

From: John Ashton [REDACTED]
Subject: Inaccuracies in serialisation of Kenny MacAskill's book
Date: 17 May 2016 at 15:14
To: feedback@thetimes.co.uk



Dear Sir or Madam,

I am writing to bring to your attention a number of serious factual errors in last Sunday's serialisation by the Scottish Sunday Times of Kenny MacAskill's book 'The Lockerbie Bombing'. I have studied the Lockerbie case for over 20 years and have written three books on the subject. I have a better grasp of the evidence than does Mr MacAskill. I have set out the passages in question below, with an explanation of why they are wrong. I can provide you with further details and sources, should you require them.

I should add that the serialised extract also had numerous important omissions and as a result gave a very distorted view of the case. If you would like me to provide further details, I would be happy to do so, although I appreciate that this might fall outside of your remit. I trust, however, that you will ensure that the paper will publish corrections of the points below.

Kind regards,

John Ashton.

1. *"[Mr Megrahi] had after all been identified by Edwin Bollier, owner of the timer manufacturer MEBO, as being at test explosions of the timers in Libya."*

Mr Bollier in fact said that Megrahi was not present at the test explosions and no one, including the prosecution at Mr Megrahi's trial, claimed that he was.

2. *"And so it was to be. Megrahi flew in to Malta with the suitcase that was to transport the bomb."*

Records from the Air Malta flight that Mr Megrahi took to Malta show that he checked in no luggage and the Lockerbie suitcase was too big to have been cabin baggage. The only witness who claimed to have seen him arrive with a suitcase, Magid Giaka, did not mention having done so until three years after the event, despite having been a CIA asset since before Lockerbie. Megrahi's trial judges rejected his evidence as lacking credibility.

3. *"Moreover, [Mr Megrahi] was unable to give any explanation for his journey [to Malta the day before the bombing]. While a court of law does not oblige an accused to testify, the court of public opinion most certainly does. Even in his own biography professing his innocence he simply says he can't recall why he went. It seems entirely incredible that anyone would fly to a foreign country for one night only, using a false passport and have no idea or recollection why they had done so."*

Mr Megrahi in fact gave a full explanation in his biography (which I wrote) for his trip to Malta. The explanation went as follows:

"[Lamin Fhimah] told me he was thinking of travelling to Malta on 20 December to finalise the company paperwork and invited me over to see its offices and meet his business partner Vincent Vassallo. I accepted the invitation, partly because I also wanted to buy some more things for the house, in particular carpets."

Mr MacAskill omits to mention another possible explanation for Megrahi's presence in Malta, the widely reported fact that he had an affair with a Maltese woman.

4. *"Though Megrahi had been involved in the acquisition of timers, and even witnessed their use in tests in Libya, he would not be the bomb maker."*

There is no evidence that Mr Megrani was involved in the acquisition of timers and no witness in the case claimed that he was. As stated above, no one claimed that Mr Megrahi witnessed the tests.

5. *"Megrahi had arrived at Malta's Luqa Airport on December 20 at about 5.30pm, accompanied by Lamin Fhimah, a JSO agent who had been the LAA manager for Malta based at the airport."*

There is no evidence that Mr Fhimah was a JSO agent and the only witness to claim that he was, was Mr Giaka – see above – whose evidence was rejected by the trial court judges.

6. *"Not only was the purpose of [Mr Megrahi's trip to Malta the day before the bombing] trip never answered but why he landed with a bag and travelled back without one remained unexplained."*

This is wrong on both counts – see above.

7. *The bag that Megrahi had brought in was placed on to the Air Malta flight to be transferred at Frankfurt for the fateful rendezvous in Heathrow. The records show that an unaccompanied bag was unloaded at Frankfurt from the Air Malta flight, yet the records from Luqa do not disclose that piece of unaccompanied luggage being loaded. There is no suggestion, though, that the Frankfurt airport authorities are mistaken.*

The Frankfurt airport authorities never claimed that an unaccompanied case transited through the airport, rather this was an inference drawn by the police. Furthermore, as evidence adduced by the defence at Mr Megrahi's trial demonstrated, there were plenty of reasons why the Frankfurt records could have been inaccurate.