

# SCOTTISH CRIMINAL CASES REVIEW COMMISSION

## MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 24 NOVEMBER 2023

### 10:00 AM, HYBRID MEETING (OFFICE & 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:**

Mr Bill Matthews (Chair) – video conference  
Mr Raymond McMenamin – video conference  
Mrs Elaine Noad – video conference  
Mrs Gillian Mawdsley – video conference  
Ms Laura Reilly – video conference  
Ms Jacqueline Fordyce – video conference  
Doctor Alex Quinn – office  
Mrs Suzanne Mertes – video conference

#### **Also Present:**

Mr Michael Walker, Chief Executive – office  
Mr Chris Reddick, Director of Corporate Services (minutes) – office  
Miss Frances McMenamin KC – office

### **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 October 2023**

The Board approved the minutes of the Board meeting held on 27 October 2023 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 the Policy meeting held on 10 November 2023**

The Board approved the minutes of the Policy meeting held on 10 November 2023 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**

Mrs Noad noted that the Policy meeting had been an excellent meeting and that the equalities training provided had been extremely useful. She referred to the work taken forward by Mr Walker and Mr Reddick in respect of succession planning and asked for an update. Mr Reddick confirmed that work was ongoing with the current succession plan documents in terms of both coverage, training and integration within the business continuity plans. He also confirmed that the plans would be subject to independent review and assurance from the internal auditors in quarter 4.

## **1.7 Chair's Report**

Mr Matthews confirmed that he had no additional items to report to the Board.

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

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

- He reported that he and Mr Reddick had attended a quarterly sponsorship meeting with Justice Directorate on 1 November 2023, providing a brief overview of matters discussed which included budgets and resource planning.
- He reported that the year-end Audit Committee meeting had been held on 23 November 2023 where the signing of the 2022-23 Annual Accounts had been agreed, following a very positive report from the External Auditors. Mrs Noad also expressed her thanks, as Chair of the Audit Committee, to all staff involved in the year-end process, noting the amount of work involved and the successful outcome.
- He reported that he had attended an Accountable Officer event run by Scottish Government on 7 November 2023.
- He provided an update on the Commission's ongoing engagement activities as follows:
  - Miss McNab had given a talk on the Commission to MOJO
  - Mrs Govan and Miss McNab had given a talk to 1<sup>st</sup> year law students at Strathclyde University
  - Mr Walker had given a separate talk to the diploma intake at Strathclyde University.
- He advised the Board that he had received correspondence from the Norwegian Government asking the Commission for some input into their review of the Norwegian CCRC.

## 1.9 Court Decisions

There were no court decisions.

## 1.10 Correspondence:

There was no correspondence.

## Section 2: Management Issues

### 2.1 Notification by Members of non-case related work

There was no notification of non-case related work by Members.

### 2.2 Training & Development

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

- Mr Fenn had commenced a 20 hour risk management course online which, once complete, will be cascaded to other staff.

## Section 3: Case Matters (edited)

### 3.1 Monthly Case Summary:

Mr Walker confirmed that a total of 19 new applications had been received in November 2023.

### 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 3 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:

- 1 November 2023 – Ravinder Naga Referral

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

A second extension of time was agreed in 1 case.

### 3.6 Want of Insistence Cases:

There was 1 case in this category.

### 3.7 –

### 3.8 There were no cases in either of these categories.

#### Section 4: Proposed Referral Cases

There were no cases in the category

#### Section 5: Proposed Interim Cases (edited)

**5.1 – 5.3** The Board considered 3 statements of reasons. After full discussion it agreed not to refer those cases to the High Court.

Mrs Mawdsley had 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** Board considered 1 supplementary statement of reasons. After full discussion it finally agreed not to refer the case to the High Court.

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

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

**7.1 – 7.17** A total of 17 new applications were considered and the following decisions were made:

2 cases	Accepted for a review of conviction and sentence
1 case	Accepted for a review of conviction only
1 case	Rejected: the applicant had not appealed
2 cases	Rejected: in each case there were no plausible or stateable grounds of review
2 cases	Rejected: in each case it was not in the interests of justice to accept the case for stage 2 review
7 cases	Rejected: in each case the applicant had not appealed and there were no plausible or stateable grounds of review
1 case	Rejected: there were no plausible or stateable grounds of review and it was not in the interests of justice to accept the case for stage 2 review
1 case	Rejected: in respect of conviction the grounds of review were a repeat of the grounds of appeal and there were no plausible or stateable grounds of review; and in respect of sentence the applicant had not appealed and there were no plausible or stateable grounds of review

Dr Quinn had left the meeting for the discussion in one case having previously declared conflicts of interest and therefore took no part in their 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 26 January 2024 @ 10:00

C Reddick  
19 December 2023