

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 28 FEBRUARY 2025

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:

Dr Vanessa Davies (Chair) – office
Ms Laura Reilly - office
Mr Finlay Young – video conference
Ms Jacqueline Fordyce – video conference
Mrs Gillian Mawdsley – office
Dr Alex Quinn – office
Miss Alyson Forbes - 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

Mrs Mertes 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 31 January 2025

The Board approved the minutes of the Board meeting held on 31 January 2025, 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

Dr Davies provided the Board with updates on the following matters:

- She reported that she had attended the quarterly sponsorship meeting with Justice Directorate on 11 February 2025, noting that this was a very constructive meeting and that there was clearly a good relationship with the Commission. Mr Walker confirmed that the resourcing paper and 2025-26 budget had also been discussed and an update was anticipated soon.
- She reported that she had met with Professor Alan Paterson, Professor of Law at Strathclyde University, regarding some work of common interest and quality assurance. She provided the Board with a full update and suggested that the topic of relationships with relevant external stakeholders/organisations could perhaps be considered more fully at a future Policy meeting.

1.6 Chief Executive's Report

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

- He reported that he had attended a Public Service Reform Summit on 17 February 2025, hosted by the Scottish Government in Glasgow.
- He reported that he had met with Pauline Hamilton, the Legal Learning and Development Solicitor for the Client Legal Services Directorate at the Scottish Legal Aid Board Board, where staff training at SLAB and the PDSO had been discussed. He agreed that the Commission would provide them with a presentation on the working of the SCCRC.
- He reported that a Law Commission Report on English Appeals Law, produced by Professor Penney Lewis, had been received. He confirmed that the report also considered the CCRC legal tests and that feedback was being canvassed. He agreed to consider the report further and provide the Board with a more detailed consideration.
- He reported that he would be hosting a visit on 3 March 2025 from Professor Sara Hellqvist Bailey, professor of forensic psychology from Stockholm University, along with a delegation of her students from America.
- He confirmed that Dr Isla Callander, from Aberdeen University, would be presenting her recent research report on the SCCRC to the Board at the Policy meeting on 21 March 2025.

1.7 Court Decisions

There were no court decisions.

1.8 Correspondence:

There was no correspondence for consideration.

Section 2: Management Issues (edited)

2.1 Notification by Members of non-case related work

Dr Davies confirmed that she had attended the quarterly meeting with Justice Directorate on 11 February 2025.

2.2 Training & Development

The following training and development had been undertaken since the last meeting of the Board:

- Members of the admin team had attended Word Link 3 training on 25 February 2025.
- A Board member reported that they would be attending internal audit training on 4 March 2025.

Section 3: Case Matters (edited)

3.1 Monthly Case Summary:

Mr Reddick confirmed that a total of 17 new applications had been received in February 2025.

3.2 There was one case where notification of the final decision had been issued since the last meeting of the Board, following the 28 days for submission of further representations expiring.

3.3 – 3.7 There were no cases in these categories.

3.8 Discussion Cases

Post Office/Horizon/Capture - verbal update (Conflict: G Mawdsley)

(Mrs Mawdsley left the meeting for part of the discussion having previously declared a conflict of interest in respect of Horizon cases and therefore took no part in the consideration of one case.)

Mr Fenn provided the Board with a full overview of the circulated update report, referring to previous Board discussions on the potential scale of Capture related cases, noting that to date, the Commission had received no such cases. He did however confirm that the CCRC had so far received 21 applications so far. He then discussed each individual aspect of the update report and the following decisions were agreed:

- that tracing agents should be instructed in respect of both the six individuals listed on the potential Capture case spreadsheet, as well as previously identified individuals who couldn't previously be traced who may have been affected by Horizon/Capture;
- that a brief update should be produced, along with a copy template trace letter, to be placed on the Commission's website;
- that a brief update letter be drafted and issued to the strategic partners advising them of the Commission's plans in respect of potential Capture cases; and

- await an update from POL in respect of one case.

Section 4: Proposed Referral Cases

There were no cases in this category.

Section 5: Proposed Interim Cases (edited)

5.1 – 5.5 The Board considered 5 statements of reasons. After full discussion it agreed not to refer the cases to the High Court.

Ms Reilly left the meeting in respect of two cases, having previously declared conflicts of interest and therefore took no part in their consideration.

Section 6: Proposed Supplementary Cases (edited)

6.1 – 6.2 The Board considered 2 supplementary statements of reasons. After full discussion it agreed not to refer the cases to the High Court.

Ms Reilly left the meeting in respect of one case, having previously declared conflicts of interest and therefore took no part in its consideration.

Section 7: Stage 1 Pre-acceptance Cases (edited)

7.1 – 7.25 A total of 25 new applications were considered and the following decisions were made:

1 case	Accepted for a review of conviction only.
3 cases	Accepted for a review of conviction and sentence.
5 cases	Rejected: in each case there were no plausible or stateable grounds of review.
1 case	Rejected: the applicant had not appealed it was not in the interests of justice to accept the case for review.
11 cases	Rejected: in each case the applicant had not appealed and there were no plausible or stateable grounds of review.
1 case	Rejected: the applicant had abandoned their appeal without good reason 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

Suspended for 1 month.

Ms Reilly left the meeting in respect of one case, having previously declared conflicts of interest and therefore took no part in its consideration.

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 21 March 2025 @ 10:00
- Audit Committee Meeting – Monday 24 March 2025 @ 13:30
- Board Meeting – Friday 28 March 2025 @ 10:00

C Reddick
5 March 2025