

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 27 MARCH 2020

10.00 AM, 17 RENFIELD STREET, GLASGOW, G2 5AH

FOR DISCLOSURE VIA THE PUBLICATION SCHEME

In line with the Commission's Disclosure policy, various paragraphs may have been edited or deleted from these minutes as the information contained therein relates to specific case information and/or personnel-related matters. Where the summary of discussion has been edited or the names have been deleted, this is indicated at the start of the relevant paragraph or section.

Present: all by teleconference

Mr Bill Matthews (Chairman)
Dr Alex Quinn
Ms Carol Gammie
Mrs Laura Reilly
Professor Jim Fraser
Mrs Elaine Noad
Mr Raymond McMenamin

Also Present:

Mr Gerard Sinclair, Chief Executive
Mr Chris Reddick, Director of Corporate Services (minutes)
Mr Michael Walker, Head of Casework – by teleconference

Section 1: Governance Matters (edited)

1.1 Apologies

There were no apologies.

1.2 Conflicts of Interest/Declarations of Interest/Gifts & Hospitality

Members were asked to declare any known conflicts of interests or gifts and hospitality.

There were no conflicts of interest or declarations of gifts or hospitality.

1.3 Minutes of Board meeting held on 28 February 2020

The Board approved the minutes of the Board meeting held on 28 February 2020, subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to the same minor amendment.

1.4 Matters Arising

There were no matters arising.

1.5 Minutes of Board meeting held on 6 March 2020

The Board approved the minutes of the Board meeting held on 6 March 2020, subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to the same minor amendment.

1.6 Matters Arising

There were no matters arising.

1.7 Chairman's Report

1.7.1 Mr Matthews provided the Board with updates on the following matters:

- He confirmed the case of Abdelbaset Ali Mohmed Megrahi had been referred on 11 March 2020 as planned and congratulated everyone involved. He noted that press coverage of the Commission's involvement had also been generally positive.
- He reported that he had now completed annual appraisals for all Members.
- He confirmed that Sir Gerald Gordon Q.C. had now concluded his appointment as consultant legal adviser with the Commission and noted the invaluable work that he had provided over the years. He confirmed that an alternative date for a leaving dinner would be agreed in future subject to the ongoing COVID-19 restrictions.

1.8 Chief Executive's Report

1.8.1 Mr Sinclair provided the Board with updates on the following matters:

- He reported that he had attended the Public Sector Leader's Cyber Crime Forum on 4 March 2020.
- He reported that he had attended the Annual Law Society Dinner on 6 March 2020.
- He confirmed that the referral in the case of the Representatives of Abdelbaset Ali Mohmed Megrahi had been issued on 11 March 2020 and provided Members with a brief update.
- He reported that he and Mr Reddick had attended a quarterly sponsor team meeting with Justice Directorate on 16 March 2020.

1.8.2 Mr Sinclair provided the Board with a full update on the Commission's response to the COVID-19 pandemic, confirming that all procedures and actions had been based on the latest Government advice.

1.8.3 Mr Sinclair also confirmed that work was currently being taken forward in respect of setting up suitable conferencing arrangements so that staff, Committee and Board meetings could be taken forward effectively during the current lockdown.

1.9 Court Decisions

There were no court decisions.

1.10 Correspondence

There was no correspondence for consideration.

Section 2: Management Issues (edited)

2.1 Notification by Members of non-case related work

There was no non case related work for noting.

2.2 Training & Development

No training and development had been undertaken since the last meeting of the Board.

2.3 Quarterly Case Statistics Report – 31 December 2019

Mr Sinclair provided the Board with an overview of the quarterly case statistics to 31 December 2019.

2.4 Quarterly Finance & Budget Report – 31 December 2019

Mr Reddick provided a full update on the quarterly finance report to 31 December 2019 and the 2020-21 budget report.

Section 3: Case Matters (edited)

3.1 Monthly Case Summary

Mr Sinclair confirmed that a total of 7 new applications had been received to date in March 2020.

3.2 Notification of cases where final decisions have been issued since the last meeting of the Board, following the 28 days for submission of further representations expiring:

There were two cases in this category.

3.3 Notification of decision cases agreed at previous meetings of the Board but not yet issued:

There were no cases in this category.

3.4 Referral press releases issued since last meeting of the Board:

- 9 March 2020 – Update: Application on behalf of Abdelbaset Ali Mohmed Megrahi
- 11 March 2020 – Referral: Application on behalf of Abdelbaset Ali Mohmed Megrahi

3.5 Requests for extensions of time to submit further representations:

The Board approved two extension-of-time applications (one for two months and the other for one month).

3.6 Want of Insistence Cases:

There were no cases in this category.

3.7 Discussion Cases:

There were no cases in this category.

Section 4: Proposed Referral Cases (edited)

4.1 The Board considered 1 statement of reasons. After full discussion it agreed to refer the case to the High Court.

Section 5: Proposed Interim Cases

No cases in this category.

Section 6: Proposed Supplementary Cases (edited)

6.1 The Board considered 1 statement of reasons. After full discussion it finally agreed not to refer the case to the High Court.

Section 7: Stage 1 Pre Acceptance Cases (edited)

7.1–7 A total of 7 new applications were considered and the following decisions were made:

4 cases	Accepted on conviction and sentence
1 case	Accepted on conviction
1 case	Rejected: the grounds of review were a repeat of the appeal grounds
1 case	Rejected: the grounds of review were a repeat of the appeal grounds and there were no plausible or stateable grounds of review

Ms Gammie left the meeting for the discussion in one case having previously declared a conflict of interest and therefore took no part in its consideration.

Section 8: Concluding Matters

8.1 Any Other Competent Business

There was no other competent business.

8.2 Date of Next Meeting

Mr Sinclair confirmed that subsequent meeting dates would be circulated in due course.

Chris Reddick
28 April 2020