

# SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 31<sup>st</sup> JANUARY 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

## Also Present:

Mr Gerard Sinclair, Chief Executive  
Mrs Kirsty MacDonald, Senior Admin Officer (minutes)  
Mr Michael Walker, Head of Casework  
Sir Gerald Gordon Q.C., Consultant Legal Adviser

## Section 1: Governance Matters (edited)

### 1.1 Apologies

Mr Raymond McMenamin  
Mr Chris Reddick, Director of Corporate Services

### 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 declarations of conflicts of interest.

There were no declarations of gifts or hospitality.

### 1.3 Minutes of Board meeting held on 29 November 2019

The Board approved the minutes of the Board meeting held on 29 November 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 5 December 2019**

The Board approved the minutes of the Board meeting held on 5 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.

#### **1.6 Matters Arising**

There were no matters arising.

#### **1.7 Chairman's Report**

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

- He confirmed he will be carrying out end of year appraisals in March.
- He provided an update in relation to one case.
- He provided a verbal update regarding the commission's current financial position and discussions with Scottish Government.

#### **1.8 Chief Executive's Report**

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

- He confirmed that he had attended the Criminal Appeal Court User group on 30 January 2020.
- He provided an update in relation to one case.

#### **1.9 Court Decisions**

A copy of the decision in the referral case of Mr George Thomson had been circulated to Members for information. Mr Sinclair also confirmed that there were now no outstanding referrals.

#### **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.

### Section 3: Case Matters (edited)

#### 3.1 Monthly Case Summary

Mr Sinclair confirmed that a total of 19 new applications had been received to date in January 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:

The Board approved 1 request (a second request), for 4 weeks.

#### 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)

5.1–5.5 The Board considered 5 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 The Board considered 1 statement of reasons. After full discussion it finally agreed not to refer that case to the High Court.

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

**7.1–7.14** A total of 14 new applications were considered and the following decisions were made:

1 case	Accepted
1 case	Rejected on conviction as the applicant had not appealed
1 case	Rejected: the grounds of review were a repeat of the appeal grounds
3 cases	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 grounds of review were a repeat of the grounds of appeal and there were no stateable or plausible grounds of review; rejected on sentence as there were no stateable or plausible grounds of review
6 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

Mrs Reilly 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 28<sup>th</sup> February 2020 @ 10:00

Kirsty MacDonald  
31 January 2020