

Chapter 3 - The Lockerbie Bomber

The SNP navigated the turbulent political waters of its first years in power with aplomb. Salmond and his team managed to establish themselves as credible. Public support for the Nationalist administration was consolidated and respect grew.

Throughout that same period Labour in Scotland lurched from one crisis to another. Jack McConnell had stepped down as leader of the Holyrood Labour group after the 2007 loss, but his anticipated resignation as the MSP for Motherwell had been put on ice amid fears Labour could lose the resultant by-election to the Nationalists. Meanwhile his replacement, Wendy Alexander, was not proving to be the hit many in the Scottish media had forecast.

In June 2008 Labour woes were exacerbated when Alexander was forced to resign as leader. The sister of Labour MP Douglas had accepted an inadmissible donation when campaigning to replace McConnell. Details of the donation were rumoured to have been leaked to the media by a Labour insider amid concerns that Alexander's lacklustre leadership was faltering. In 2010 writing in his book *Power Trip*, former Labour spin doctor Damian McBride would claim Alexander had been 'stabbed in the back' by her MP brother Douglas. Her brother would later deny the claim.

Wendy Alexander's successor was Iain Gray. Gray took over the leadership of the Holyrood Labour group in September 2008. Eleven months later he was handed what looked like a gilt-edged opportunity to undermine the credibility of the SNP administration.

Lockerbie

270 people - 259 on board and 11 on the ground - lost their lives when Pan Am Flight 103 came down in the Scottish border town of Lockerbie just before Christmas 1988. Initial investigations pinpointed Iran as the likely culprit. Six months earlier an American naval warship patrolling in the Persian Gulf had shot down an Iranian passenger jet after apparently mistaking it for an F-14 fighter. All those on board the Iranian airliner - almost 300 people - were killed. Iran immediately vowed that the skies would "rain blood" in revenge.

However the Lockerbie case took a surprise twist when the focus suddenly turned to Libya. Two men were identified as suspects; Al Amin Khalifa Fhima and Abdelbaset Ali Mohamed al-Megrahi. A specially convened Scottish Court was set up at 'Camp Zeist' in the Netherlands, where a trial was held. In January 2001 Megrahi was convicted of murder and Fhimah was acquitted. The conviction stunned Megrahi who immediately launched an appeal. The appeal was rejected in 2002.

Megrahi continued to protest his innocence and launched another appeal in 2003. This appeal looked more promising and hopes of success increased when in 2007 the Scottish Criminal Cases Review Commission referred it to the High Court. However fate intervened when Megrahi was diagnosed with prostate cancer. Tests showed the Libyan's condition was terminal. The prospect of dying in a Scottish jail persuaded the most infamous prisoner in Scotland to seek leave to abandon his appeal and instead place his fate in the hands of Scots law.

Scots Law allows for the compassionate release of prisoners who are dying if they satisfy strict criteria. On August 18th 2009, an application for compassionate release was made by Megrahi. The application was to be considered by Scottish Justice Secretary Kenny MacAskill.

On August 20th 2009, MacAskill delivered the following statement to a waiting world media:

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

For these reasons - and these reasons alone - it is my decision that Mr Abdelbaset Ali Mohamed Al-Megrahi, convicted in 2001 for the Lockerbie bombing, now terminally ill with prostate cancer, be released on compassionate grounds and allowed to return to Libya to die.”

The decision had been widely trailed in the media after it was leaked to a reporter at BBC Scotland. That reporter was Glenn Campbell and his name would become almost synonymous with the release of Megrahi.

I expected Labour and other Unionist parties try to politicise the release. Scottish Labour leader Iain Gray had refused to reveal his own thoughts on the issue prior to MacAskill's announcement. Along with the Lib Dems and the Conservatives, Labour had displayed a willingness to manipulate any issue in order to attack the SNP. It was odds-on that Gray was biding his time in order to attack whatever decision MacAskill made.

However media reaction was more difficult to predict. The release of Megrahi had international significance. It placed Scotland at the very heart of Middle East affairs and vulnerable to the vagaries of geo-politics. But the Scottish parliament has no control over Foreign Affairs. That power rested with Westminster.

Moreover, two thirds of the passengers on PanAm 103 were American citizens. There was a clear divide between UK and US victim's relatives over Megrahi's

guilt with this side of the Atlantic expressing strong reservations over his conviction. In the US the situation was reversed with overwhelming backing for Megrahi to remain in jail. The situation was ripe for political opportunism on the part of any US politician seeking to curry favour with the US electorate. If the superpower turned on Scotland and its government, then our media's role *should* have been to defend its own nation. The normal rules of political engagement would surely not apply.

But that didn't happen. What followed was an unprecedented political and media onslaught, spearheaded by the BBC, as the Scottish government came under attack from almost every quarter. Rather than offer protection to the Scottish government and the centuries old tenets of Scots law on which the decision to release Megrahi had been based, Scotland's media turned on its own.

The BBC first entered the fray proper when BBC Scotland's Glenn Campbell confidently reported late on 12th Aug - fully eight days before the actual announcement - that Kenny MacAskill was preparing to release Megrahi and that the Libyan would be released before Ramadan, which fell on August 21st.

This 'leak' signalled the beginning of a series of attacks by Unionist parties on the Justice Minister. The BBC leak gave the SNP's political opponents extra days to marshal orchestrated attacks on MacAskill. Incredibly, those attacks included allegations from Iain Gray that it was the Justice Secretary himself who had leaked the information to the BBC - quite why Kenny MacAskill would deliberately bring such pressure on himself was never fully explained.

Also given prominence by the BBC were attacks from relatives of US victims. The pattern of giving prominence to those who opposed the decision would set a template that would persist throughout the BBC's coverage. One week later on 20th August 2009, Kenny MacAskill made his announcement and the grotesque political circus began in earnest. That afternoon Iain Gray unsurprisingly declared that had he been First Minister then Megrahi would have died in a Scottish jail.

The Scottish Labour leader said:

"If I was First Minister, Megrahi would not be going back to Libya. The decision to release him is wrong. He was convicted of the worst terrorist atrocity in our history, the mass murder of 270 people."

Nobody was surprised by Gray's opportunism, but his claim had more than a whiff of hypocrisy.

In Chapter two I highlighted an interview from 2007 between Alex Salmond and BBC presenter Kirtsy Wark. The interview was prompted by Salmond's anger at a secret deal hatched between Labour PM Tony Blair and the Libyan dictator Colonel Gaddafi which was designed to facilitate the transfer of a

healthy Megrahi back to Libya. In 2007 there was no indication that Megrahi was anything but fit. It was clear that the Labour party was prepared to see a healthy Megrahi repatriated.

Now we had the leader of the Labour group in Holyrood telling the Scottish public that the Labour party would *not* in fact have sent Megrahi back to Libya. If Gray was to be believed then it was perfectly OK to send a fit and healthy Megrahi back to Libya but not a terminally ill Megrahi. Despite making a statement that was clearly at odds with his own party's official stance for over two years, Gray's claim went unchallenged by the entire Scottish media.

On August 20th 2009 a crescendo of additional voices against the decision flooded onto our TV screens and radios. Families of the American victims were particularly vociferous in their condemnation. Leading American politicians also joined the chorus of disapproval. All found the BBC to be particularly accommodating.

I recall tuning into Newsnight Scotland that evening. The programme was hosted by Gordon Brewer, with his colleague Glenn Campbell also in the studio to provide 'expert' analysis of both the decision to release Megrahi and the hitherto unseen footage of the Libyan's arrival in Tripoli. It had taken several hours for the plane carrying Megrahi to reach the Libyan capital. Almost immediately we were presented with images of a frail Megrahi descending the steps of the plane onto the Tripoli tarmac. A crowd of people could be seen welcoming him home and, clearly visible in this crowd, were two Saltires.



There will be few people in Scotland who haven't seen the footage of Megrahi's arrival back home. It's become one of the BBC's most replayed video clips and accompanies news reports related to Lockerbie to this day. The usual narrative that accompanies the clip is of an organised crowd cheering the return of a convicted terrorist. The Saltires are always prominent. It has never been presented as anything other than an inappropriate celebration of the return of a convicted bomber.

That is exactly how Glenn Campbell portrayed the images to viewers of that evening's Newsnight Scotland. Rather than puncture prejudices and challenge politically motivated rhetoric with some hard, honest journalism, Campbell succumbed to lazy hyperbole telling viewers the scenes would heap further pressure on the SNP government.

In his summary, Campbell declared that the day may well turn out to be a defining moment for this SNP Government. The subtext of his message was that it would damage the minority administration, perhaps fatally. The BBC presenter ended his live report by taking a gratuitous swipe at the Scottish Justice Minister, telling viewers that "MacAskill is the toast of Tripoli". Whatever Campbell's motivation for the tabloid style analysis and inappropriate description of MacAskill that evening, one thing was beyond dispute, the BBC reporter had failed to educate and inform.

The 'crowd' welcoming Megrahi home was not, as was being suggested, a politically organised gathering. Libyan culture includes a strong sense of tribal belonging and the crowd were mostly members of Megrahi's tribe. Most had attended out of a sense of tribal duty. It also later emerged that the Libyan youth movement had held its annual celebrations that same day. When news of Megrahi's imminent return circulated, hundreds spontaneously descended on the airport.

To those gathered at Tripoli Airport, they were witnessing the return of a countryman they believed had been wrongfully imprisoned. An innocent man, now dying, had been set free to live out his last days with his family. It's against this backdrop that the image of the Scottish flags should have been viewed. The Saltires, far from being waved in celebration at the return of a mass murderer, were actually being waved as a sign of gratitude for the mercy shown by Scotland to an innocent and dying man.

Campbell's analysis was consistent with the BBC's tabloidesque coverage of the release that day. The 'Red Top' style reporting worsened a day later when an interview with Kenny MacAskill witnessed BBC presenter Gavin Esler adopt a baying mob stance more akin to a rabid Daily Mail headline. Esler accused the Scottish Justice Secretary of putting a worth on the life of each victim of only "eleven and a half days" of sentence. Esler's face contorted in bitterness as he shed any pretence of professionalism and spat one emotive accusation after another at Scotland's Justice Secretary.

"What's so compassionate about releasing a man convicted of murdering 270 people?..."

"You can keep him in jail, that's something that might assuage the pain [of the victim's relatives]"

The BBC man had no interest in expanding on the compassion of Scots Law and the reasons for the release. Rather like his colleague the evening before, Esler seemed intent on adopting a partisan and skewed 'lowest common denominator' approach. Worse was to follow over the next four days as we were treated to interviews and sound bites from anyone and everyone who wished to attack the decision. When two former Labour First Ministers each took different views, it was the anti-MacAskill view that prevailed.

Jack McConnell had decided that MacAskill had shamed Scotland. McConnell told the BBC:

"The way in which the decision has been made and the decision itself have damaged the reputation of the Scottish justice system - historically our legal system has had a fantastic international reputation.

It's damaged that reputation, but much more significantly it's also damaged the reputation of Scotland internationally.

I think it's absolutely vital that the Scottish Parliament now takes action to limit that damage and to give a clear indication to the rest of the world that when the Scottish government made this decision they were not acting with the support of the people of Scotland."

His criticism of the compassionate release was headlined in an online article and featured across BBC news broadcasts. But McConnell's predecessor Henry McLeish supported MacAskill's decision. The former Labour First Minister told BBC Radio Scotland's Good Morning Scotland programme:

"If you look at the issue in the context of the criminal justice system and the independent legal system that we have, this is probably the right decision made for the right reasons."

However Mr McLeish's backing for the decision was omitted from a subsequent BBC online article and, unlike Mr McConnell's view, never featured in prime time TV broadcasts. Far from presenting both sides of the issue, the BBC seemed intent on giving a high profile platform mainly to one.

As we entered the start of the following week the BBC's behaviour became more and more questionable. Monday morning's daily phone in on Radio Scotland covered the compassionate release of Megrahi and what followed suggested that the portrayal of a massive anti-MacAskill sentiment by the BBC mightn't be as accurate as we were led to believe. Caller after caller supported MacAskill, overwhelmingly so. So many texts, emails and phone calls were in support that show host Shereen Nanjiani began to plead for listeners who disagreed with the decision to get in touch. Radio Scotland's Newsdrive that evening was similar as again texts were overwhelmingly supportive; show co-host Laura Maxwell also implored anyone who disagreed to contact the show.

But it wasn't ordinary people who were setting the news agenda, it was politicians - Unionist politicians. MSPs from the three Unionist parties were eager to maximise political advantage. The BBC had morphed into a megaphone which amplified their every criticism and attack.

Unionists had called for an emergency debate at Holyrood to be held that same Monday. The proceedings were broadcast live as Labour, Conservative and Lib Dem MSP's lined up to accuse and attack Kenny MacAskill. But the afternoon brought an unexpected boost for the Scottish Justice Secretary when, amidst the baying mob, Labour's Malcolm Chisholm stood up and declared that he supported the decision to release the dying Megrahi. Chisholm then launched an attack on Iain Gray's politicising of the issue.

Chisholm, a former minister, addressed the Holyrood chamber and said:

“Can I regret the politicisation of what is a quasi-judicial decision, and for my part commend the justice secretary for a courageous decision, which is entirely consistent with both the principles of Scots law and Christian morality, as evidenced by the widespread support of churches across Scotland.”

There was a momentary stunned silence followed by a spontaneous round of applause. Such a symbolic attack from a former cabinet minister on his own leader in the most high profile debate Scottish politics had ever witnessed should have been the day's biggest news item - bar none. However it was given scant coverage by BBC Scotland and wasn't considered worthy of pursuit by its Chief Political Correspondent Brian Taylor who didn't even mention it in a special online analysis of the proceedings.

Newsnight Scotland that evening featured representatives of the four main Holyrood parties. Despite the sensational intervention from Chisholm, the programme completely failed to mention the Labour MSP's attack on his own party leader and the other Unionist parties who he had slammed for politicising the issue.

I was following the coverage closely and newspaper letters, online polls, phone in shows, texts and emails were indicating significant public support for MacAskill's decision. There was opposition to the release of Megrahi, that much was clear, but nothing like the overwhelming majority the Unionist parties believed. They, and indeed the BBC itself, appeared out of step.

BBC Scotland's response to this show of public support for the decision was to have another phone in. Tuesday's phone in would be on the same subject. This time however the BBC decided that trailers for the programme would echo a phrase uttered by Labour's Iain Gray in Monday's emergency debate at Holyrood - the BBC trailers called on Iain Gray's "silent majority" to get in touch.

The BBC was now openly soliciting views from only one side as they desperately tried to harvest some kind of anti-MacAskill feeling. But Tuesday's calls if anything were even *more* supportive of MacAskill with many venting their anger at the disgraceful behaviour of opposition MSPs in the previous day's emergency debate. And it wasn't just the public who were refusing to play along with the BBC as it strived to erode confidence in the SNP Government. Respected religious and legal institutions were also overwhelmingly supportive of MacAskill. The BBC however had other ideas and what happened next is probably one of the most blatant abuses of BBC privilege I can recall.

The role of the BBC is to present a non-partisan view of events, to educate, inform and entertain - neutral political coverage and informed analysis is key to the BBC's reputation. It is for precisely these reasons that we, the public, are compelled to pay the licence fee. But on the issue of Megrahi, the BBC seemed intent on moulding the narrative to fit its own agenda. Instead of simply covering the news and reporting the facts of Megrahi's compassionate release, the BBC decided to influence the news as it hastily commissioned a poll from its favourite pollster - ICM.

On Wednesday and Thursday immediately following the two radio phone-in programmes, licence fee cash was used in order to telephone 1005 adults across Scotland. The first question the pollster asked was:

“You may have seen or heard recently that Abdelbaset Ali al-Megrahi, the man found guilty of the Lockerbie bombing involving the Pan-AM airliner, has been released by the Scottish government on compassionate grounds.

From what you yourself have seen and heard do you think the Scottish government was right or wrong to release Mr Al-Megrahi?”

When the results came in the BBC claimed they showed twice as many people opposed the release (60%) as were in favour (32%). Given the wording of the question which asked people to base their answers on what they themselves had “seen or heard” then it wasn't surprising that a huge majority said they opposed the release. After all they had been bombarded with anti-MacAskill views for six days.

The poll was akin to asking a jury to decide on the guilt or innocence of a defendant after presenting evidence for the prosecution, but not the defence. As expected the result of the poll was headlined by the BBC. **‘Majority ‘oppose’ Megrahi release’** reported the headline on the BBC's online news page.

It dominated that day's news and underpinned further attacks from Unionist commentators and politicians alike. In a TV news report, BBC Scotland's political editor Brian Taylor declared that "Scotland's flag hangs a little more limply tonight". Based on a poll commissioned by itself, and carried out at the height of a media frenzy where anti-MacAskill views had dominated, the BBC had decided it now spoke for the majority.

The poll was used in another one-sided interview again featuring BBC presenter Gavin Esler. The interview, with Alex Salmond, saw Esler claim the BBC poll showed that people felt Scotland had been damaged and that there were other factors involved in the release. In an exchange with Alex Salmond, the BBC presenter said:

"The poll said many Scots believed other factors were involved ... perhaps there were other factors involved."

What other factors? It was a thinly disguised reference to claims that the BP oil deal which followed Blair's secret 'Deal in the Desert' had been a factor in MacAskill's decision. It was nonsense as Esler well knew, not least because the oil deal had already been signed in 2007 and ratified in early 2008, well before the release of Megrahi. As Salmond began explaining the flaw in Esler's logic, unknown to the First Minister the BBC was playing footage of Megrahi's return to Tripoli Airport. It was a blatant propaganda technique aimed at undermining Salmond and subliminally influencing viewers.

The BBC poll was carried by every national newspaper across the UK. It filtered into the consciousness of the public. But was the BBC poll as accurate as the state broadcaster was making out? Days later another poll was published which challenged the BBC claim of a huge majority against Megrahi's release. A survey had been conducted by Ipsos-Mori, the results of which indicated the Scottish public was in fact split down the middle on the issue.

The pollster had conducted the survey between August 20th and 31st and had asked a far simpler question than that set by the BBC:

Do you agree or disagree with the Scottish Justice Secretary's recent decision to release the man convicted of the 1988 bombing of the Pan Am aeroplane over Lockerbie, in which 270 people died?

The result of the survey found 46% were against the release, and 42% were in favour. The margin of error suggested a near statistical dead-heat. There was another key difference between the BBC commissioned poll and the Ipsos-Mori poll. Ipsos-Mori had begun their survey on the actual day of the release and not, as the BBC had done, six days later. This meant that many of the Ipsos-Mori respondents had not yet experienced the media bombardment.

But why had the BBC waited almost a week before carrying out its survey? Had the corporation wanted to determine the views of the public on whether Megrahi should be released then it should have carried out the survey *before* any such decision had been made and before politicised and partisan views started to appear across a media known to oppose the SNP. By waiting until six days after the release, the corporation was in fact measuring the effectiveness of the media coverage, much of it its own coverage. Suspicions of an agenda at the corporation grew when the BBC ignored the Ipsos Mori poll. There were no headlines reporting the result. BBC news bulletins made no mention of the survey.

The BBC wasn't finished there though. Tony Blair's secret 'Deal in the Desert' which had led to a Prisoner Transfer Agreement between Libya and the UK, was about to be resurrected and re-packaged. The BBC survey had contained a question on 'other factors' which may have influenced the release. The public had been picking up references to the BP oil deal, but few were aware that the deal related to Tony Blair's secret meeting with Gaddafi two and a half years earlier. Remember it was Alex Salmond who had exposed Blair's secret deal in 2007 weeks after it had taken place. Salmond's reward was ridicule at the hands of BBC presenter Kirsty Wark who accused the First Minister of "risking the sensibilities of the families of the Lockerbie victims".

Significantly we now had two completely separate issues. The first related to the compassionate release of Megrahi who had been diagnosed with a terminal illness. Megrahi's prostate cancer had left the Scottish government in an unenviable position. When Justice Secretary Kenny MacAskill announced his decision to release the Libyan on compassionate grounds he was upholding a well-established protocol of Scots law.

The second issue related to the secret meeting between Blair and Gaddafi in a Libyan desert which had ended with a Prisoner Transfer Agreement and a multi-million pound oil deal for BP. Documents later revealed that the UK Labour Government had been influenced by trade concerns when striking the deal with Gaddafi. The 'Deal in the Desert' had taken place almost two and a half years before Megrahi's compassionate release. The BP deal was ratified in early 2008 after Jack Straw had rejected a Scottish government demand to remove Megrahi from the PTA deal. The timing of these crucial events meant Kenny MacAskill could not possibly have been influenced by the BP oil deal when making his decision.

Incredibly, the BBC started to invite the public to consider the possibility that the compassionate release of Megrahi *was indeed* linked to the BP oil deal. The broadcaster knew from its own poll that the public was receptive to suggestions that other factors may have been at play. It was appalling manipulation of news, but it turned out to be very effective.



Labour couldn't believe its luck. From now on Blair's secret meeting with Gaddafi, which had led to the signing of the BP oil deal, would be linked to the compassionate release of Megrahi. The inconvenient two year gap between the two episodes was simply airbrushed out of the narrative.

The entire pro-Union media joined in the rewriting of history. One of the most shocking headlines appeared in the Herald newspaper which ran a story days later with a headline which read: ***'Straw admits potential oil deals influenced decision to free Megrahi'***



Straw admits potential oil deals influenced decision to free Megrahi

heraldscotland staff

The Herald headline was flat out false. What Straw had in fact been forced to admit, because official documents had exposed it, was that the Prisoner Transfer Agreement negotiated by the Labour Government had taken trade into account.

But the conflation of the release with the ‘Deal in the Desert’ quickly gained traction. Frank Duggan, president of the family group Victims of Pan Am Flight 103 Inc, described the disclosures as "shocking".

He told BBC Radio Five Live:

“If there was a direct connection with trade, particularly oil, then the connection is with Britain not with Scotland, and I think the Brits will have something to answer for.”

The Backlash Myth

At the same time as the media, spearheaded by the BBC, was trying to conflate Blair’s secret deal with the decision to release Megrahi, another myth was gaining currency. Claims of an anti-Scottish backlash in America were being reported. In the days and weeks following Megrahi’s return to Libya, the news coverage turned from the release itself and onto international reaction. The story was indeed global. It received huge coverage not least because of the pronouncements by senior American politicians.

Some commentators began to claim that Scotland had been damaged, that the nation had been shamed, and that there would be a terrible price to pay. The same Unionist politicians and media voices who had condemned the release now predicted that Scotland would be shunned, that our international standing had been diminished and more worryingly that our trade would suffer as a result of a backlash.

BBC online news wrote:

“The release of Abdelbaset Ali al-Megrahi has left a diplomatic mess that will take a lot of time and effort to clear up.”

Another BBC article claimed tensions were mounting between Scotland and the USA. In the article, headlined **‘Lockerbie release: US backlash grows’**. BBC reporter Sima Kotecha wrote:

“The decision by the Scottish government to release the only man convicted of the Lockerbie bombing - Abdelbaset Ali al-Megrahi - has caused tensions to mount between the US and Scotland.”

The Scotsman’s David Maddox wrote:

“Scots law is now the 'laughing stock of the world'”

Jack McConnell, the former Labour First Minister, said the decision damaged Scotland in a way “that will take years to recover”.

But where was the evidence of this backlash? A single website urging people to boycott Scotland had appeared days after the release of Megrahi. The basic web-page gave no clues as to who had created it. The website asked supporters to sign an online petition. The BBC responded by headlining the existence of the web page in news bulletins and online reports. It was treated as evidence that the warnings of a US backlash were true.



Despite the failure of the online petition to garner support, [it eventually attracted a grand total of 1,248 signatures] the website led to another anti-MacAskill frenzy. Unionists seized on media claims of a boycott.

Scottish Labour leader Iain Gray said:

“Those calling for a boycott of Scotland are emboldened by [MacAskill’s] foolish claim that the decision was taken in the name of the people of Scotland. In seeking to portray this as a decision supported by the whole of the country, he has damaged Scotland’s reputation. It shows serious lack of judgment which has cost our country dear.”

However as the days passed, it slowly became apparent that, out-with the USA at least, there remained a feeling of goodwill towards Scotland. Messages of support and backing began to arrive from international figures, with Nelson Mandela himself praising Scotland’s show of compassion. The grandson of Mahatma Gandhi, Arun Gandhi, was another who supported the release saying: “An eye for an eye justice makes the whole world blind.” Archbishop Desmond Tutu also gave his public support. Cries from Unionist politicians and their media sympathisers that Scotland had been shamed were looking hollow.

However the situation with regards the USA remained in flux and Scottish businesses, heavily reliant on the United States market, were watching carefully. In the first few days after the release of Megrahi, with media hysteria at its height, some anecdotal stories emerged. A handful of hotel cancellations as well as people calling to express their anger were reported, but other than that, nothing significant seemed to materialise.

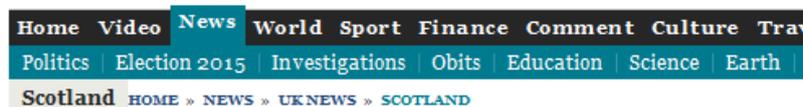
Visit Scotland had received messages from Americans condemning the release, but four days later there were still no actual cancellations. Visit Scotland spokeswoman Alison Robb said:

“We have had e-mails from people in America saying they're going to cancel their holidays but have had no cancellations through our booking engine.”

A spokesman for the Scotch Whisky Association said it was “monitoring” the situation. But members of the whisky industry stated that they were confident any boycott would soon fizzle out and not pose a long-term threat to sales. Colin Paton, chairman of the Edinburgh Hotel Association, said that 50 hotels in his group had already brought up the issue and were awaiting the backlash.

By mid-September no backlash had materialised. It seemed that all we had was a lone website set up by a single person and a few messages. But then, right on cue, there appeared ‘evidence’. Clothing firm Harris Tweed was apparently planning to drop its Scottish image as a result of the ‘backlash’. On Sunday 13th September, The Sunday Telegraph ran a story stating that Harris Tweed Hebrides had decided to disassociate itself from Scotland in its promotional material due to a backlash the company was experiencing in the USA - apparently caused by the release of Al Megrahi.

The Telegraph



Harris tweed maker drops 'Scottish' marketing over Lockerbie release

On the morning after the Sunday Telegraph ran the story Harris Tweed Hebrides executive Brian Wilson miraculously appeared on BBC Scotland’s morning radio programme Good Morning Scotland to discuss the issue. Although denying that the firm was ‘trying to hide its Scottishness’, Wilson confirmed the thrust of the story saying, “I think all that was said was that in the current climate we will emphasise the Hebrides”. Wilson also claimed that other Scottish firms had expressed stronger concerns, although he did not name the firms.

What wasn’t highlighted during the interview was that Wilson and his fellow Harris Tweed Hebrides executive Alasdair Morrison were both former Labour Party politicians. Wilson was also a former Labour government minister and well known critic of the SNP. He had already publicly attacked Kenny MacAskill’s decision to release Al Megrahi on compassionate grounds saying the release had churned his stomach.

However within 24 hours the story had been comprehensively torn apart by Harris Tweed Chief Executive Ian Mackenzie who described the reports as “nonsense” stating that Harris Tweed was a “Scottish icon”. Mackenzie went on to say:

“Harris Tweed Hebrides have never once thought about, far less spoken about, dropping the word Scottish. We are a Scottish company. We are all proud Scots and we will continue to sell Harris Tweed all over the world as a Scottish product made in the Outer Hebrides of Scotland.”

Asked whether there had been a backlash against Scottish tweed following Megrahi's release on compassionate grounds, Mr. Mackenzie said:

“Absolutely none. We sell about 5% of our product in the US and we have been speaking to people in the market over the past few weeks. There has been no reaction whatsoever. We would not expect any reaction.”

The story had already travelled the globe and been covered by BBC Scotland, before Mr Mackenzie highlighted it as fictitious garbage. As we moved into October 2009 we were still waiting for evidence of a major backlash. The signs were that Scotland's international reputation was holding up. In fact fully three months after the release, there was still no sign of the backlash. In November a series of statements from prominent Scottish business spokespeople confirmed that all was looking well and some even complained that media scare stories had been “misleading”.

Some Scottish companies such as Walkers Shortbread - famous for its distinctive tartan biscuit tins - were reluctant to comment but indicated that press reports of concerns over Scottish branding were misleading.

Scotch whisky manufacturers were similarly unperturbed. The whisky industry had the most to lose from an American consumer boycott - the US is its largest overseas market, accounting for 12% of global exports of £3.1bn in 2008 - but up until November the only impact had been a flurry of internet activity in the immediate aftermath of Al-Megrahi's release.

“It's business as usual in the US at the moment,” said a spokesman for the Scotch Whisky Association, which represented fifty five of the leading producers.

“Like many Scottish organisations and media we received emails from the US about the judgement, but our members aren't reporting anything more serious than that.”

No major backlash ever materialised, Scotland went on to have a bumper 2009. The Homecoming was a spectacular success. Susan Boyle became the most famous Scot on the planet, wowing America in the process.

Is he really ill?

As we moved into 2010, media attention turned to the medical evidence which had underpinned the decision to release Megrahi. Scottish health professionals found their integrity being questioned by Unionist politicians. As Megrahi defied the three month estimate and clung to life, suggestions began to circulate that he wasn't as ill as had been claimed.

Scottish Labour leader Iain Gray called for Megrahi's medical files to be released, something that was against the law. Gray questioned the professionalism of the medical officials who had examined Megrahi, insisting that a second opinion should have been sought.

In a BBC Scotland report Gray said:

"[Kenny MacAskill] certainly should have obtained a second opinion on the medical evidence."

The suggestion that the medical evidence was flawed had been a running theme from Unionist MSPs. Joining Labour in questioning the medical report was Bill Aitken, a Tory MSP who in December 2009 said:

"What we need is supporting evidence that, in all circumstances, it was appropriate to assume that this three-month prognosis was accurate."

The medical report had been compiled by Dr Andrew Fraser, the director of health and social care at the Scottish Prison Service. It had concluded that a three month life expectancy for Megrahi was reasonable. But another name was being touted by the media in an attempt to suggest Megrahi's illness was not as serious as had been claimed. The name of Professor Karol Sikora was about to hit the headlines.

Four Senators and a Funeral

As we moved towards the summer of 2010 a virtual tsunami of smears, innuendo and falsehoods had turned the issue of the Lockerbie tragedy into a politically motivated circus. Ignorance and misinformation were rife as reporters appeared unable or unwilling to apply basic scrutiny to claims or allegations. On July 4th 2010, it all came together in an almighty avalanche of ignorance. Four United States Senators appeared across news channels ... they had written a letter.

July 4th is of course American Independence Day. On that day in 2010 an article appeared in the Sunday Times newspaper. The article is arguably the most ill-informed piece ever written about the release of Megrahi. It contained virtually every myth that had pockmarked the media's coverage of the issue since the Libyan had been released almost one year earlier.

The Sunday Times article - ***Abdelbaset al-Megrahi's release always looked dodgy*** - began:

"The revelation that the Lockerbie bomber may live for longer than expected adds to suspicions that a dirty deal was done to ensure his release."

It contained remarks purported to have been made by a Professor Karol Sikora in which the professor apparently claimed that Al Megrahi could theoretically live for another 10 or 20 years. The article also conflated the 2007 oil deal brokered by Tony Blair with the 2009 release saying:

"It also revives the suspicion, as we wrote at the time, that 'a dirty little deal was done'. London put pressure on the Scottish government to add Mr Megrahi to a prisoner release programme because his confinement was delaying a lucrative oil exploration contract for BP. The Scottish government either bowed to this pressure or had its own reasons for wanting the release."

Hours after the story appeared in The Sunday Times it was headlined across its news by the BBC. In an online article the corporation reported:

The Scottish government is standing by the medical advice on which it released the man convicted of the Lockerbie bombing.

It follows claims one cancer expert who gave Abdelbaset al-Megrahi a three-month prognosis last year has said he could survive for 10 years or more. However, other newspaper reports said he was expected to die within weeks.

The Scottish government said Megrahi, who has prostate cancer, was freed on the basis of medical recommendations. Megrahi was jailed in 2001 for the atrocity which claimed 270 lives in 1988. He returned home to Libya after being released from prison last August.

Professor Karol Sikora had assessed Megrahi for the Libyan authorities and estimated he had three months to live.

But according to the Sunday Times, he has now said there was always a chance he could live for 10 or 20 years but that would be "very unusual".

The news reports crossed the Atlantic and featured on American broadcaster NBC's Independence Day morning news. Americans, awakening on the most significant day in their calendar, were confronted with newscasts designed to elicit maximum anger.

NBC told its viewers that Megrahi could live for another ten years and that he may in fact *be recovering*. The broadcaster also reported that he was living in luxury and that he had been released by the British Government in order to secure an oil deal for BP. By the following day, the 5th July, the story had been picked up by several other UK daily newspapers and online news sites including The Scotsman and The Herald.

The Herald article wrote that Sikora had advised Kenny MacAskill and added that MacAskill had said:

"...there was a firm consensus among medical experts that he [Megrahi] would die from prostate cancer within three months."

Online magazine 'The First Post' wrote:

"The London cancer specialist on whose advice the alleged Lockerbie bomber, Abdelbaset Ali al-Megrahi, was freed from jail last year on compassionate grounds, has admitted that he is finding it 'embarrassing' that Megrahi has outlived his three-months-to-live prognosis by more than eight months."

On 6th August the BBC ramped it up with an article headlined: **Lockerbie bomber Megrahi's cancer not fake - Sikora**. The BBC reported:

Leading oncologist Professor Karol Sikora examined Abdelbaset al-Megrahi, who has terminal prostate cancer, in prison and estimated he had about three months to live.

Last August, the Libyan was released from jail on compassionate grounds.

"I am surprised he is still alive," said Professor Sikora, who was asked by the Libyans to give a medical opinion on Megrahi's health prior to his release.

By now the story had picked up considerable momentum. Initiated by The Sunday Times and broadcast by trusted news networks the BBC and NBC, it was being relayed across the world. But as with most of the claims relating to the release of Megrahi, the truth was somewhat different. Professor Karol Sikora had played no part in the compassionate release of the Libyan. The medical reports on which Kenny MacAskill had based his decision had come from other experts.

But the circus had pitched its tent and the clowns were going to have their fun. On July 08th the NBC New York Times ran a headline: **'Senators Outraged Over Lockerbie Bomber's "Terminal" Prognosis'**. The article contained the following paragraph:

"Several U.S. senators are blasting the British doctor who diagnosed a convicted terrorist with terminal cancer so he could be released from a Scottish prison on compassionate grounds. That doctor, apparently paid by the Libyan government to make the 'terminal' diagnosis, now admits the convicted Lockerbie bomber, Abdel Baset al-Megrahi could live 10 or 20 more years.

'There is clear reason to believe that this terrorist was released from prison based on false information about his health,' said New York Senator Chuck Schumer."

The New York Times article was based on a letter written by Senators Frank Lautenberg, Kirsten Gillibrand, Charles E. Schumer and Robert Menendez. The four had become so incensed by the news reports that they wrote to the UK's British ambassador Sir Nigel Sheinwald.

*His Excellency Sir Nigel Sheinwald
Ambassador of the United Kingdom
3100 Massachusetts Avenue Northwest Washington, DC 20008*

Excellency:

We are very troubled by the press reports this weekend that the 2009 release from jail by a Scottish justice (sic) on compassionate grounds of Lockerbie bomber, Abdelbaset Al-Megrahi, was based on potentially fraudulent evidence. Our governments share a concern for the increased incidence of terrorist attacks against our countries and citizens. We are certain that we would all be concerned if it turns out that a convicted terrorist were released based on inaccurate evidence.

As you know, Mr. Al-Megrahi was the only one sentenced in connection with a shocking terrorist attack, impacting both of our countries. A number of our constituents continue to bear the emotional scars and financial burden of losing their loved ones in that attack on Pan Am 103 twenty-two years ago. It was of some consolation to them that at least one culprit was brought to justice.

Close to one year ago, the Scottish court released Mr. Al-Megrahi on the basis of a doctor's opinion that the Libyan attacker had only 3 months left to live. He had served only eight years of a life sentence.

Letter continued:

We raised concerns at the time of his release, specifically Libya's unseemly reception for a convicted murderer and his lack of remorse for his actions.

Mr. Al-Megrahi is still alive and reportedly living in luxury. Furthermore this week, the doctor responsible for the key medical opinion has told the media that not only could Mr. Al-Megrahi live another 10 years, but that the Libyan government had commissioned the doctor to make his assessment, expressly because the Libyan government hoped for a 3-month prognosis. This is outrageous.

These newly revealed details threaten to undermine public trust in due process and justice for the victims of terrorism.

Unfortunately, allegations are circulating in the media that the release may have been motivated by political and business considerations. If true, this would significantly undermine the ability of countries that practice the rule of law to bring future terrorists to justice.

We urgently request that a full, transparent and appropriate investigation be conducted into whether all appropriate judicial steps were followed, and whether any inappropriate considerations were part of the judicial decision to release Mr. Al-Megrahi.

We appreciate the concern that this must raise for both of our governments and our constituents and hope to hear from you soon about this matter.

It was clear that the letter contained serious flaws and staggering misunderstandings around both the medical evidence and reasons for the actual release. The wording of the letter suggested that the senators had based much of their understanding of the release on the erroneous media reports that originated in the UK, in this case the Sunday Times and repeated by the BBC.

The nonsense suggestion that the BP oil deal was linked to Kenny MacAskill's decision had been circulating within the UK media for almost a year. The BP angle, for reasons I have already given, was demonstrably untrue. Indeed responding to the senator's claims, Sir Nigel Sheinwald said:

"I am troubled by the claims made in the press that Megrahi was released because of an oil deal involving BP, and that the medical evidence supporting his release was paid for by the Libyan government. Both of these allegations are untrue,"

But, not so widely known was why Sir Nigel Sheinwald was able to comment on the BP oil deal with such authority. In 2003 when Britain and the US began secret talks with Colonel Gaddafi, Britain's representative was none other than Sir Nigel himself. When Tony Blair famously met Colonel Gaddafi in his desert tent in March 2004, Sir Nigel was at the Labour PM's side. It was Sir Nigel who went on to draft the Memorandum of Understanding that was eventually signed in Tripoli in secret in May 2007, in the infamous 'Deal in the Desert'.

That Memorandum of Understanding paved the way for the Prisoner Transfer Agreement designed to repatriate a healthy Megrahi back to Libya. On the same day it was signed, Tony Blair and Sir Nigel travelled to the Libyan city of Sirt to watch BP boss Tony Hayward sign a preliminary agreement for an oil and gas exploration deal worth some \$900m. According to one article in the Herald newspaper, it was expected that Megrahi would return to Libya within six months of Blair's secret deal. That plan crumbled with the election of the SNP in May 2007. This aspect of the story was never reported by the BBC.

I had already become resigned to the fact that the BBC would headline anything critical of the decision to release a dying Megrahi. The corporation had refused to apply even the most basic editorial filter to claims and criticisms of the decision to release the Libyan, to the extent that pretty much anything was headlined. It wasn't about to alter that stance now that four US Senators had intervened in such a high profile manner.

The day after the letter was sent, the BBC was headlining it in news bulletins and online articles.



The BBC article referenced the letter, saying:

Senators from New York and New Jersey have now asked for an investigation in a letter to the UK's ambassador to the US.

The fact that the letter was riddled with inaccuracies was not thought worthy of mention by the BBC.

On July 12th the four senators wrote another letter, this time to John Kerry who was Chairman of the Senate Committee on Foreign Relations, and Richard Lugar Ranking who was a member on the same committee. The second letter contained many of the misunderstandings of their initial letter but also included references to the BP oil deal.

In the second letter they wrote:

It is shocking and unconscionable that an oil contract between BP and Libya may have played a role in Mr. Megrahi's release. Reports have surfaced indicating that a 2007 oil agreement may have influenced the U.K. and Scottish governments' positions concerning Mr. Megrahi's release in 2009. BP admits that in 2007 it "told the U.K. government...it was concerned that a delay in concluding a prisoner transfer agreement with the Libyan government might hurt" the oil deal.

Furthermore, letters have been released showing that Jack Straw, the U.K.'s Secretary of State for Justice initially intended to exclude Mr. Megrahi from the prisoner transfer agreement but later switched his position, citing the "wider negotiations with the Libyans" and "overwhelming interests for the United Kingdom."

BP has just announced it will begin deepwater drilling next month off Libya's coast, and it is estimated BP could earn as much as \$20 billion from the deal. It is shocking to even contemplate that this company is profiting from the release of a terrorist with the blood of 189 Americans on his hands.

On July 14th, BP released a statement:

"It is matter of public record that in late 2007 BP told the U.K. Government that we were concerned about the slow progress that was being made in concluding a Prisoner Transfer Agreement with Libya.

We were aware that this could have a negative impact on U.K. commercial interests, including the ratification by the Libyan Government of BP's exploration agreement.

The decision to release Mr. al Megrahi in August 2009 was taken by the Scottish government.

It's not for BP to comment on the decision of the Scottish government. BP was not involved in any discussions with the U.K. Government or the Scottish government about the release of Mr. al Megrahi."

The revelation that BP had lobbied the UK Labour Government in order to speed up the Prisoner Transfer Agreement was new - it was also dynamite.

The statement confirmed what the Scottish government had said all along, the BP angle was related only to Tony Blair's secret Deal in the Desert.

That same day, two days after they had sent their second letter, the senators appeared in a joint press conference. In the press conference the senators each made statements. Below are a few of the comments they made:

“BP admits that it pushed the British Government to expedite a prisoner exchange agreement with Libya to smooth the way for an oil deal. We then know that the British Government agreed to release al-Megrahi based on a fraudulent doctor's prognosis that he only had three months to live.”

“Now it's almost too disgusting to fathom that BP had a role in securing the release of the Lockerbie terrorist in return for an oil drilling deal with Libya. It can be described in two words - Blood Money.”

“The medical reports on Megrahi were manipulated to deceive the public. And BP admitted that the British Government needed to release this terrorist so that they could make their oil deal with Libya.”

“Now we are learning that [BP] may well have had a role in letting an international terrorist, who was convicted of murdering two hundred and seventy innocent people, go free.”

It was clear that the four senators were hopelessly confused. They appeared to believe the UK Government had officiated over the compassionate release of Megrahi. They also appeared unable to distinguish between the compassionate release of a terminally ill Megrahi in 2009 and Tony Blair's Prisoner Transfer Agreement negotiated in secret over two years earlier, which led to the BP deal.

The intervention of the senators was, in truth, a farce. The two letters and the news conference were so riddled with embarrassing inaccuracies that they should have been treated with contempt. So poor was their grasp of the facts relating to Megrahi's release that they ought to have been challenged and their ignorance exposed. But that didn't happen.

BBC Scotland covered the senator's press conference. But instead of broadcasting their confused claims, and highlighting the glaring errors in what they were saying, the BBC showed a heavily edited clip. Viewers were denied the opportunity of witnessing the extent of the senator's ignorance. It may have coloured their views on what was broadcast next.

In his report for the BBC current affairs programme Newsnight, BBC Scotland reporter Glenn Campbell actually presented the BP oil deal claims as plausible.

In a specially prepared item, Campbell told viewers:

“Dying from cancer, the only man convicted of the Lockerbie bombing boards a plane for Libya last summer. He was allowed home to die on compassionate grounds, but could a major oil contract have influenced the decision to let him go. Is it possible he was traded to preserve BP's exploration interests off the Libyan coast?”

Accompanying Campbell's melodramatic and highly suggestive commentary were the scenes of Megrahi's arrival at Tripoli airport. These were the same scenes which had led to Campbell describing Kenny MacAskill as the “Toast of Tripoli” almost a year earlier.

A day after the broadcast, on July 15th 2010, the U.S. Senate Foreign Relations Committee scheduled a July 29 hearing into the compassionate release of Megrahi and what it termed the “related actions by BP”. BBC Scotland ran the following news report which again tried to conflate the BP oil deal with the release:

The American Secretary of State, Hillary Clinton, says she will look into a request by a group of senators that BP's involvement in the release of the Lockerbie bomber, Abdelbaset al-Megrahi, should be investigated. A newspaper alleged BP lobbied for Megrahi's release to protect a lucrative oil deal with Libya - a charge it denies.

The timing of the Senate announcement was significant. It came five days before David Cameron's first trip to the USA since becoming Prime Minister. BP was the focus of US media attention not least due to the fact that the oil giant was under considerable pressure over its handling of the Gulf oil spill. Cameron's Foreign Secretary William Hague had already spoken to US Secretary of State Hillary Clinton ahead of the Prime Minister's visit and immediately set about attacking the decision to release Megrahi.

When Cameron arrived days later, he wasn't about to upset the Americans by defending the Scottish government. On July 21st, the Conservative Prime Minister, with the world's media watching, launched an attack on the Scottish government describing Kenny MacAskill's decision as “completely wrong”.

Cameron said:

“Releasing the Lockerbie bomber, a mass murderer, was completely wrong.

He showed his victims no compassion. They were not allowed to die in their beds at home. That was not a decision taken by BP, it was a decision taken by the Scottish government.”

Cameron's attack on the Scottish government was once again broadcast and headlined by the BBC.



What nobody in the media seemed to appreciate, or care about, was that a UK Prime Minister had used a foreign visit in order to attack a decision taken by the ruling administration of a constituent part of the UK. It was unprecedented. If the Scottish government didn't know before, it knew now that the entire might of the UK establishment was prepared to hang it out to dry. And the BBC was part of that establishment. On the same day that Cameron's attack was being broadcast across its news bulletins, the BBC ran yet another demand from the four US senators after the Prime Minister had held a meeting with them as part of his trip.



The BBC reported comments from New York senator Kirsten Gillibrand who said:

“This is about how we fight terrorism. We cannot have a convicted terrorist be told that he had three months to live and released and sitting in the lap of luxury for up to 10 years,

That is not justice served and, when we are trying to be able to be effective in fighting terrorism worldwide as allies, we cannot tolerate a convicted terrorist going free on the basis of evidence that may well have been fraudulent.”

On July 23rd BBC Scotland again targeted the SNP Government and Kenny MacAskill.



In his broadcast which featured on that evening's BBC Scotland news, reporter Raymond Buchanan again dredged up the BP oil deal, telling viewers:

“And when senators became suspicious his release may have been due to a BP oil deal they launched an investigation.”

In another broadcast weeks later, the BBC reporter questioned whether Megrahi really was terminally ill:

“It was said that he was likely to die within three months, this is the moment more than a year ago Abdelbasset Al Megrahi returned home. But does this scene also show something else; proof the Libyan wasn't as sick as we'd been told?”

Four US Senators were setting the news narrative for the BBC but the corporation seemed unwilling to draw attention to the significant flaws in the media reports on which the senators were basing their opinions. On the contrary the broadcaster appeared eager to ensure they were promoted to as wide an audience as possible.

The BBC continued to promote the line that the release was linked to the BP oil deal. On September 6th 2011 the BBC published an online article with the following headline:

Lockerbie bomber Megrahi release was 'over BP oil deal'



The headline wasn't just misleading it was a complete misrepresentation of the interview it was based on. Respected BBC reporter Jeremy Bowen had interviewed a former high ranking Libyan official who had confirmed "the British" had indeed wanted oil as part of a deal. But what deal was the key question?

Here is a transcription of a key part of the interview:

Libyan:

"There was a hint that releasing him will help, but it was not a condition. A hint from the Libyan side and you know, the British. They know how to take things, you know."

Bowen:

"So without an exchange of prisoners deal there would be no BP deal?"

Libyan:

"This is what I think. I may be wrong but this is what I think."

Bowen:

"So there was a connection?"

Libyan:

"Yes"

In the interview Bowen had asked about the 'exchange of prisoners'. This was a clear reference to the Prisoner Transfer Agreement secretly negotiated by Tony Blair. There was no reference whatsoever to the compassionate release of Megrahi. The BBC headline wasn't just misleading, it was completely false.

The constant drip of misinformation was seeping into the public consciousness in Scotland. With each headline, each bulletin and each interview, the public began to believe that Megrahi wasn't as ill as had been claimed and that the release was all part of a secret oil deal. The misunderstandings displayed in the senators' two letters and their subsequent statements were of course a reflection of the misreporting that had plagued the issue in the UK. The myths had travelled across the Atlantic. The American politicians - perhaps eager to increase their domestic profile with mid-term elections looming - were only too happy to amplify them.

Misreporting had met ignorance and to an extent political opportunism. The UK media machine, headed by the BBC, was reporting as 'news' the very misinformation it had helped create in the first place. The underlying effect - if not the motive - of the manipulation of the story of the compassionate release of Megrahi was to undermine the Scottish government, or more accurately the SNP. It was, as Glenn Campbell had predicted on the evening of Megrahi's release, defining the SNP's term in office. But it was also defining the BBC.

Wikileaks

The issue of Megrahi's compassionate release appeared to hold no more surprises as we approached the end of 2010. It seemed all there was to know was already in the public domain. Then in December 2010 the story took an unexpected twist.

News emerged of the publication of confidential US Government files by controversial free-speech group Wikileaks. Listed in the files were details of confidential top level communications involving US and UK officials. The communications included discussions on Megrahi and they revealed the UK Labour Government had been secretly helping the Libyans.

The files proved that far from being against the release of Megrahi as they had claimed, the Labour government had fully supported the decision to free the Libyan. Britain feared "harsh and immediate" consequences, according to the leaked cables, if Megrahi were to die in a Scottish prison.

The London charge d'affaires Richard LeBaron in a cable to Washington in October 2008 wrote:

"The Libyans have told HMG [Her Majesty's Government] flat out that there will be 'enormous repercussions' for the UK-Libya bilateral relationship if Megrahi's early release is not handled properly."

Labour politicians had claimed publicly that the decision to release Megrahi was an embarrassment to Scotland but the documents showed the Labour leadership were in fact favouring his release.

The cables revealed that the UK government was aware of dire repercussions should Megrahi die in a Scottish prison:

"GOL [Government of Libya] officials have warned U.K. Embassies in demarches here that the consequences for the U.K.-Libya bilateral relationship would be "dire" were al-Megrahi to die in Scottish prison.

Specific threats have included the immediate cessation of all U.K. commercial activity in Libya, a diminishment or severing of political ties and demonstrations against official U.K. facilities.

GOL officials also implied, but did not directly state, that the welfare of U.K. diplomats and citizens in Libya would be at risk."

The documents also revealed that the US had been privately suspicious of Tony Blair's 'Deal in the Desert' in 2007.

The cable stated:

“Saif al-Islam implied that former UK PM Tony Blair had raised Megrahi with the Libyan leader in connection with lucrative business deals during Blair's 2007 visit to Libya. [Note: Rumors that Blair made linkages between Megrahi's release and trade deals have been longstanding among Embassy contacts. End note.]”

The Guardian reported documents as claiming that:

“Anger with the British persists in some American circles, and UK ministers, Labour and Tory, have attempted to distance London from the release insisting it was purely a Scottish decision.”

There was more. Further cables from the US ambassador to Libya, Gene Cretz, revealed that the US position was to resist voicing opposition to Megrahi's release at the time so as not to risk Libyan retaliation against US interests. Mr Cretz warned the US itself should keep quiet in order to protect its interests:

“If the [US government] publicly opposes al-Megrahi's release or is perceived to be complicit in a decision to keep al-Megrahi in prison, [America's Libyan diplomatic] post judges that US interests could face similar consequences.”

The documents suggested that both the UK Labour government and its US counterpart had unleashed false, and seemingly co-ordinated, furore about the Scottish government's decision to release a dying Megrahi. The cables also made clear that bribes in the form of 'treats' were offered to the Scottish government by Libyan diplomats but were refused point blank. The cables revealed that US officials had privately acknowledged that the Scottish government acted in good faith at all times and had nothing to gain whereas the UK government, according to the leaked documents, gained massively from Megrahi's illness and subsequent release.

The cables also revealed the Americans were aware that the issue had been hijacked by Unionist politicians at Holyrood who were trying to capitalise on it for political gain:

“Meanwhile, local Scottish opposition politicians are using the issue to call into question the SNP government's credibility and competence.”

Naysmith underscored that Scotland received "nothing" for releasing Megrahi (as has been widely suggested in the UK and U.S. media), while the UK Government has gotten everything - a chance to stick it to Salmond's Scottish National Party (SNP) and good relations with Libya.”

The publication of the secret cables was very bad news for the Labour party. If the contents were true then Tony Blair himself had offered Megrahi as a bribe in order to clinch the BP oil deal. Both the UK and US governments were aware of the possible economic and geo-political repercussions for both nations if Megrahi was allowed to die in prison.

The documents featured as the main news item on BBC Scotland that day. However it wasn't the Labour party which found itself the target of the BBC's reporting. Somehow the corporation had managed to turn the incredible story into one attacking the SNP.

"First Minister made the decision to release the Lockerbie Bomber" was the introduction read out by the newsreader on the lunchtime news. An online article appeared on the BBC Scotland news site with a headline that read:

Salmond rejects new Megrahi claim

Incredibly, BBC Scotland had decided the main story from the secret cables was not the Labour party privately backing Megrahi's release, but a short sentence that related to Alex Salmond.

The BBC article reported:

The leaked documents also appeared to contradict the official Scottish government position on who would make the final decision to release Megrahi.

In August last year, Justice Secretary Kenny MacAskill insisted it was his decision and his alone.

But the cables claimed Scotland's First Minister Alex Salmond told the UK Justice Secretary, Jack Straw, he would make that call.

Faced with a mouth-watering banquet of information relating to Libya, the UK Labour government and the US government, BBC Scotland had managed to locate something they could use against Salmond. On that evening's Reporting Scotland the real revelations were ignored as BBC Scotland embellished the reference to Salmond and managed to turn it into that evening's main news story.

Like the BP oil deal, the BBC had managed to deflect attention away from the Labour party and onto the SNP. It was an incredulous editorial decision by BBC Scotland news editors. More so because in a radio interview earlier that day, Jack Straw had let slip that David Miliband when Foreign Secretary had written to the Scottish government saying the UK Government did not want Megrahi to die in prison.

Jack Straw told interviewer John Humphreys:

“Somebody did write to the Scottish government, that's a matter of public record.

It's been out for well over a year, which is a letter from the then Foreign Secretary David Miliband which set out that, and here I significantly paraphrase, but it said 'other things being equal we think it would be better if al-Megrahi did not die in prison.’”

On December 21st the BBC again provided a platform for US Senator Robert Menendez to make even more outrageous accusations.



The Scottish government’s response to the Senator’s claims could in fact have applied to the BBC’s own coverage.

“This is not an official report of the Senate foreign relations committee - it is an incorrect and inaccurate re-hash by four senators of material that has been in the public domain for many months...,”

Something the four senators should have known about but never got around to mentioning was that in 2008 the Libyan Foreign Minister Abdel-Rahman Shalqam visited Washington, DC. His trip included a personal tour of the White House, an official escort on Capitol Hill and a luncheon with executives from Lockheed Martin, Boeing, Northrop Grumman, Occidental Petroleum and Raytheon, as well as the US trade representative’s office. Shalqam cited oil, tourism, communications and information technology as sectors of the Libyan economy that were eager for US investment. [source: allgov.com]

On February 1st 2011 the charade finally ended when more Wikileaks cables revealed that shortly after Abdelbaset Al Megrahi was diagnosed with terminal cancer a UK Foreign Office Minister secretly informed the Libyans that the illness could be used to set him free. Within one week of Megrahi’s terminal illness being confirmed, Bill Rammell, a junior Foreign Office minister, wrote to his Libyan counterpart Abdulati al-Obeidi advising him of the compassionate release process under Scots law.

The secret files confirmed that as far back as October 2008 both the UK Labour government and the US authorities were already aware that tests proved Megrahi had terminal cancer. The secret files also revealed how Labour ministers defiantly told the Americans that London was in charge of foreign policy, “not the Scottish”. The cables also revealed that the UK Cabinet Office was secretly facilitating a way for the US to lobby the Scottish government on the issue.

“At the same time, FCO contacts tell us that HMG is adamant that, despite devolution, London controls foreign policy for the UK, not the Scottish. Embassy London is working with the FCO and to find a way to represent USG views on the matter to the Scottish government, should we wish to, without making any implicit statement about UK national foreign policy prerogatives.”

One week later, on February 8th, a report by top Whitehall Civil Servant Sir Gus O'Donnell vindicated the SNP over its handling of the compassionate release of Megrahi and revealed that, far from not interfering in the process, the Labour Government did “all it could” to help facilitate Megrahi's return to Libya. The report by Sir Gus, the Cabinet Secretary, said the Labour government had had an “underlying desire to see Mr Megrahi released before he died”. It added that in 2008 the Labour government developed a policy that it:

“...should do all it could, whilst respecting devolved competences, to facilitate an appeal by the Libyans to the Scottish government for Mr Megrahi's transfer under the PTA (prisoner transfer agreement) or release on compassionate grounds...”

...This action amounted to: Proceeding with ratification of the PTA; explaining to Libya in factual terms the process for application for transfer under a PTA or for compassionate release, and informing the Scottish government that there was no legal barrier to transfer under the PTA,”

It was over. The Labour party had been caught. Even the BBC had to acknowledge it in the subsequent news reports, although it conveniently referred to UK ministers instead of highlighting Labour's duplicity.



The SNP had endured one and a half years of what amounted to propaganda at the hands of the BBC. Stephanie Bernstein, from the US, who lost her husband in the bombing, summed it up perfectly:

“It’s disgusting, absolutely appalling. It looks as if the Labour government were acting as attorneys for the Libyans.”

The final sting in the tail came with the release of documents by the Conservative Government which had replaced Labour nine months earlier. Hidden away in the communications was the name of the then Secretary of State for Scotland, Jim Murphy. The documents revealed that Labour MP Murphy knew about the secret letter sent by the Labour government to the Libyans in 2008 advising them on options for compassionate release.

The documents showed that the MP for East Renfrewshire was included in communications that made clear the importance to the UK of cultivating good relations with Libya in key areas including energy. Jim Murphy was Labour’s most senior politician in Scotland at the time of Mr Al Megrahi’s compassionate release. The documents were proof that he knew of the behind the scenes advice his Government was giving to the Libyans. Murphy was included in the confidential communications on 13 October 2008, shortly after Megrahi was originally diagnosed with terminal cancer.

The report explained that a Whitehall delegation, including Labour MP Bill Rammell, had met with the Libyans the week previous in which the Libyans had asked about the possibility of a release of Mr Al Megrahi on compassionate grounds. The report very clearly stated that a letter of legal advice was to be sent to the Libyans by the end of the week.

The report said:

“JS [Jack Straw] outlined the fact that Bill Rammell, FCO officials and Simon McDonald had meetings last week with Libyan representatives

...

JS said that the Libyans asked about release on compassionate grounds. JS outlined where discussions had got to with the PTA, i.e. that the Libyans had now accepted the UK standard text and that it is likely to be signed in November. JS outlined the importance of UK/Libya relations on CT issues, migration and energy – and made the point that all of these affected the whole of the UK.

JS said that FCO had agreed to write to the Libyans by Friday of this week with factual and legal details of the options for release. JS envisaged that the letter would set out the SE [Scottish Executive] position on compassionate release and PTA transfers.”

Murphy, who in December 2014 became the new leader of the Labour party in Scotland, had previously denied knowledge of any secret talks. In September 2009 after a previous release of limited documents, the Labour MP said:

“It’s important in the way that we are being, because there is no cover-up, there is no plot, there is no conspiracy.”

One month earlier Mr Murphy had criticised the time the SNP were taking in order to make the decision on the cancer stricken Libyan, saying it was “dragging on”. He also called the delay “embarrassing”. Murphy’s links to the secret negotiations between the UK Government and Libya over Megrahi were never reported by any main stream news outlet. The BBC showed no interest in pursuing the Labour party in the same manner it had the SNP. Only Derek Bateman’s Newseek programme followed up on the reports but received no response from Murphy’s office.

In October 3rd 2011 the BBC had one final misreporting flourish when it broadcast news of an apparent deathbed confession by Megrahi. In an online article, BBC Scotland claimed the Libyan had confirmed some sort of role in the bombing, complaining that it had been exaggerated.



The article’s opening sentence said:

The man convicted of the 1988 Lockerbie bombing has told the Reuters news agency his role in the attack had been exaggerated.

Speaking on Good Morning Scotland, presenter Gary Robertson claimed that Mr Megrahi had talked about “his role being exaggerated” and that the comment seemed to be “some kind of admission of guilt”. On the BBC’s UK national news George Alagiah also reported that Mr Megrahi had complained that “his role in the bombing had been exaggerated”.

BBC news referred to a "confession" which had "some kind of admission of guilt".

The Scotsman newspaper picked up the story, in an article headlined **Megrahi's death bed 'confession'**, the newspaper claimed that Mr Megrahi, “appeared to admit that he did play some role in Britain's biggest mass murder.”

However it was later confirmed that, contrary to the BBC reports, there was no confession. Edinburgh University law professor Robert Black QC revealed the word Megrahi had used meant “invent or fabricate” and not, as the BBC was reporting, “exaggerate”. Commenting on the Libyan’s statement, the academic said: “This was a vehement denial.”

Channel Four News that evening correctly reported that Megrahi had claimed innocence in the interview. Later that day, BBC Scotland quietly altered the headline on its online article from ‘my role exaggerated’ to ‘truth will emerge’.



Abdelbaset al-Megrahi died on May 20th 2012, still protesting his innocence. He was buried at a private ceremony in a western suburb of the Libyan capital, Tripoli. At the time of his death his appeal was still in limbo, having been abandoned by Megrahi days prior to his release from Greenock prison.

Many believe his appeal would have been successful. A book by John Ashton - *Megrahi: You Are My Jury* - provides a compelling insight into one of the most controversial episodes in Scottish legal history. It destroys the case against the Libyan.

The BBC had behaved appallingly throughout its coverage of the Megrahi release. It had allowed and promoted claims that were demonstrably false. For me, the coverage marked the moment the corporation moved from a respected news organisation into an institutionally corrupt anti-SNP entity.

In Scotland this institutionalised corruption would lead to an appallingly one sided coverage of Scottish politics that would taint the independence referendum.