

By **Marcello Mega**

PREPARATIONS are being made for a retrial of the Libyan serving life for the Lockerbie bombing.

Prominent legal sources have disclosed that the Crown Office is appointing investigators to a special team in readiness for the case being referred back to the Appeal Court.

The Scottish Criminal Cases Review Commission (SCCRC) has examined evidence supplied by Abdelbaset Ali Mohmed Al Megrahi's legal team and is working on its report on the December 1988 bombing of Pan Am flight 103 which claimed 270 lives.

It is understood the SCCRC's Lockerbie team met last month to consider its conclusions. But it will not make an announcement before completion of its report, expected next March.

The evidence gathered by Megrahi's team has left interested parties in no doubt that a new appeal will result and is expected to lead to a retrial.

One source close to the SCCRC said: 'There are so many submissions relating to the conduct of the trial, the conduct of Megrahi's defence and compelling new evidence, particularly scientific evidence, that it is hard to see the SCCRC dismissing everything.'

Top legal sources confirm the Crown Office reached the same conclusion and is preparing to challenge the new theories the defence team will exploit, including claims forensic evidence was planted to implicate Libya and that Scottish police were involved along with their US counterparts.

Megrahi's legal team hoped that if the SCCRC referred the case back to appeal, the Crown might concede defeat rather than risk close scrutiny

New investigation points to Lockerbie bomber retrial

of the investigation. However, it is now clear it will do its utmost to uphold the conviction. One source said: 'It has never been an option for the Crown to concede defeat.'

Megrahi is serving life at Greenock Prison with a minimum recommendation of 27 years. He was convicted in January 2001 by a panel of three Scottish judges who sat without a jury in a special court in the Netherlands.

The judges acquitted his co-accused, Al Amin Khalifa Fhimah, a move that caused consternation because it left gaps in the Crown's case.

A panel of five judges later upheld Megrahi's conviction. He sacked his legal team soon after and employed new lawyers for the latest appeal.

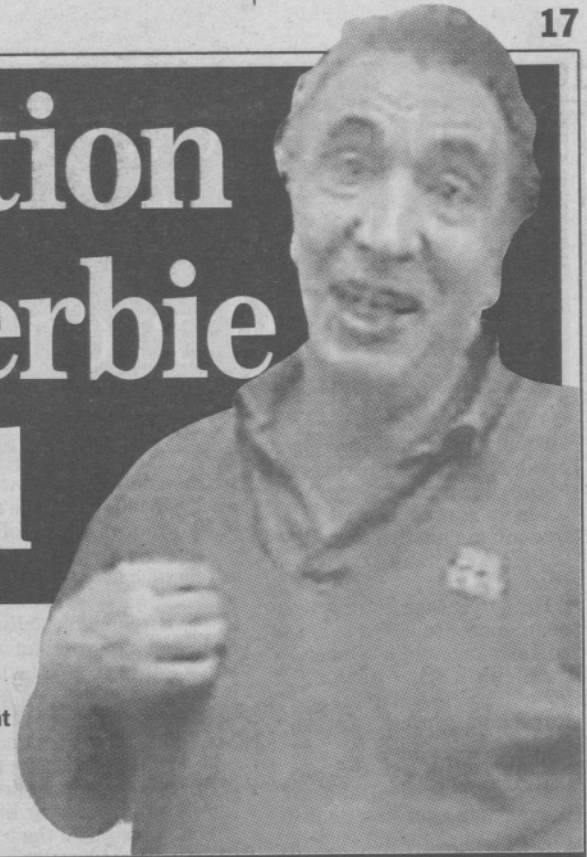
Robert Black, Professor of Scots Law at Edinburgh University, said: 'I have always believed there was a miscarriage of justice in Megrahi's conviction. If the SCCRC reaches a different conclusion, I will be very surprised.'

Dr Jim Swire, whose daughter Flora

died on Pam Am flight 103, also believes Megrahi is innocent and is lobbying the Government for a full public inquiry. He said: 'A re-appraisal of the evidence is to be welcomed. If it doesn't happen, Scottish justice will be seriously damaged.'

A Crown Office spokesman said no comment would be made before the SCCRC report is published.

APPEAL:
Megrahi
claims he
is innocent
of the
Lockerbie
bombing



Dubai.

Where one great experience leads to another.

