



# Attack or a tr



**Robbie the Pict:** has contacted Scotland's most senior politicians to ask for more answers over the Lockerbie bombing and the subsequent investigation and court case.

THE LOCKERBIE BOMBING CASE HAS FASCINATED THE WORLD SINCE IT FELL BACK TO EARTH. BUT IN LIGHT OF THE SCCRC RECOMMENDING A MAN CONVICTED OF THE ATROCITY THE FIRM'S REPORTER STEVEN RAEBURN HAS FOUND EVIDENCE THAT COULD FURTHER SEE THE FINGER OF BLAME POINT M

**O**n the 28 June, Robbie the Pict, who spearheaded the campaign leading to the reversal of the tolling regime on the Skye Bridge, sent a letter to new First Minister Alex Salmond, which he copied to Justice Minister Kenny MacAskill, Lord Advocate Elish Angiolini, and Solicitor General Frank Mulholland. It contained an extract, reproduced below, from the Zeist transcript of the trial of Abdelbaset Ali Mohamed al Megrahi, whose conviction for the Lockerbie atrocity has been referred back to the High Court for review, on the basis that a miscarriage of justice may have occurred.

Robbie has looked at the trial transcript and proceedings, and followed the case closely, together with his neighbour and fellow campaigner Dr Jim Swire, representing UK Families 103.

Swire believes Megrahi to be innocent and Robbie has concluded there is sufficient evidence to warrant a fresh investigation, focusing not on a terrorist bombing but on an accident on board the ill-fated airliner. This thesis, if correct, has far reaching implications for the actions of the US, UK and Scottish Governments, and officials within the Crown Office. It requires the open-minded reader to step through the looking glass into the potentially murky world of government intelligence, covert operations and geo-politics, and consider the events of 21 December 1988 from an entirely fresh, disturbing perspective.

Robbie's letter begins by looking at a portion of the trial transcript.

## LOCKERBIE TRIAL – KAMP ZEIST

*Extract from evidence given by DC Alexander McLean, working in Sector B. (P 339)*

**MCLEAN:** We encountered one or two difficulties, sir. And one of the major ones was that on the aircraft there was a million sewing machine needles being conveyed and they landed with the fuselage in the sector – B Sector. And unknown to us at the time, one or two officers got pricked with the needles. And so eventually we had to spread a very large tarpaulin right along the site and move forward sort of by inch by inch.

**Q:** The sewing machine needles were being carried as cargo on the aircraft?

**MCLEAN:** That's correct, sir.

**Q:** I understand. And they were distributed around the site as a consequence?

**MCLEAN:** Yes. They caused a bit of a hazard, and that was the reason that the recovery of the bodies just took a wee bit longer than it would have done if we hadn't encountered such a hazard.

The above evidence seems to have been missed by all concerned but is worthy of further examination. A million sewing machine needles weigh up to three-quarters of a ton. Who would pay airfreight charges to fly needles to America, when sea



# rick?

PAN AM FLIGHT 103 EXPLODED AND  
SECOND APPEAL FOR THE MAN  
N HAS UNCOVERED POTENTIAL  
MUCH CLOSER TO HOME.

freight is so obviously cheaper? Who was the sender? Who was the end-user? Where is the bill of lading, invoice and the delivery note? Is there an insurance claim by the sender?

Why did the Police put a 'needles warning' in the *Daily Record* on 27 December 1988, claiming that these were potentially contaminated hypodermics which should not be picked up? Who sends almost a ton of contaminated hypodermics to New York by air just prior to Christmas?

Alternatively, it is remarkable how similar an electric sewing machine needle is to a flechette. This weapon of terror is also less than two inches long, has a flattened portion in the centre instead of a thread hole and has small flights to ensure stability. Known as a 'terrain denial weapon of terror' it is dispersed in packs of thousands in an omni-directional scything motion. Witnesses have described victims as both "flayed alive" and "cut to burger-size pieces". Royal Ordnance, at that time state-owned, were specialist packers of such warheads. There is apparently an art in lacing the layers of needles with the explosive to achieve the correct effect. The missile known as the Lockheed Hydra 70 is equipped to use such warheads.

However, in the development period from the early 1980s up until at least 1992 such missiles were having serious problems with 'RadHaz': their electrical components, although very

sophisticated, were also very sensitive to extraneous electrical influence, commonly called 'radiation hazard'. In layman's terms it was equivalent to a neighbour's garage door remote switching off your TV every time he used it, an unwanted side effect.

It is perhaps highly significant that the Maid of the Seas exploded during exchanges with Prestwick, when her navigator would be involved in relatively lengthy broadcasts confirming the flight path to be used across the North towards JFK Airport. No attention at all appears to have been given to this most obvious starting point in any investigation. Instead, we have a rush to judgment in favour of a fantastic conspiracy theory with huge flaws in the technical evidence.

Looked at rationally the actual evidence instead suggests an accident. The accident is terrible in its cause, its nature, its consequences and its implications but it is nonetheless an accident. It is of course illegal to carry munitions of war in a civil aircraft, especially if secretly. There would be serious questions concerning liability and culpability.

The testimony of one eyewitness at the crash site strengthens Robbie's claim that Pan Am 103 may not have been brought down by a bomb at all, but by accidental misfiring of mainstream weaponry components carried illicitly on the plane.

John Parkes is a former soldier, MOD contractor, and consultant and designer of bomb blast mitigation techniques. He travelled to the scene that night from Edinburgh and returned to assist in the rescue and clear up operations that followed. He has nearly 40 years' experience of explosives engineering.

Parkes was asked to examine the bodies of three victims in the improvised mortuary at Lockerbie Ice Rink prior to post mortem. The first victim Parkes examined was a child, perhaps nine years of age. The rear of her body showed fragmentation strikes, pieces of metal penetrating her skin. Their distribution, the blast shadowing caused by her seat, and in particular, minute holing in her socks which revealed a chemical propellant, all confirmed a specific blast signature. It revealed the type of explosive and where it was situated in relation to the girl. The holing and fragmentation in particular are not characteristic of Semtex or similar explosives, he says, and rule out a Semtex blast as the cause of the wounding.

Nor did he believe the wounds were caused by the disintegration of the plane on its descent. The fragments were propelled at high velocity; explosively driven. Pathologist Anthony Busutil, who examined the same body, concluded that what Parkes witnessed was caused by "scraping" as the body impacted the gravel of Dumfriesshire after her five-mile freefall.

Flight 103 was a modified Boeing 747 built in 1970 but refitted in 1987 to become part of the Civil Reserve Air Fleet (CRAF), which according to the Air Accident Investigation Board (AAIB) "enabled the aircraft to be quickly converted for carriage of military freight containers on the main deck during times of national emergency". This requires reinforcement of the floor and structure, and the planes are then used to ferry troops, munitions and military equipment. Such modified CRAF planes were used for the mass deployment of troops in the run up to the Gulf War. The possibility that a CRAF modified US jumbo such as PA103 was ferrying pallets of weapons – in 1988 during the Iran-Contra era – is supported by unbroadcast news footage of the iconic nosecone section of the plane, which shows that the structure appears to have been peppered by high impact shrapnel strikes penetrating the crossbeam struts.

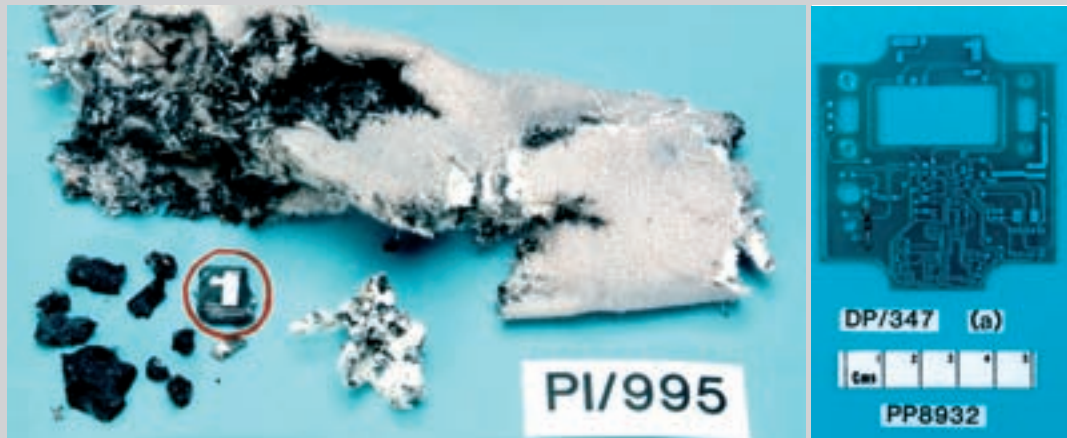
Sophisticated military weaponry relies on electronic triggering and jamming to function as designed. Many surface-to-air missiles are sensitive to long VHF frequency transmissions, which can cause weaponry to function and detonate.

If the US was ferrying weaponry on a civilian aircraft, resulting in 270 deaths on UK soil, it becomes apparent why the two



## THE LOCKERBIE BOMBING

Below: Fragments of clothing and fragments of a timer device found at the Lockerbie crash site.  
Below right: Control sample MST 13 Timer circuitboard.



**“The air of power politics is present in the whole verdict. There is not one piece of material evidence linking the two accused to the crime.”**

governments would try to conceal this information.

The AAIB report, the official investigation into the cause of the crash, is imprecise about the most crucial time index of the entire flight, the moment when the explosion took place.

As Pan Am 103 crossed into the Shannon/Prestwick air traffic control zone it was required to switch to VHF2 transmission, for which there is a specific procedure. The report is inconsistent about who is talking to whom, contradictory about when communication started, vague about whether communication was one or two way between the plane and control, and contradictory about timing and transmission details.

Despite the obfuscation, it is clear that the explosives event on the plane took place during the time index when Pan Am 103 was in contact with Shanwick, having switched to using VHF2. It is unclear from the report whether or not the crew had made the long return call to Shanwick; the transmission from the aircraft itself that could have triggered any electronically sensitive munitions that were being carried.

Parkes made extensive efforts to pass his findings to the Crown Office, to MSPs, MPs, the defence teams and to news agencies. MP Phil Gallie raised the matter with Lord Advocate Colin Boyd. *The Scotsman* reported Parkes's claims in August 2006, and they also received coverage from *The Herald* following Megrahi's conviction, but before the appeal.

The Lord Advocate's response to Phil Gallie pointed out that the defence team did not lead evidence during the trial to contradict the findings of the AAIB report. What he did not do was explain why his department didn't act upon Parkes's findings once they had been passed them. That was March 2001.

Jim Swire repeated his call for an independent inquiry on 28 June, the day the SCCRC referred the case back to the High Court. An inquiry that Labour promised in opposition, and which has, after over ten years in office in Westminster, not materialised. Given the possibility of taint within the Scottish judiciary, the UK and US Governments, the Crown Office, and at senior political level if the Parkes scenario is borne out, one can only hope such an inquiry can be convened at all.

The conclusions of the UN-appointed special observer to the trial were not widely reported after the conviction, but they are resonant with both the hypothesis that Pan Am 103 was the victim of a mid-air accident and the SCCRC's decision to refer the case back to the High Court for a second appeal.

Dr Hans Kochler published his findings at the conclusion of the trial, saying that the presence of US and Libyan government representatives "gave the trial a highly political aura that should have been avoided by all means". To him it appeared that an

"incomprehensible" verdict of convenience had been reached, to yield a politically motivated solution. "The air of international power politics is present in the whole verdict. There is not one single piece of material evidence linking the two accused to the crime," Kochler concluded.

The presence of US Department of Justice representatives sitting with the prosecution, and Libyan government representatives sitting with the defence, "leads to the suspicion that political considerations may have been overriding a strictly judicial evaluation of the case". He described witnessing openly exercised influence from the part of "actors outside the judicial framework", concluding that "the trial, seen in its entirety, was not fair, and was not conducted in an objective manner."

On 14 October 2005, Kochler called for a full public inquiry. The falsification of evidence he witnessed, selective presentation, manipulation and interference were "criminal offences in any country, and the possible criminal responsibility of people involved in the Lockerbie trial should be carefully studied by prosecution authorities." Nothing less than a crime, he says, took place in Camp Zeist.

Before the Scottish, UK or US governments start looking for another group of suspects, the crucial question to be asked is why was the case allowed to be brought in the first place when the supporting evidence was so manifestly inadequate?

It is clear that the Scottish Crown Office proceeded with the indictment of Megrahi and Fhimah on the basis of assurances from the CIA, given well in advance of the trial, that they possessed a star witness, Abdul Majid Giaka, who claimed to be able to positively identify them both and link them to the atrocity. Scottish authorities believed the witness would be credible. He was not. Almost his entire testimony was dismissed and it was discovered that his cooperation had been conditional upon receiving payment from the US authorities, who knew from the outset he was a fantasist. This information was only given to the prosecution very late during the trial.

Perhaps in hindsight the trial should have been halted at that stage. But after Scotland's largest ever criminal investigation, the lengthy diplomatic debate over the release of the suspects, a 19-month trial under international scrutiny, the pressure to conclude and convict was on.

Jim Swire received a remarkable insight while at a meeting with UK Families 103 at the US embassy in London. "One of our number was told by an official on the US Commission of Inquiry, in an aside that "your government and mine know exactly what happened, but they're never going to tell".

This admission to the families group reinforces the doubts

**continued on page 27**



**LANGUAGE SERVICES LIMITED**  
Professionals in Language Services

- INTERPRETATION
- TRANSLATION
- LANGUAGE TUITION

**Head Office/Glasgow**

Craig House, 64 Darnley Street, Glasgow G41 2SE  
Tel: 0141 429 3429 Fax: 0141 429 3429 Email: mail@globalglasgow.com

**Edinburgh**

Belgrave Business Centre,  
45 Frederick Street, Edinburgh EH2 1EP  
Tel: 0131 624 1166  
Fax: 0131 220 0115  
Email: mail@globaledinburgh.com

**Highlands**

3 Colin Young Place,  
Gordon Street, Nairn IV12 4DH  
Tel: 01667 454658  
Fax: 01667 459994  
Email: m.leemacpherson@tesco.net

[www.globalglasgow.com](http://www.globalglasgow.com)



Employability, futures prospects, labour market analysis, wage loss in personal injury cases. Experience of Court of Session & Sheriff Court.

27 East King Street, Helensburgh G84 7QQ

**Tel:** 01436 677767 **Fax:** 01436 678938 **Mobile:** 07768020244

**E-mail:** info@employconsult.com **Web:** www.employconsult.com

**TO ADVERTISE IN THE FIRM,  
CONTACT GAVIN BRYANS  
ON 0141 552 5858 OR EMAIL  
GAVIN.BRYANS@CARNYX.COM**

## THE LOCKERBIE BOMBING

*continued from page 17*

raised by the UN observer, that the trial was politically, not judicially motivated. And if the flight was downed by the accidental detonation of munitions, the motives of the UK, the US and latterly Libyan governments become clearer, in the light of Kochler's analysis.

Dr Kochler observed Libyan Governmental collusion in the trial, and half-hearted if not feeble efforts by the defence team, who firstly dropped their special defence, which incriminated the Iranian/Syrian terror group the PFLP, then compounded this by only calling three defence witnesses, including the accused themselves, who offered no testimony. "It puts into question the credibility of the defence's actions and motives," he said.

While clearing the way for Megrahi to appeal, the SCCRC reiterate not only selected grounds for his conviction, but they also go to some lengths to ensure that central planks of the prosecution case, that had become subject to considerable doubt, are reinforced. The SCCRC specifically stress their faith in the testimony of discredited forensic witness Allan Faraday. The verdicts have been overturned in three separate cases in which he gave evidence, yet the SCCRC state they are satisfied that the evidence he supplied in the Lockerbie trial, was "different in nature" from evidence he gave in cases that were later overturned. The English courts no longer consider him credible, but the SCCRC affirm that the Scottish High Court should.

The acquittal of co-accused Fhimah, and the conviction of Megrahi on the same indictment that contended they had to have acted in concert, rendered the verdict incomprehensible to Kochler and Robert Black, among other legal observers. Tam Dalyell once said that one has to almost be a "Professor of Lockerbie Studies" to comprehend the detail of this complex story, which has arguably become impenetrable to the public at large. Kochler and Swire's repeated calls for a public inquiry have yet to be answered, but such an inquiry may allow the circumstances of the event to be fully examined in a way that was not achieved by the trial process.

That a miscarriage of justice may have taken place has now been accepted by the Commission. Logically, if Megrahi did not bring the plane down, the question remains: how did it happen? It is also now appropriate to ask what forces operated to allow the conviction to occur on the basis of what is now acknowledged to have been a flawed case. Claims of a cover up at Lockerbie, well supported from the Parliamentary and public record, have fuelled various alternative explanations for the cause of the event. They are based on documented reports that evidence was planted at Lockerbie, that Police notebooks were destroyed, and evidence removed from the scene without examination. *The Observer's* Paul Foot reported that Dr David Fieldhouse certified and labelled 59 dead bodies under police supervision. His labels were replaced with 58 'official' labels, and the 59th body disappeared. Allan Faraday, who led evidence about a recovered bomb fragment, is no longer considered accredited. And other material gathered from test explosions was erroneously presented to the trial as actual recovered evidence from the site.

These reports raise questions rather than support conclusions. However, the key question that is not being asked is why was Megrahi scapegoated, and who in Scotland permitted it? Kochler overtly claimed US and Libyan officials in the courtroom influenced the trial to yield a politically motivated outcome. Robert Black disagrees but does conclude that more subtle pressures may have been felt by the presiding judges. "It has been suggested to me, very often by Libyans, that political pressure was placed upon the judges," he said.

"I don't think for a minute that political pressure of that nature was placed on the judges. What happened, I think, was that it was internal politics in Scotland. Prosecutions in Scotland are brought by the Lord Advocate. Until just a few years ago, one of the other functions of the Lord Advocate in Scotland was that he appointed all Scottish judges. I think what influenced these judges was that they thought that if both of the Libyans accused are found not guilty, this will be the most fiendish embarrassment to the Lord Advocate."

In other words, after 12 years, an 18-month trial, extensive political wrangling, and seismic shifts in international relations even to accommodate the trial, somebody had better swing. With devolution bedding in, an SNP administration at Holyrood and the introduction of the Judicial Appointments Board breaking the link between the Government and the Judiciary, it is now debatable whether those same pressures exist. The outcome of the second appeal, and the emergence or otherwise of a full independent inquiry, will be the test of the integrity of Scottish justice. 