

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 25 JULY 2014
10.00 AM, PORTLAND HOUSE

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:

Mrs Jean Couper CBE, Chairman
Mr Stewart Campbell
Professor Brian Caddy
Professor George Irving CBE
Mr Gerard McClay

Also Present:

Mr Gerard Sinclair, Chief Executive
Mr Chris Reddick, Director of Corporate Services (minutes)
Sir Gerald Gordon Q.C., Consultant Legal Adviser

Section 1: Governance Matters (names deleted)

1.1 Apologies

Mr Ferguson Q.C., Miss McMenamin Q.C and Mr Bann had submitted their apologies.

1.2 Conflicts of Interest/Declarations of Interest/Gifts & Hospitality

1.2.1 Members were asked to declare any known conflicts of interests or gifts and hospitality. Mr Bann and Miss McMenamin Q.C. had declared a conflict in one (different) case.

1.3 Minutes of Board meeting held on 27 June 2014

The Board approved the minutes of the Board meeting held on 27 June 2014. The Board also approved the version of the minutes for the Publication Scheme.

1.4 Matters Arising

There were no matters arising.

1.5 Chairman's Report

Mrs Couper confirmed that she had no matters to report.

1.6 Chief Executive's Report

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

- Mr Sinclair reported that he had attended the Judicial Institute Annual Lecture on 10 July 2014.

1.6.2 Mr Sinclair provided an update on resourcing plans to deal with one application. He confirmed that a full business case would be drafted and discussed with Justice Directorate at the next quarterly meeting.

1.6.3 Mr Sinclair provided an update on outstanding referrals and advised the Board that it had been reported that Mr Thomas Ross Young had passed away in custody prior to his referral being heard.

1.7 SCCRC Appeal Court Decisions

Mr Sinclair confirmed that a decision had been issued in respect of Steven Connal on 4 July 2014.

1.8 Correspondence

There was no correspondence for noting.

Section 2: Management Issues (name deleted)

2.1 Notification by Members of non-case related work

There was no non-case related work requiring approval.

2.2 Training & Development

No training and development had been undertaken by staff since the date of the last meeting.

2.3 Quarterly Finance Report – 30 June 2014

Mr Reddick provided the Board with a summary of the quarterly finance report as at 30 June 2014, confirming that the Commission was 3% over its budget forecast for this point in the year. He confirmed that the main reason for this was the significant forensic investigation costs associated with one case. He noted that the majority of these costs had been met within the existing allocated budget although it was unlikely that this position could be maintained for the rest of the year. He confirmed that this would be raised with Justice Directorate at the next quarterly meeting as they had previously agreed to support any additional costs associated with investigations. The Board noted the financial position as at 30 June 2014.

2.4 Quarterly Case Statistics Report – 30 June 2014

Mr Sinclair provided the Board with an update on the quarterly case statistics as at 30 June 2014, confirming that a total of 45 new cases had been received to date which was

in line with the continued trend in high case volumes. The quarterly report was noted by the Board.

2.5 Boardbooks Update

Mr Reddick provided a full update on the rollout of Boardbooks and confirmed that he would issue iPads to Members after the meeting and provide initial training. He also reported that formal Boardbooks training would be undertaken by the account manager at Diligent once all Members had been issued with an iPad and had undertaken some initial in-house training.

Section 3: Case Matters (names deleted)

3.1 Monthly Case Summary

Mr Sinclair provided the Board with an update on monthly case statistics for July 2014.

3.2 Notification of cases where final decisions have been issued since the last meeting of the Board, following the 28 days for submission of further representations expiring:

There were three cases in this category.

3.3 Notification of decision cases agreed at previous meetings of the Board but not yet issued:

There were no cases in this category.

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

There were no press releases issued since the last meeting of the Board.

3.5 Requests for extensions of time to submit further representations:

There were no cases in this category.

3.6 Want of Insistence Cases:

There were no cases in this category.

3.7 Discussion Cases:

There were no cases in this category.

Section 4: Stage 1 Pre Acceptance Cases (edited)

4.1-4.20 A total of 20 new applications were considered and the following decisions were made:

1 case	Accepted for a review of conviction and sentence
2 cases	Accepted for a review of conviction

2 cases	Continued for 1 month in order to obtain further information
1 case	Continued for 1 month for a decision
2 cases	Rejected: the applicant had not appealed against his conviction or sentence
1 case	Rejected: the applicant had not appealed against his sentence
1 case	Rejected: the applicant had not appealed against conviction and the grounds of review in respect of sentence were a repeat of his appeal grounds
1 case	Rejected: the applicant had not appealed against conviction, there were no plausible grounds of review (guilty plea) in respect of conviction and there were no stateable grounds of review in respect of sentence
3 cases	Rejected: the grounds of review were a repeat of the grounds of appeal
1 case	Rejected: the grounds of review were a repeat of the appeal grounds and there were no stateable grounds of review
1 case	Rejected: there were no stateable grounds of review
3 cases	Rejected: the applicant had abandoned his appeal without good reason
1 case	Rejected: it was not in the interests of justice to undertake a review of the conviction

Mr McClay left the meeting for one case having previously declared a conflict of interest and therefore took no part in its consideration.

Section 5: Proposed Referral Cases

There were no cases in this category.

Section 6: Proposed Interim Cases (edited)

6.1 The Board considered 1 statement of reasons. After full discussion it agreed not to refer the case to the High Court.

Section 7: Proposed Supplementary Cases (edited)

7.1 The Board considered 1 supplementary statement of reasons. It agreed that a final refusal letter should be issued in that case.

Section 8: Concluding Matters

8.1 Any Other Competent Business

There was no other competent business.

8.2 Date of Next Meeting

- Board Meeting – 29 August 2014 @ 10:00

Chris Reddick
12 August 2014