

## SCOTTISH CRIMINAL CASES REVIEW COMMISSION

MINUTES OF THE MEETING OF THE BOARD ON FRIDAY 26 FEBRUARY 2016  
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  
Professor George Irving CBE  
Professor Jim Fraser  
Mr Colin Dunipace  
Doctor Rajan Darjee

#### **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

#### **1.1 Apologies**

Mr Ferguson Q.C., Ms McMenamin Q.C. and Mr Bann 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. Mr Bann had previously declared a conflict in one case.

In addition, Mrs Couper and Mr Sinclair confirmed that they had been guests at the Law Society dinner on 29 January 2016.

#### **1.3 Minutes of Board meeting held on 29 January 2016**

The Board approved the minutes of the Board meeting held on 29 January 2016 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 (edited)**

Mrs Couper reported that she had received correspondence from an interested party regarding the recent review of the case undertaken by the Commission. After discussion, Mrs Couper confirmed that she had responded in full to the correspondence.

## **1.10 Chief Executive's Report**

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

- Mr Sinclair reported that the management team from the CCRC had visited the Commission on 2 February 2016.
- Mr Sinclair reported that he would be attending an NDPB Governance Development Event on 15 March 2016 with representatives from the Board.
- Mr Sinclair confirmed that the Lord Advocate would be meeting with the Board on 24 March 2016.
- Mr Sinclair confirmed that there were 2 outstanding referrals.

## **1.11 SCCRC Appeal Court Decisions**

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

## **1.12 Correspondence**

There was no correspondence for noting.

## **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:

- Miss Monaghan had attended an Advocacy course at Glasgow University on 29 January, 7 February and 14 February 2016.

### **2.3 Communications Strategy**

Mr Reddick presented the updated Communications Strategy which had been initially considered at the Policy meeting on 16 December 2015. He confirmed that he had taken on board all previous comments and produced a more strategic document which would be supported by specific management plans and objectives. After full discussion the Board approved the Communications Strategy subject to minor amendment.

### **2.4 Corporate Plan 2016-17**

Mr Reddick provided the Board with an update on the draft Corporate Plan which had initially been considered at the Policy meeting on 16 December 2016. He confirmed that

all proposed changes had been incorporated within the current draft and that once the 2016-17 budget information was complete, this would be incorporated into the final document. The Board discussed the draft plan in detail and made a number of suggested updates which Mr Reddick agreed to incorporate within the final version.

### Section 3: Case Matters

#### 3.1 Monthly Case Summary

Mr Sinclair provided the Board with a summary of the monthly case statistics to the end of February 2016, confirming that a total of 10 new applications had been received this month to date.

#### 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 no 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 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:

There were no cases in this category. Mrs Couper did however raise the issue of timescales to conclude cases following the submission of further representations, particularly in respect of exceptional cases. After discussion, it was agreed that the management team should consider this issue further and bring it back to the Board in due course.

#### 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: 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 those five cases to the High Court.

## Section 6: Proposed Supplementary Cases (edited)

6.1–6.3 The Board considered 3 supplementary statements of reason. After full discussion it agreed finally not to refer those cases to the High Court.

## Section 7: Stage 1 Pre Acceptance Cases

7.1–7.14 A total of 14 new applications were considered and the following decisions were made:

1 case	Accepted for a review of conviction
1 case	Accepted for a review of sentence
1 case	Rejected: the applicant had not appealed against conviction
1 case	Rejected: the applicant had not appealed and there were no stateable grounds of review
1 case	Rejected on conviction on the basis that the applicant had not appealed against conviction; rejected on sentence on the basis that the grounds of review were a repeat of the grounds of appeal
1 case	Rejected: the grounds of review were a repeat of the grounds of appeal
2 cases	Rejected: the grounds of review were a repeat of the grounds of appeal and there were no stateable grounds of review
3 cases	Rejected: there were no stateable grounds of review
1 case	Rejected: it was not in the interests of justice to accept the case for full review and there were no stateable grounds of review
1 case	The Board agreed that a draft stage 1 statement of reasons should be considered at the meeting of the Board on 24 March 2016
1 case	Continued the case for 1 month in order to obtain further information

## Section 8: Concluding Matters

### 8.1 Any Other Competent Business

There was no other competent business.

### 8.2 Date of Next Meeting

- Board Meeting – Thursday 24 March 2016 @ 10:00

**Chris Reddick**  
16 March 2016