



NEWS RELEASE

The Scottish Criminal Cases Review Commission (Permitted Disclosure of Information) Order 2009.

The above Order of the Scottish Ministers, in exercise of the powers conferred on them by section 194K(1)(f) of the Criminal Procedure (Scotland) Act 1995, comes into force on Monday (1 February 2010).

In light of this, the Scottish Criminal Cases Review Commission must now consider what information is entitled to disclose, to any members of the public, the information it obtained in its review of the case of Abdelbaset Ali Mohmed Al Megrahi.

In particular the Commission will need to consider the following section of the Order:

(b) any person who provided the information to the Commission (whether directly or indirectly) has consented to its disclosure;

Gerard Sinclair, the Commission's Chief Executive, said today:

"As I indicated previously the Statutory Instrument permits the Commission to disclose information only with the consent of those who have provided the information. In considering whether it is entitled to disclose information, the Commission will also have to have regard to other relevant matters, including ECHR and data protection legislation and all other relevant law.

In order to progress matters I will be writing on Monday to a number of the main parties who were responsible, either directly or indirectly, for providing information to the Commission in relation to this review asking them if they consent to the disclosure of the information they provided. Once we have received their responses the Commission will be in a better position to consider what information, if any, can be made public"

No further comment will be made by the Commission at this time.

Notes for Editors

The Scottish Criminal Cases Review Commission was established as an independent body on 1 April 1999 to review alleged miscarriages of justice in Scottish convictions and/or sentences. Under section 194A–L of the Criminal

Procedure (Scotland) Act 1995, as inserted by section 25 of the Crime and Punishment (Scotland) Act 1997, the Commission may refer a case to the High Court if it believes that a miscarriage of justice may have occurred and that it is in the interests of justice that a reference should be made. Once the Commission refers a case to the High Court, the case will proceed as a normal appeal.

The Commission operates with a Board of eight Members (one of whom is the Chairperson), a Chief Executive, a Director of Corporate Services, two Senior Legal Officers, five Legal Officers and administrative support staff.

The Commission will disclose the fact that a case has been referred to the High Court, and will provide a short summary of the reasons for this. However, as the Commission operates under statutory non-disclosure provisions, the Commission does not consider it to be appropriate to disclose any additional information about such cases. The Commission will not release any information about cases in which no referral has been made or in respect of cases under review.

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