

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 29 MAY 2020

10.00 AM, VIDEO CONFERENCE

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 video conference

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

Also Present: all by video conference

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

Section 1: Governance Matters

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 27 March 2020

The Board approved the minutes of the Board meeting held on 27 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.

1.4 Matters Arising

There were no matters arising.

1.5 Minutes of Interim Board meeting held on 17 April 2020

The Board approved the minutes of the Interim Board meeting held on 17 April 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

Mr Matthews confirmed that he had no matters to report.

1.8 Chief Executive's Report

1.8.1 Mr Sinclair provided the Board with a full update on the Commission's response to the COVID-19 pandemic and an assessment of the impact on the Commission's key operations. He confirmed that staff were now coming into the office on rota days, typically with a maximum of 3 staff on any given day. He also confirmed that social distancing measures had been put in place and that Mr Reddick had prepared a full guidance document for staff which was included later on the agenda.

1.9 Court Decisions

There were no court decisions.

1.10 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.

2.3 Quarterly Case Statistics Report – 31 March 2020

Mr Sinclair provided the Board with an overview of the quarterly case statistics to 31 March 2020.

2.4 Quarterly Finance Report – 31 March 2020

Mr Reddick provided the Board with a full update on the quarterly finance report to 31 March 2020 noting that the figures were subject to the usual year-end adjustments for accruals and pre-payments. He also provided an assessment of the initial impact of the COVID-19 pandemic on the year-end process, including the annual audit and timescales for

completion of the annual report and accounts. He confirmed that the Commission had, under statute, until 31 December 2020 to complete this process.

2.5 Annual Case Targets and Performance Indicator Update 2019-20

Mr Reddick provided the Board with an account of the 2019-20 Key Target performance and set out the proposed targets for 2020-21. He also provided an overview of the key performance indicators for 2019-20, confirming that these would be included within the 2019-20 Annual Report & Accounts. After full discussion the Board noted the year-end performance and agreed the key targets for 2020-21.

2.6 COVID-19: Office Working Guidance

Mr Reddick provided the Board with a summary of the draft guidance he had prepared in anticipation of easing up of some lock down restrictions and the return to some office presence/cover. He confirmed that the document had been prepared with reference to the latest Government guidance and that the office now had social distancing measures in place along with PPE available for staff. After full discussion the Board noted the guidance document.

Section 3: Case Matters (edited)

3.1 Monthly Case Summary

Mr Sinclair confirmed that a total of 3 new applications had been received in both April and May noting that this was clearly a reflection of the impact of COVID-19.

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:

No referral press releases had been issued since the last meeting of the Board.

3.5 Requests for extensions of time to submit further representations:

The Board approved 1 extension-of-time application (a 2-month final extension)

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)

5.1–5.4 The Board considered 4 statements of reasons. After full discussion it agreed not to refer those cases to the High Court.

Mr McMenamain 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 6: Proposed Supplementary Cases (edited)

6.1–6.3 The Board considered 3 supplementary 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)

7.1–7.11 A total of 11 new applications were considered and the following decisions were made:

1 case	Accepted on conviction and sentence
2 cases	Accepted on conviction and the review suspended pending further information
1 case	Rejected: the applicant had not appealed
1 case	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
5 cases	Rejected: there were no plausible or stateable grounds of review

The Board noted the proposal to place one applicant on the Persistent & Repeated Applications Register.

Dr Quinn 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

- Audit Committee Meeting – TBC

- Board Meeting – Friday 26 June 2020 @ 11:00

Chris Reddick
15 June 2020