

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 26 MAY 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) – office
Mr Raymond McMenamin – video conference
Dr Alex Quinn – office
Mrs Elaine Noad – video conference
Mrs Gillian Mawdsley – video conference
Ms Jacqueline Fordyce – video conference
Professor Jim Fraser - office

Also Present:

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

Section 1: Governance Matters (edited)

1.1 Apologies

Ms Reilly had submitted her 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 April 2023

The Board approved the minutes of the Board meeting held on 28 April 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 Audit Committee meeting held on 11 May 2023

The Board noted the minutes of the Audit Committee meeting held on 11 May 2023. The Board also noted the version of the minutes for the Publication Scheme.

1.6 Matters Arising

1.6.1 Mrs Noad acknowledged that this had been Professor Fraser's last Audit Committee meeting and thanked him for his valued contributions. She also noted that Mrs Mawdsley's offer to provide temporary cover for the Audit Committee would be taken up.

1.6.2 Mrs Noad confirmed that the new Corporate Risk Register had been discussed in full at the meeting and it had been agreed to present this to the Board for approval.

1.5 Chair's Report

1.5.1 Mr Matthews provided the Board with an update on the following matter:

- He advised that the advert for a lay Member was now live and the closing date for applications was 19 June 2023. He also advised that it was hoped an appointment could be made by late August 2023.

1.6 Chief Executive's Report

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

- He reported that he had attended a Scottish Government conference entitled "Trauma Informed Justice: A Knowledge and Skills Framework," held on the 3 May 2023. He confirmed that keynote speakers included the Cabinet Secretary for Justice and Home Affairs, and the Lord Advocate.
- He reported that he and Mr Reddick had attended a quarterly sponsorship meeting with Justice Directorate on 17 May 2023.
- He provided Members with an update on engagement activities with SPS and the Law Society of Scotland.
- He confirmed that Information Sharing Agreements with both Justiciary Office and SCTS had now been signed.

1.6.2 Mr Walker asked Mr Reddick to provide an update on the Scottish Government's Supplementary Pay Award for 2022-23 which had recently been issued. Mr Reddick confirmed that there were two elements of the supplementary award which would apply to the Commission. He reported that range maxima for administrative grades had been increased and this would have a direct impact on some Commission staff, with this award being back dated to 1 April 2022. He also confirmed that a pilot Wellbeing Hour programme would be taken forward from 1 July 2023 whereby all staff would qualify for a wellbeing hour to be taken once a week at a time agreed with management during which they could undertake non-work related activities.

1.7 Court Decisions

There were no court decisions.

1.8 Correspondence (edited):

Debt Recovery Update (Conflict: Ms Fordyce)

Mr Lynn provided the Board with a full update in respect of the recovery of expenses in one case. After full discussion the Board approved an appropriate course of action.

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 was undertaken since the date of the last meeting:

- Mrs Govan attended a Strathclyde University Conference on the Scottish Independent Forensics Review Service on 2 May 2023.
- Mr Walker attended a Scottish Government conference entitled “Trauma Informed Justice: A Knowledge and Skills Framework,” held on the 3 May 2023.

2.3 Risk Management (Mr Reddick)

2.3.1 Mr Reddick confirmed that the revised Corporate Risk Register had been produced following the Risk Workshop held as part of the Policy meeting on 3 March 2023 and considered by the Audit Committee on 11 May 2023. He confirmed that the draft register had taken on board all comments in relation to content, prioritisation of risks and supplementary narrative.

2.3.2 Mrs Noad confirmed that the Audit Committee Members had been very pleased with the updated register and happy to have this considered by the Board for approval. She also confirmed that the Internal Auditors had also provided a number of helpful suggestions. Professor Fraser also noted that the new version was much more up to date and relevant, particularly in respect of IT Security risks.

2.3.3 After full discussion, the Board approved the updated Corporate Risk Register.

2.4 Environmental Policy (Miss McNab)

Miss McNab presented the updated Environmental Policy and Action Plan, which, after full discussion, was approved by the Board.

2.5 2022-23 Annual Reporting (Mr Reddick)

Mr Reddick provided the Board with an update on the agreed 2022-23 audit schedule, confirming that it was now likely that the annual accounts would be signed off in October 2023, before being laid in Parliament. He also confirmed that the draft 2022-23 Annual

Report was currently at the draft stage and would be presented to the Board in July for comment.

Section 3: Case Matters (edited)

3.1 Monthly Case Summary

Mr Walker confirmed that a total of 12 new applications had been received in May 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 two cases in this category.

3.3 – 3.8 There were no cases in any of these categories.

Section 4: Proposed Referral Cases

There were no cases in this category.

Section 5: Proposed Interim Cases (edited)

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

Section 7: Stage 1 Pre Acceptance Cases (edited)

7.1 – 7.12 A total of 12 new applications were considered and the following decisions were made:

1 case	Accepted for a review of conviction only
1 case	Reject: the applicant had not appealed against conviction
1 case	Rejected: the grounds of review were a repeat of the grounds of appeal
1 case	Rejected: there were no plausible or stateable grounds of review
3 cases	Rejected: in each case the applicant had not appealed and there were no plausible or stateable grounds of review

2 cases	Rejected: in each case 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: there were no plausible or stateable grounds of review and it was not in the interests of justice to accept the case for full review
1 case	Rejected: in respect of conviction the applicant had not appealed and there were no plausible or stateable grounds of review; and in respect of sentence 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: in respect of conviction the applicant had abandoned their appeal without good reason; and in respect of sentence there were no plausible or stateable grounds of review

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 June 2023 @ 10:00

C Reddick
16 June 2023