

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 28 JUNE 2019

10.00 AM, PORTLAND HOUSE

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)
Mr Raymond McMenamin
Professor Jim Fraser
Mrs Elaine Noad
Mr Colin Dunipace
Ms Laura Reilly

Also Present:

Mr Gerard Sinclair, Chief Executive
Mr Chris Reddick, Director of Corporate Services (minutes)
Sir Gerald Gordon Q.C., Consultant Legal Adviser

Section 1: Governance Matters

1.1 Apologies

Doctor Quinn and Mr Ferguson Q.C. had submitted their 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.

Mr Matthews confirmed that NCCRC had presented him with a small glass fruit bowl at the tripartite meeting on 13 June 2019.

1.3 Minutes of Board meeting held on 31 May 2019

The Board approved the minutes of the Board meeting held on 31 May 2019 subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to the same minor amendment.

1.4 Matters Arising

There were no matters arising.

1.5 Minutes of Audit Committee meeting held on 13 June 2019

The Board noted the minutes of the Audit Committee meeting held on 13 June 2019 which Mrs Noad confirmed had been approved by the Audit Committee Members by correspondence. The Board also noted the version of the minutes for the Publication Scheme.

1.6 Matters Arising

Mrs Noad provided the Board with a summary of the items covered at the Audit Committee meeting held on 13 June 2019, confirming that an unqualified audit opinion had been received in respect of the Commission's financial statements by the external auditors and that substantial assurance had been received in respect of the annual audit undertaken by the internal auditors.

1.7 Chairman's Report

Mr Matthews provided the Board with an update on the following matters:

- He provided an update on the suggested buddying scheme for new Members and confirmed that this had now been discussed with all of them.
- He also congratulated Mr Sinclair and Mr Reddick for their organisation of the tripartite meeting and 20th Anniversary Events held on 13 and 14 June 2019, noting that these had been a great success and that he had received positive feedback from attendees.

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 a Criminal Law Conference on 3 June 2019.
- He reported that he had attended the annual Sir Gerald Gordon Seminar on 11 June 2019.
- He confirmed that the year-end Audit Committee meeting was held on 13 June 2019.

1.8.2 Mr Sinclair provided the Board with feedback in respect of the tripartite meetings and 20th Anniversary Events held on 13 and 14 June 2019, confirming that he had been extremely pleased by the turnout for all of the events and the extremely positive feedback received. He also confirmed that he had been grateful to Mr Neil Rennick from Justice Directorate who had stepped in at the last minute to provide a key note address which had been extremely complimentary in respect of the Commission and its achievements.

1.8.4 Mr Sinclair provided an update on outstanding referrals, confirming that there was one awaiting consideration by the court. He also noted that a total of 15 new cases had been received so far this month.

1.9 Court Decisions

There were no court decisions.

1.10 Correspondence

Mr Sinclair confirmed that the Commission had received an invitation from the House of Lords to give evidence to the Westminster Commission on Miscarriages of Justice in July 2019. He provided a summary of the group's remit and terms of reference, confirming that this was specifically in respect of the work of the CCRC.

Section 2: Management Issues

2.1 Notification by Members of non-case related work

Attendance by various Members at the tripartite meetings was noted.

2.2 Training & Development

The following training and development had been undertaken since the last meeting of the Board:

- Miss Anderson and Mr Sinclair had attended a Criminal Law Conference on 3 June 2019.
- Mr Fenn and Mr Sinclair had attended the annual Sir Gerald Gordon Seminar on 11 June 2019.
- Mr Fitzpatrick had provided a talk to prisoners at HMP Greenock on 24 June 2019.

2.3 SCCRC Corporate Risk Register: Quarter 4

2.3.1 Mr Reddick confirmed that the Quarter 4 Corporate Risk Register update had been considered in full by the Audit Committee on 13 June 2019 and that no specific scoring changes had been recommended in respect of identified risks. He also confirmed that the ongoing control actions section had been fully updated. After full discussion the Board approved the Risk Register.

2.3.2 Mr Matthews noted that the current register had been in place for some time and that there may be value in reviewing the risks facing the Commission from a blank book perspective, particularly following ongoing developments within the Commission and changes at Board level. Mr Sinclair confirmed that this approach had been adopted a number of years ago as part of the development of the Commission's previous Corporate Plan. After full discussion it was agreed that some time would be set aside in the calendar later in the year to undertake this type of exercise.

2.4 SCCRC Annual Report 2018-19

Mr Reddick provided the Board with an overview of the finalised Annual Report for 2018-19, confirming that this had been laid in Parliament ahead of schedule on 24 June 2019. He confirmed that this was now available on the Commission's website and that a short press release would be issued to communicate its publication.

2.5 SCCRC Annual Accounts 2018-19

Mr Reddick provided the Board with an overview of the finalised Annual Accounts for 2018-19 which had been signed off on 13 June 2019 and subsequently laid in Parliament on 24 June 2019. He confirmed that these had now been published on the website.

Section 3: Case Matters

3.1 Monthly Case Summary

Mr Sinclair confirmed that a total of 15 new applications had been received to date in June 2019.

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 no 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:

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

There were no cases in this category.

Section 6: Proposed Supplementary Cases

There were no cases in this category.

Section 7: Stage 1 Pre Acceptance Cases (editd)

7.1–7.9 A total of 9 new applications were considered and the following decisions were made:

2 cases	Accepted on conviction
1 case	Rejected: the applicant had not appealed against conviction
4 cases	Rejected: the applicant had not appealed and there were no plausible or stateable grounds of review
1 case	Rejected: the grounds of review were a repeat of the appeal grounds
1 case	Rejected: there were no plausible or stateable grounds of review

Section 8: Concluding Matters

8.1 Any Other Competent Business

Mr Reddick provided the Board with a full update on the ongoing accommodation review.

2.2 Date of Next Meeting

- Board Meeting – Friday 26 July 2019 @ 10:00

Chris Reddick
11 July 2019