

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 28 FEBRUARY 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:**

Mr Bill Matthews (Chairman)  
Dr Alex Quinn  
Ms Carol Gammie  
Mrs Laura Reilly  
Mr Danny Scullion  
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  
Sir Gerald Gordon Q.C., Consultant Legal Adviser

**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.

1 conflict of interest was noted.

There were no declarations of gifts or hospitality.

**1.3 Minutes of Board meeting held on 31 January 2020**

The Board approved the minutes of the Board meeting held on 31 January 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 Audit Committee meeting held on 13 February 2020**

The Board approved the minutes of the Audit Committee meeting held on 13 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.

#### **1.6 Matters Arising**

There were no matters arising.

#### **1.7 Minutes of Policy meeting held on 6 December 2019**

The Board approved the minutes of the Policy meeting held on 6 December 2019, subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to the same minor amendment.

#### **1.8 Matters Arising**

There were no matters arising.

#### **1.9 Chairman's Report**

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

- He confirmed that a timetable for appraisals had now been agreed.
- He report that Mr Scullion had unfortunately had to resign from the Board and that today would be his last meeting. On behalf of the entire Board he thanked Mr Scullion for his hard work and dedication and wished him well for the future.

#### **1.10 Chief Executive's Report**

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

- He reported that Mrs Hall, the Commission's internal auditor, was in the middle of her organisational culture review, having completed online questionnaires and currently undertaking one on one interviews. He confirmed that she would be in touch with Board Members in due course.
- He advised that there had been a few requests to change the date of the April Committee A meeting and he agreed to circulate some alternative dates.

#### **1.11 Court Decisions**

There were no court decisions.

#### **1.12 Correspondence**

There was no correspondence for consideration.

## Section 2: Management Issues

### 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.

## Section 3: Case Matters

### 3.1 Monthly Case Summary

Mr Sinclair confirmed that a total of 5 new applications had been received to date in February 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 was one case 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:

There were no cases in this category.

### 3.5 Requests for extensions of time to submit further representations:

There were no cases in this category.

### 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

There were no cases in this category.

## Section 5: Proposed Interim Cases (edited)

5.1–5.2 The Board considered 2 statements of reasons. After full discussion it agreed not to refer those cases to the High Court.

## Section 6: Proposed Supplementary Cases (edited)

6.1 – 6.3 The Board considered 3 statements of reasons. After full discussion it finally agreed not to refer those cases to the High Court.

## Section 7: Stage 1 Pre Acceptance Cases (edited)

7.1–7.19 A total of 19 new applications were considered and the following decisions were made:

|         |  |
|---------|--|
| 3 cases | Accepted   |
| 1 case  | Rejected on conviction as the applicant had not appealed   |
| 1 case  | Rejected on sentence as the applicant had not appealed   |
| 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 grounds of appeal and there were no plausible or stateable grounds of review              |
| 1 case  | Rejected on conviction as the applicant had not appealed and there were no plausible or stateable grounds of review.                           |
| 1 case  | Rejected on sentence as the applicant had not appealed and there were no plausible or stateable grounds of review.                             |
| 7 cases | Rejected: there were no plausible or stateable grounds of review   |
| 1 case  | Rejected: it was not in the interests of justice to accept the case for full review and there were no stateable or plausible grounds of review |
| 2 cases | Continued for 1 month in order to obtain further information   |

Mr McMenamin 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

- Board Meeting– Friday 6 March 2020 @ 10:00
- Board Meeting – Friday 27 March 2020 @ 10:00

**Chris Reddick**  
16 March 2020