

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 31 JULY 2015
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
Miss Frances McMenamin Q.C.
Professor George Irving CBE
Mr Gerrard Bann
Professor Jim Fraser
Doctor Rajan Darjee
Mr Colin Dunipace

Also Present:

Mr Michael Walker, Head of Casework
Mr Chris Reddick, Director of Corporate Services (minutes)
Sir Gerald Gordon Q.C., Consultant Legal Adviser

Section 1: Governance Matters

1.1 Apologies

Mr Ferguson Q.C. and Mr Sinclair had submitted their 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 declarations.

1.3 Minutes of Board meeting held on 26 June 2015

The Board approved the minutes of the Board meeting held on 26 June 2015 subject to minor amendment. The Board also approved the version of the minutes for the Publication Scheme, subject to the same minor amendment.

1.4 Matters Arising

There were no matters arising.

1.5 Chairman's Report

Mrs Couper confirmed that she had no matters to report upon.

1.6 Chief Executive's Report (names deleted)

In Mr Sinclair's absence Mr Walker provided the Board with updates on the following matters:

- Mr Walker confirmed that the Petition Hearing in respect of one of the Commission's applications was held on 3 July 2015 and confirmed that the Board's agreed action had been taken forward following the Policy meeting on 24 July 2015.
- Mr Walker confirmed that the new Board Members had received induction training on 14 and 21 July 2015.
- Mr Walker provided an update on Sheriff Court action from a previous applicant, confirming that the first inventory of productions had been lodged and an options hearing was likely likely at the end of August 2015.

1.7 SCCRC Appeal Court Decisions

There were no Appeal Court decisions issued since the date of the last meeting.

1.8 Correspondence

There was no correspondence for consideration.

Section 2: Management Issues

2.1 Notification by Members of non-case related work

There were no notifications of non-case related work undertaken by Members.

2.2 Training & Development

The following training and development had been undertaken by staff since the date of the last meeting:

- Mrs Govan had attended Health & Safety training on 9, 10, 16 and 17 July 2015.
- As previously reported, new Members had attended induction training on 14 and 21 July 2015.

2.3 Quarterly Case Statistics Report – 30 June 2015

Mr Reddick provided the Board with an overview of the quarterly case statistics report to 30 June 2015 and in particular noting what was included within the report for the benefit of the new Members. The Board noted the content of the report.

2.4 Quarterly Finance Report – 30 June 2015 (names edited)

Mr Reddick provided the Board with an overview of the quarterly finance report to 30 June 2015 confirming that the Commission was operating close to budget at the end of quarter 1. He also provided a full breakdown of additional funding and spending against this funding in respect of a specific application to the Commission. The Board noted the content of the report.

Section 3: Case Matters (names deleted)

3.1 Monthly Case Summary

Mr Reddick provided the Board with a summary of the monthly case statistics to 31 July 2015.

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:

Mr Walker confirmed that a final decision had been issued in one case since the last meeting of the Board, following the 28 days for submission of further representations expiring.

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 cases in this category.

3.5 Requests for extensions of time to submit further representations:

Four extension of time requests were approved, three for a period of 4 weeks and one for a period of 8 weeks.

3.6 Want of Insistence Cases:

There were no cases in this category.

3.7 Discussion Cases:

The Board discussed one active case regarding a point of law.

Section 4: Proposed Referral Cases

There were no cases in this category.

Section 5: Proposed Interim Cases (edited)

5.1–5.9 The Board considered 9 statements of reason. After full discussion it agreed not to refer those cases to the High Court.

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

Miss McMenamin Q.C. left the meeting for the discussion in a different case having previously declared a conflict of interest and therefore took no part in its consideration.

Section 6: Proposed Supplementary Cases (edited)

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

Section 7: Stage 1 Pre Acceptance Cases (edited)

7.1–7.12 A total of 12 new applications were considered and the following decisions were made:

1 case	Accepted for a review of conviction
1 case	Suspended
1 case	Rejected on conviction on the basis that the applicant had not appealed; rejected on sentence on the basis that there were no stateable grounds of review
3 cases	Rejected: the grounds of review were a repeat of the grounds of appeal
3 cases	Rejected on the basis that it was not in the interests of justice to undertake a full review in the case.
2 cases	Continued for 1 month in order to obtain additional information or for further consideration.
1 case	Continued for 2 weeks in order to obtain additional information

Section 8: Concluding Matters

8.1 Any Other Competent Business

Mr Reddick confirmed that the Commission's position papers had now been published on the website as previously agreed.

8.2 Date of Next Meeting

- Board Meeting – Friday 28 August 2015 @ 10:00

Chris Reddick
17 August 2015