

## SCOTTISH CRIMINAL CASES REVIEW COMMISSION

### MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 22 MARCH 2024

#### 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  
Mrs Elaine Noad – video conference  
Mrs Gillian Mawdsley – video conference  
Ms Laura Reilly – video conference  
Ms Jacqueline Fordyce – video conference  
Doctor Alex Quinn – video conference  
Mrs Suzanne Mertes – video conference

#### **Also Present:**

Mr Michael Walker, Chief Executive – office  
Mr Conlin McShane, Administration Officer (minutes) – office  
Miss Frances McMenamin KC - office

### **Section 1: Governance Matters (edited)**

#### **1.1 Apologies**

Mr Reddick 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.

Mrs Mertes declared a conflict of interest in respect of agenda item 3.7.

There were no declarations of gifts or hospitality.

#### **1.3 Minutes of Board meeting held on 23 February 2024**

The Board approved the minutes of the Board meeting held on 23 February 2024 subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme subject to the same minor amendments.

#### **1.4 Matters Arising**

There were no matters arising.

#### **1.5 Chair's Report (edited)**

Mr Matthews provided an update on the latest planned Board/Chair recruitment process, confirming that he had discussed this directly with Scottish Government. He also confirmed that Mr Finlay Young would commence on 1 April 2024.

#### **1.6 Chief Executive's Report (edited)**

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

- On 21 March he met the Cabinet Secretary of Justice and Home Affairs, Angela Constance (discussed below in 3.8.1).
- On 28 February he and Mr Reddick attended a quarterly meeting with the Commission's sponsor team at SG.
- On 6 March he attended a NDPB leaders' forum.
- On 7 March he and Mr Reddick attended a meeting with internal audit; internal audit has now prepared the "SCCRC Annual Audit Plan", which will be discussed at the next audit meeting.
- On 11 March he gave a presentation about the work of the Commission to a group of law professors from Japan.
- On 13 March he met Caroline Corfield from the CCRC.
- The SG staff two-year pay remit has now been approved and will be implemented from 1 April.
- The early planning for the Commission's 25<sup>th</sup> anniversary event. Members discussed this and made proposals about the form the event should take.

#### **1.9 Court Decisions**

There were no court decisions.

#### **1.10 Correspondence:**

There was no correspondence.

### **Section 2: Management Issues (edited)**

#### **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**

No training and development had been undertaken since the last meeting of the Board.

#### **2.3 Awareness Raising – Outreach Activities Update (G Govan) (edited)**

2.3.1 Mrs Govan provided the Board with an overview of her interim report on the ongoing outreach activities. The interim report was noted by the Board.

- 2.3.2 Mrs Mawdsley suggested that Mr Walker may wish to raise the decision of the Advisory Panel for the SPS prisoner survey with the sponsor department. Ms Mawdsley further suggested a talk to the SSC.
- 2.3.3 Ms McNab was noted to already have in hand a number of points made by Ms Mawdsley and others about working closely with the Law Society of Scotland Journal. Mrs Noad suggested engagement with prison based social workers and Heads of Offender Outcomes. Mrs Govan had the latter in hand and will explore online sessions for the former.

### **Section 3: Case Matters (edited)**

#### **3.1 Monthly Case Summary:**

Mr Walker confirmed that a total of 14 new applications had been received in March 2024 with some still to be allocated.

#### **3.2 – 3.6 There were no cases in any of these categories.**

#### **3.7 Persistent & Repeated Applications (edited) (Conflict: Mrs Mertes and Mr Walker)**

(Mrs Mertes and Mr Walker left the meeting for this discussion having previously declared a conflict of interest and therefore took no part in its consideration.)

The Board considered 1 appeal which was not upheld. The draft response was agreed.

#### **3.8 Discussion Cases (edited): (Conflict: Mrs Mawdsley)**

(Mrs Mawdsley left the meeting for this discussion having previously declared a conflict of interest and therefore took no part in its consideration.)

The Board received an update from staff in respect of one class of discussion cases.

### **Section 4: Proposed Referral Cases**

There were no cases in this category

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

#### **5.1 – 5.2 The Board considered 2 statements of reasons. After full discussion it agreed not to refer either case to the High Court.**

### **Section 6: Proposed Supplementary Cases (edited)**

#### **6.1 The 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)

<b>7.1 – 7.14</b>	A total of 14 new applications were considered and the following decisions were made:	
	2 cases	Accepted for a review of conviction and sentence
	2 cases	Accepted for a review of conviction only
	4 cases	Rejected: in each case there were no plausible or stateable grounds of review
	1 case	Rejected: the applicant had not appealed against conviction
	1 case	Rejected: the applicant had not appealed against conviction and there were no plausible or stateable grounds of review
	1 case	Rejected: the applicant had abandoned their appeal without good reason and the grounds of review were a repeat of the grounds of appeal
	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	Continued: for 1 month in order to obtain further information
	1 case	Refused for Want of Insistence

Mrs Mawdsley had left the meeting for the discussion in three cases 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

- Audit Committee – Thursday 18 April 2024 @ 10:30
- Board Meeting – Friday 26 April 2024 @ 10:00

C McShane  
27 March 2023