

SCOTTISH CRIMINAL CASES REVIEW COMMISSION
MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 25 OCTOBER 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
Ms Laura Reilly – video conference
Mrs Elaine Noad – video conference
Mrs Suzanne Mertes – video conference
Mr Finlay Young – video conference
Ms Jacqueline Fordyce – video conference
Mrs Gillian Mawdsley – video conference

Also Present:

Mr Michael Walker, Chief Executive – office
Mr Chris Reddick, Director of Corporate Services (minutes) - office
Miss Frances McMenamin KC – office
Ms Anna Donald, Deputy Director, Criminal Justice Division – video conference
(Attendance for non-case related agenda items only)

Section 1: Governance Matters

1.1 Apologies

There were no apologies.

Mr Matthews welcomed Ms Donald to the meeting and confirmed that she would be an observer for the non-case related business of the agenda.

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 declared by Members.

Mr Reddick reported that a gift of minimal value had been received and it was agreed that it would be dealt with in line with normal policy.

1.3 Minutes of Board meeting held on 27 September 2024

The Board approved the minutes of the Board meeting held on 27 September 2024, 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 Chair's Report (Edited)

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

- He provided an update on the 25th Anniversary Seminar, scheduled for 28 November 2024.
- He reported that interviews for the new Chair and a Legal Member had been completed and recommendations on appointments had been submitted to the Cabinet Secretary for consideration. Ms Donald confirmed that the process was ongoing, and they hoped to be in a position to make announcements before Christmas.

1.6 Chief Executive's Report (Edited)

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

- He referred to the academic paper by Dr Isla Callander which had been discussed at the September Board meeting and confirmed that this could form the basis to take forward some new research in the next financial year. He also agreed to put the paper on the agenda for the next quarterly sponsorship meeting.
- He reported that all mid-year staff appraisals had been concluded.
- He provided an update on the Crown Archive item discussed at the last meeting.
- He reported that he had been invited to give evidence to the Canadian Parliament's consideration of MOJ legislation which was currently at the 3rd reading stage and would potentially give rise to the creation of a Canadian CCRC. Mr Matthews noted that this was an interesting part of the Commission international outreach which should be noted.

1.6.2 Mr Walker provided the Board with an update in respect of the impending decision of the Supreme Court in the case of ADK v HMA UKSC 2023/0123 and the potential impact on the Commission in terms of generating additional cases citing the exclusion of "false-allegation" evidence. The potential resource implications of the case were noted.

1.7 Court Decisions

There were no court decisions.

1.8 Correspondence (Edited)

The Board agreed to consider correspondence (a case related matter) under AOB once Ms Donald had left the meeting.

Section 2: Management Issues

2.1 Notification by Members of non-case related work

Mr Matthews confirmed that he had spent additional time on Board recruitment.

2.2 Training & Development (Edited)

The Board noted that staff had attended six training courses since the last meeting.

2.3 Quarterly Business Plan Objectives Report – 30 September 2024

Mr Reddick provided the Board with an update on progress against 2024-25 business plan objectives. He noted that one of the quarter 2 objectives had been pushed back into quarter 3 because of other competing priorities, but despite this good progress had been made. He also provided an update on the scoping project for a new corporate website.

2.4 Quarterly Case Statistics Report – 30 September 2024 (Edited)

2.4.1 Mr Walker provided the Board with an overview of the quarterly case statistics to 30 September 2024.

2.4.2 The Board discussed the volume and quality of cases being received, including the number of no appeal cases.

2.5 Quarterly Finance Report – 30 September 2024 (Edited)

Mr Reddick provided the Board with an overview of the quarterly finance report to 30 September 2024.

2.6 Corporate Risk Register – Quarterly Update – 30 September 2024 (Edited)

Mr Reddick provided the Board with an update on the Corporate Risk Register to 30 September 2024.

Section 3: Case Matters (Edited)

3.1 Monthly Case Summary:

Mr Walker confirmed that a total of 12 new applications had been received in October 2024 so far.

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

3.4 It was noted that one press release had been issued since last meeting of the Board:

3.5-3.7 There were no cases in any of these categories.

3.8 Discussion Cases

3.8.1 Post Office/Horizon Cases (Edited)
(Conflict: G Mawdsley)

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

A discussion took place regarding the current position in respect of the Post Office cases.

Mr Walker referred to the correspondence which had been received in connection with the Post Office cases. After full discussion a response was agreed to the correspondence.

(Ms Donald left the meeting at this point)

3.8.2 Case Discussion (Edited)

A discussion took place regarding a case currently under review. After full discussion it was agreed that the case should return to Committee B in November 2024 for further consideration.

Section 4: Proposed Referral Cases

There were no cases in this category.

Section 5: Proposed Interim Cases

5.1-5.3 The Board considered 3 statements of reasons. After full discussion it agreed not to refer the cases to the High Court.

Section 6: Proposed Supplementary Cases

There were no cases in this category.

Section 7: Stage 1 Pre-acceptance Cases

7.1 – 7.22 A total of 22 new applications were considered and the following decisions were made:

4 cases	Accepted for a review of conviction only
6 cases	Rejected: in each case there were no plausible or stateable grounds of review
1 case	Rejected: in each case the applicant had not appealed against conviction
7 cases	Rejected: the applicant had not appealed and there were no plausible or stateable grounds of review
1 case	Rejected: in each case the applicant had abandoned their appeal without good reason and there were no plausible or stateable grounds of review

1 case	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
2 cases	Continued for 1 month

Dr Quinn, Miss McMenamin K.C. and Ms Reilly all left the meeting in respect of one case each, having previously declared conflicts of interest and therefore took no part in their consideration.

Section 8: Concluding Matters

8.1 Any Other Competent Business (Edited)

Case related correspondence discussion

The Board returned to the correspondence set out at 1.8 of the agenda. After full discussion the Board agreed and appropriate course of action.

8.2 Date of Next Meeting

- Audit Committee Meeting – Thursday 14 November 2024 @ 10:30
- 25th Anniversary Seminar – Thursday 28 November 2024 @ 16:00
- Board Meeting – Friday 29 November 2024 @ 10:00

C Reddick

13 November 2024