

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 25 APRIL 2025

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:

Dr Vanessa Davies (Chair) – office
Ms Laura Reilly – office
Miss Alyson Forbes – office
Mr Finlay Young – office
Ms Jacqueline Fordyce – video conference
Mrs Gillian Mawdsley – office
Dr Alex Quinn – office
Mrs Suzie Mertes – office

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 28 March 2025

The Board approved the minutes of the Board meeting held on 28 March 2025, subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to minor amendment.

1.4 Matters Arising

There were no matters arising.

1.5 Minutes of the Audit Committee meeting held on 24 March 2025

The Members of the Audit Committee approved the minutes of the meeting held on 24 March 2025, subject to minor amendment. They also approved the version of the minutes for the Publication Scheme, subject to minor amendment. The Board noted the content of these minutes.

1.6 Matters Arising

Mr Young provided the Board with a brief summary of matters dealt with at the Audit Committee meeting on 24 March 2025. Dr Davies referred to 1.6.4 of the minutes in respect of the new Global Internal Audit Standard (GIAS) and asked for clarification on the role of Chief Audit Executive. Mr Reddick agreed to check, noting that he currently provided the Audit Committee with direct support and it was likely that this role would be covered by him.

1.7 Minutes of the Policy meeting held on 21 March 2025

The Board approved the minutes of the Policy meeting held on 21 March 2025, subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to minor amendment.

1.8 Matters Arising

Dr Davies noted that comprehensive discussion had been held at the meeting in respect of the development of the 2025-28 Corporate Plan. She confirmed that this had been taken forward by Mr Reddick and will be discussed later in the agenda.

1.9 Chair's Report

Dr Davies provided the Board with updates on the following matters:

- She reported that she had met with Mr Walker and Mr Reddick to discuss the development of and content of the 2025-28 Corporate Plan.
- She reported that she will be undertaking Mr Walker's annual appraisal later today.

1.10 Chief Executive's Report

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

- He reported that he had received an update from Justice Directorate confirming the 2025-26 annual cash budget would be £1,307,000, an increase of approximately 2.5% on the prior year. He also confirmed that funding for an additional legal officer position had been granted and will be incorporated into the annual budget. He reported that the Commission will also now be seeking support for maternity cover later in the year and discussed various recruitment options.
- He reported that the new website development contract had been awarded to a company called Infinite Eye and that a 16-week project timeline had been agreed for the development of the new site.
- He provided an update on ongoing matters that had been raised with the Crown Agent, including issues concerning the retention of forensic samples and one of the

Commission's recent referrals. He confirmed that he will take this forward during May 2025.

- He reported that he had completed staff appraisals and provided a summary of general themes that were discussed with staff.
- He reported that he had been in contact with the NZ Commission's Chief Executive, Parekawhia McLean, and she had provided him with an update on the appointment of the Honourable Denis Clifford as their new Chief Commissioner. He noted that they had agreed it would be useful to set up a meeting between the new Chief Commissioner and Dr Davies.
- He reported that he had been invited to participate in a panel conference organised by Tamara Levy K.C., Co-founder and Director of the University of British Columbia's Innocence Project.
- He confirmed that he had written to Professor Penney Lewis following the discussion at the last Board meeting concerning the Law Commission's current consultation, and that the Law Commission had acknowledged his response, indicating that Prof Lewis would like to discuss with us the Scottish perspective.
- He reported that he will be attending a conference in London on 28 May 2025 entitled "Understanding Miscarriages of Justice at 25", which is marking the 25th anniversary of the publication of Schiff and Nobles' book "Understanding Miscarriages of Justice: Law, the Media and the Inevitability of a Crisis".

1.11 Court Decisions

There were no court decisions.

1.12 Correspondence:

There was no correspondence for consideration.

Section 2: Management Issues (edited)

2.1 Notification by Members of non-case related work

There was no non-case related work notified by Members.

2.2 Training & Development

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

- Two staff members had attended a Wellbeing Event, hosted by the Law Society of Scotland, on 3 April 2025

2.3 Quarterly Case Statistics Report – 31 March 2025

2.3.1 Mr Reddick provided the Board with an overview of the year-end case statistics, confirming that 2024-25 was a record-breaking year in terms of both the number of

applications received and number of applications concluded, 213 and 229 respectively.

2.3.2 Mr Walker noted that 3 cases were referred during the year and that a total of 5 referred cases had been considered by the High Court, with 4 being granted and 1 refused. He confirmed that there were no outstanding decisions. He confirmed that the 2024-25 Annual Report would provide a full update on performance and that there would be more focus on the past 5 years to enhance relevance and reflect on current themes and issues. He also confirmed that it was worth noting referral rates, based on cases subject to full review, rather than simply across all cases received, given the high number submitted without any plausible or stateable grounds of review. Dr Davies agreed that the annual report should indeed focus on telling the overall story.

2.3.3 Mr Young queried if there was any assessment of time spent at each point in the review process. Mr Reddick confirmed that time recording was not undertaken but existing performance indicators focused on time targets at each stage of the process from receipt to allocation to conclusion. Mrs Mertes suggested more consideration based on the “customer journey” as a means of focusing on both the qualitative and quantitative aspects of the process. It was agreed that these would be considered further as part of the development of the 2024-25 Annual Report.

2.4 Quarterly Finance Report – 31 March 2025

Mr Reddick provided the Board with an overview of the financial performance to 31 March 2025, confirming that overall, the Commission had concluded the year within budget, subject to year-end adjustments. He noted that both the 25th Anniversary Event and several unplanned expenses including 2 recruitment rounds, server replacement and case management system upgrades had all been completed within existing budget provision. He also noted that investigations expenditure for the year was over budget as a result of a number of cases where expert opinions had been sought. The Board noted the content of Mr Reddick’s report.

2.5 Quarterly Business Plan Objectives Report – 31 March 2025

Mr Reddick provided the Board with a full update on the achievement of business plan objectives for the year, confirming that out of the 14 objectives set at the start of the year, 9 had been fully achieved, 4 were partially achieved and 1 was outstanding. He noted that this was particularly encouraging given the significant pressure on resources throughout the year. The Board noted the performance update and asked that their thanks be passed onto staff.

2.6 Corporate Risk Register – Quarter 4 Update

Mr Reddick provided the Board with an update on the quarterly corporate risk register which had last been considered by the Audit Committee on 24 March 2025. He noted that no specific changes to risk content or scoring had been recommended. The Board noted the updated corporate risk register.

2.7 2025-28 Corporate Plan

2.7.1 Mr Reddick confirmed that the Board had had a very constructive and full discussion about the proposed 2025-28 Corporate Plan at the Policy meeting on 21 March 2025 and that he had agreed to take their comments away and produce a first draft

for consideration at today's meeting. He outlined the 3-year focus areas that had been discussed and agreed, along with details of performance measures. He noted that some updates were still required in respect of 2024-25 case performance, currently being verified, and financial forecast information which was still awaited from Scottish Government. He also noted that he had received some useful annotations from Members, particularly focusing on language and content, and he would go through these an update accordingly.

- 2.7.2 The Board went through the draft 2025-28 Corporate Plan in detail and provided feedback on each section. Dr Quinn noted that, overall, the plan was understandable and easy to read. Mr Young and Dr Davies suggested some layout changes to the 3-year focus and agreed that the wording of the strategic aims could be improved upon. After further discussion it was agreed that Mr Reddick would update the draft and circulate in advance of the May Board meeting, with the aim of approving the plan at the next Board meeting.

Section 3: Case Matters (edited)

3.1 Monthly Case Summary:

Mr Reddick confirmed that a total of 213 new applications had been received in 2024-25, and so far in April 2025, 23 new applications had been received.

- 3.2 There was one case where final decisions have been issued since the last meeting of the Board, following the 28 days for submission of further representations expiring:

3.3 – 3.4 There were no cases in these categories.

- 3.5 Requests for extensions of time to submit further representations were granted in 2 cases.

3.6 – 3.7 There were no cases in these categories.

3.8 Discussion Cases – Post Office/Horizon/Capture Update (Conflict: G Mawdsley – one case)

In addition to the paper that had been circulated with the Board agenda, Miss McNab and Mr Fenn provided a number of updates as follows:

- Miss McNab confirmed that five individuals had been written to, with three of the letters successfully delivered and signed for. One of the letters was returned and Sheriff Officers have been instructed to attempt to trace the individual. They have also been used to trace another individual who could not be contacted during the Horizon contact exercise.
- Mr Fenn confirmed that he had written to the various strategic partner but, to date, had received no response.
- Miss McNab provided an update on one case, confirming that a substantive response is still outstanding from Post Office.

Section 4: Proposed Referral Cases (edited)

- 4.1 The Board considered one statement of reasons. After full discussion it was agreed to refer the case to the High Court.

Section 5: Proposed Interim Cases

There were no cases in this category.

Section 6: Proposed Supplementary Cases (edited)

- 6.1 The Board considered one statement of reasons. After full discussion it agreed not to refer the cases to the High Court.

Section 7: Stage 1 Pre-acceptance Cases (edited)

- 7.1 – 7.22 A total of 22 new applications were considered and the following decisions were made:
- | | |
|---------|---|
| 1 case | Accepted for a review of conviction only. |
| 1 case | Accepted for a review of conviction and sentence. |
| 2 cases | Rejected: in each case there were no plausible or stateable grounds of review. |
| 1 case | Rejected: the applicant had not appealed it was not in the interests of justice to accept the case for review. |
| 9 cases | Rejected: in each case the applicant had not appealed and there were no plausible or stateable grounds of review. |
| 1 case | Rejected: the applicant had abandoned their appeal without good reason and 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 review. |
| 5 cases | Rejected: in each case on the basis that 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: the grounds of review were a repeat of the grounds of appeal. |

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 30 May 2025 @ 10:00

C Reddick
15 May 2025