

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 28 JULY 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 – office
Ms Laura Reilly - office
Mrs Elaine Noad – video conference
Mrs Gillian Mawdsley – office
Ms Jacqueline Fordyce – video conference

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

Mr Quinn had submitted his 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 30 June 2023

The Board approved the minutes of the Board meeting held on 30 June 2023. 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 Chair's Report

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

- He provided Members with an update on the Lay Member recruitment process.

1.6 Chief Executive's Report (edited)

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

- He confirmed that the referral press release in the case of Mr David MacDonald had been issued on 25 July 2023 and a procedural hearing date had been set.
- He reported that the Commission had received a decision in its favour from the ICO in respect of a Subject Access Request appeal submitted by a previous applicant.
- He confirmed that Dr Graeme Brown has kindly agreed to give a talk about sentencing practice in Scotland to Members and staff. Ms Mawdsley had also suggested a speaker who could give a talk on Equalities Act-compliance training to Members and staff. It is planned for this training to take place at the September Policy meeting.

1.6.2 Mr Reddick provided the Board with a staffing update.

1.7 Court Decisions

There were no court decisions.

1.8 Correspondence:

Mr Walker advised that correspondence had now been received from the Accountant in Bankruptcy and Trustee to confirm the discharge of the sequestration in one case.

Section 2: Management Issues

2.1 Notification by Members of non-case related work

Mr Matthews had spent 1 day on Board recruitment interviews.

2.2 Training & Development

The following training was undertaken since the date of the last meeting:

- Mr Reddick attended a Scottish Government Budget Monitoring workshop on 5 July 2023.
- Mr Reddick attended a Scottish Government Accruals Training Session on 19 July 2023.

2.3 Quarterly Case Statistics Report – 30 June 2023 (Mr Reddick)

Mr Reddick provided the Board with an overview of the case statistics report to 30 June 2023 which was noted by the Board.

2.4 Quarterly Finance Report – 30 June 2023 (Mr Reddick)

Mr Reddick provided the Board with a summary of the quarterly finance report to 30 June 2023 which was noted by the Board.

2.5 2022-23 Annual Report Update (Mr Reddick)

Mr Reddick provided the Board with an update on the audit of the 2022-23 Annual Accounts and confirmed that the draft 2022-23 Annual Report would be circulated to the Board in August for consideration. He noted that the auditors were likely to be finished by the end of October 2023.

2.6 Victims, Witnesses and Justice Reform (Scotland) Bill (Mr Fenn)

Mr Fenn confirmed that he had circulated an update to Members on the Victims, Witnesses and Justice Reform (Scotland) Bill consultation for consideration and advised that the deadline for responses was 8 September 2023. After discussion, it was agreed that the updated response would be considered by the Board in August 2023.

Section 3: Case Matters

3.1 Monthly Case Summary

Mr Walker confirmed that a total of 16 new applications had been received in July 2023.

3.2 – 3.3 There were no cases in any of these categories.

3.4 Referral press releases issued since last meeting of the Board:

- 25 July 2023 – David MacDonald Referral

3.5-3.8 There were no cases in any 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.

Section 6: Proposed Supplementary Cases

There were no cases in this category.

Section 7: Stage 1 Pre Acceptance Cases (edited)

7.1 – 7.10	A total of 10 new applications were considered and the following decisions were made:	
	3 cases	Rejected: in each case the applicant had not appealed and there were no plausible or stateable grounds of review
	5 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: in respect of conviction the applicant had not appealed and there were no plausible or stateable grounds of review; and in respect of sentence there were no plausible or stateable grounds of review
	1 case	Suspended: awaiting further information

Section 8: Concluding Matters

8.1 Any Other Competent Business

There was no other competent business.

8.2 Date of Next Meeting

- Policy Meeting – Friday 22 September 2023 @ 10:00
- Board Meeting – Friday 29 September 2023 @ 10:00

C Reddick
14 August 2023