

Criminal Justice Committee

**3rd Meeting, 2022 (Session 6), Wednesday
26 January 2022**

Consideration of petitions

Note by the clerk

Introduction

1. Public petitions are an important part of the work of the Scottish Parliament. They are a means by which people can to ask the Parliament to do something.
2. When submitted, petitions are considered first by the Citizen Participation and Public Petitions Committee and then are often referred to a subject committee for its consideration.
3. In certain circumstances, petitions can be carried over between sessions of the Parliament.

Decision

4. **It is in this context that the Criminal Justice Committee is asked to consider two, long-running petitions at today's meeting (see Annex) and decide what, if any, further action they wish to take on either petition (PE 1370 and PE 1458).**

**Clerks to the Criminal Justice Committee
January 2022**

PE 1370 - Justice for Megrahi

This [petition](#) calls on the Scottish Parliament to urge the Scottish Government to open an independent inquiry into the 2001 Kamp van Zeist conviction of the late Mr Abdelbaset Ali Mohmed al-Megrahi for the bombing of Pan Am flight 103 in December 1988.

The petition was submitted by Dr Jim Swire on behalf of Justice for Megrahi campaign group.

It was first considered by a former Justice Committee in November 2011. Subsequent committees kept the petition open pending the conclusion of police investigations (Operation Sandwood), an appeal to the Scottish Criminal Cases Review Commission and various cases heard in the Scottish courts.

At the end of the previous parliamentary session, the Committee's predecessor [agreed](#) to keep the petition open on the grounds that the then Members had been unable to give the matter detailed consideration as the issue had been placed on hold for extended periods of time pending the various reviews and court cases mentioned above.

Most recently, in April 2021, Scottish judges refused permission for the families of those who died in Lockerbie to appeal to the UK Supreme Court. The clerk understands it is still permissible for the family of Mr Abdelbaset Ali Mohmed al-Megrahi to appeal directly to the UK Supreme Court. The family are legally represented by the Glasgow based solicitor, Mr Aamer Anwar.

Shortly prior to that, in January 2021, the former Lord Advocate released the following statement:

<https://www.copfs.gov.uk/media-site/media-releases/1923-lockerbie-appeal-statement-from-the-lord-advocate>

PE 1458 - Register of Interests for members of Scotland's Judiciary

This petition calls on the Scottish Parliament to urge the Scottish Government to create a Register of Pecuniary Interests of Judges Bill (like 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.

The petition was submitted by Mr Peter Cherbi.

It was first published in October 2012. Former Justice committees considered the petition on several occasions, taking both oral and written evidence from a range of individuals. During the last parliamentary session, both the current Lord President and the then Justice Secretary did not agree that such a register should be established.

At its [final consideration](#) (March 2021), the Committee's predecessor agreed that the petition should remain open into session 6.

In the SNP's 2021 manifesto, the party included a statement that:

“To improve transparency and trust in the justice system, we will create a register of interests for members of the judiciary”

This statement was repeated in the Scottish Government's 2021-22 Programme for Government.¹

As yet, the Scottish Government has not indicated to the Committee how it intends to take forward this commitment.

¹ Page 103, “To safeguard the independence and reputation of the judiciary, we will begin work on establishing a register of interests of its members to increase public confidence and improve transparency.”