC in June 2014, but was rejected by the Commission in 2015 after it had concluded that it was not in the interests of justice at that time to proceed with the review. The reasons for this were detailed in our [press releases issued on 5 and 6 November 2015](#) (currently available on our website). The main reason however was that despite various requests having been made of the Megrahi family and of the late Mr Megrahi's previous solicitors, for access to the original defence materials relating to the first appeal which were held by Messrs Taylor and Kelly, these were not forthcoming.

In rejecting the application in 2015 the Commission made it clear that it remained open in the future for the matter to be considered again by the SCCRC, but that it was unlikely that any future application would be accepted for a review unless it was accompanied by the original appeal materials to be sourced directly from Mr Megrahi's solicitors. Representatives of Mr Megrahi's

family submitted a further application in July 2016, which is the subject of the current review, and the Commission was then granted access to the original appeal materials.

Further information on how the Commission operates its stage 1 and stage 2 procedures can be found on our website (www.sccrc.org.uk) under our Publication scheme which provides stakeholder information at:

Stage 1 – <https://irp-cdn.multiscreensite.com/8f56052e/files/uploaded/stage-1-pre-acceptance.pdf>

Stage 2 - <https://irp-cdn.multiscreensite.com/8f56052e/files/uploaded/stage-2-full-review.pdf>

For any further general information about the Commission, please contact Mr. Chris Reddick, Director of Corporate Services, SCCRC, 5th Floor, Portland House, 17 Renfield Street, Glasgow; telephone: 0141 270 7030; e-mail: creddick@sccrc.org.uk; or visit the Commission's website at www.sccrc.org.uk