

## SCOTTISH CRIMINAL CASES REVIEW COMMISSION

### MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 23 FEBRUARY 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) – video conference  
Mr Raymond McMenamin – video conference  
Mrs Elaine Noad – video conference  
Mrs Gillian Mawdsley – video conference  
Ms Laura Reilly – video conference  
Doctor Alex Quinn – video conference  
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

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

##### **1.1 Apologies**

Ms Fordyce 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.

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 26 January 2024**

The Board approved the minutes of the Board meeting held on 26 January 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**

Mr Matthews reported that he had been in touch with Ms Donald at Justice Directorate to discuss the timing of the latest Board recruitment process. Mr Reddick confirmed that this was also on the agenda for the next quarterly sponsorship meeting on 28 February 2024.

#### **1.6 Chief Executive's Report**

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

- He reported that he had met with the Crown Agent on 30 January 2024 where a new information sharing agreement was discussed and it was agreed that the two organisations will now take this forward.
- He provided an update on the current staffing resource position within the Commission.
- He reported that a new quarterly Data Protection and Records Management group had been established to take forward work in this area.

#### **1.7 Court Decisions**

Mr Walker provided the Board with an overview of the court decision in respect of the Commission's referral in the case of Mr Bryan Moorehead which had been issued on 7 December 2023.

#### **1.8 Correspondence (edited):**

Mr Walker provided an update on correspondence received from SPS in respect of one of the Commission's cases.

### **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:

- Miss McNab attended an on-line Sustainability Event run by the Law Society of Scotland on 31 January 2024.

## **2.3 Standards Commission Guidance – Draft Code of Conduct Updates (C Reddick)**

Mr Reddick provided the Board with an overview of the latest Standards Commission Guidance issued in respect of the model Code of Conduct which the Commission had previously adopted. He set out the main updates and confirmed that a number of useful examples had been included within the guidance. After full discussion it was agreed that Mr Reddick would review and update the existing Code of Conduct, based on the latest guidance, and present to Members at the Policy meeting in May 2024.

## **2.4 Board Members – Declarations of Interest Update (C Reddick)**

Mr Reddick confirmed that he had circulated full declarations of interest forms to all Members for completion and return. He noted that these had been included within Boardbooks and suggested that this would be the easiest and most efficient way of submission.

## **2.5 Board Evaluation (C Reddick)**

Mr Reddick noted that the Board had previously asked him to review and update the latest Board Evaluation Questionnaire to ensure that it was relevant to the Commission before being issued to Members for completion. He confirmed that the updated version had now been circulated with Board papers and asked Members to complete and return directly to him. He also confirmed that he would undertake a review and analysis of completed forms and report back to the Policy meeting in May 2024.

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

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

Mr Walker confirmed that a total of 16 new applications had been received in January 2024.

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:**

- SCCRC Referral – Joanne Hughes on behalf of Caren Lorimer (deceased)

3.5 – 3.6 There were no cases in either of these categories.

### **3.7 Persistent & Repeated Applications (edited)**

The Board considered one appeal under the Persistent & Repeated Applications Policy and agreed that this should not be upheld.

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

### 3.8 Discussion Cases (edited):

The Board considered one discussion case and agreed a number of actions.

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

## Section 4: Proposed Referral Cases

There were no cases in this category

## Section 5: Proposed Interim Cases (edited)

- 5.1 The Board considered 1 statement of reasons. After full discussion it agreed not to refer the 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)

- 7.1 – 7.14 A total of 14 new applications were considered and the following decisions were made:
- |         |   |
|---------|---|
| 3 cases | Accepted for a review of conviction and sentence  |
| 4 cases | Accepted for a review of conviction only  |
| 3 cases | Rejected: in each case 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 full review   |
| 2 cases | Rejected: in each case the applicant had not appealed 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 and there were no plausible or stateable grounds of review |

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.

**8.1 Any Other Competent Business**

There was no other competent business.

**8.2 Date of Next Meeting**

- Board Meeting – Friday 22 March 2024 @ 10:00

C Reddick  
12 March 2023