

SHERIFFDOM OF TAYSIDE CENTRAL & FIFE AT DUNDEE

NOTE OF TAXATION

Auditor of Court, Dundee

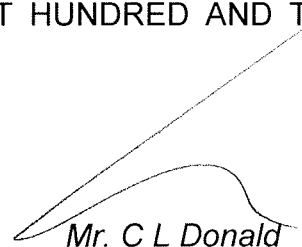
PROCURATOR FISCAL, DUNDEE

v CM

[REDACTED]

Dundee 20 July 2015

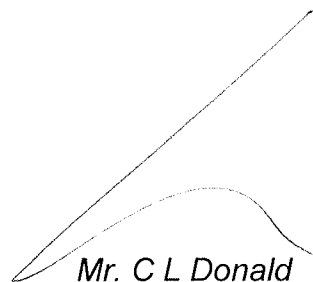
I certify that I have taxed the Account of Expenses submitted to the Scottish Legal Aid Board by Rhodes & Co, Solicitors, Dundee in respect of the Accused [REDACTED] in the sum of EIGHT HUNDRED AND THIRTY THREE POUNDS ONE PENCE (£833.01).


Mr. C L Donald
Auditor of Court

NOTE

1. This is the Report of Taxation from the taxation diet held on 10 July 2015 in respect of an Account of Expenses submitted to the Scottish Legal Aid Board by Rhodes & Co, Solicitors, Dundee in respect of the Accused [REDACTED] Ms. Rhodes, Solicitor, appeared for Rhodes & Co and [REDACTED] appeared for the Scottish Legal Aid Board.
2. While the taxation took some length of time and [REDACTED] clearly set out his various objections and Ms. Rhodes gave full responses thereto, there was, ultimately, agreement on the amount to be taxed.

3. While I will not detail the discussions that took place here that lead to the agreement, I will note that the principal objection was to the perusal of dossiers for parole hearings that had previously been reviewed. I agree, in principal, that a reasonable fee should be allowed for undertaking this work. However, this work should be classed as preparation work rather than perusal work. Also, as with any account prepared in terms of the Table of Fees in Schedule 3 of the Advice and Assistance (Scotland) Regulations 1996, only fees for the actual time taken to perform a piece of work should be contained therein.

A handwritten signature in black ink, appearing to read 'Mr. C L Donald', written over a light blue horizontal line.

Mr. C L Donald

Auditor of Court

20 July 2015

309/KC/124166/ABWOR

ACCOUNT OF EXPENSES
INCURRED BY
THE SCOTTISH LEGAL AID BOARD

TO

MESSRS. RHODES & CO.,
SOLICITORS, FORFAR

ON BEHALF OF

[REDACTED] (AP)

ABWOR REF. NO. 3926933813
NSC 375434

2013 350.00

31/05/13 90.00

May	21	Attendance at telephone to the Scottish Legal Aid Board obtaining increase in authorised expenditure to £350		--
Jun	4	Attendance on you at H.M. Prison Glenochil discussing and advising in connection with your forthcoming Tribunal and taking possession of the dossier which we will now read and prepare representations – From 10.15 – 11.57 a.m., 1 hour 42 minutes (qualified)		73.85 ✓
		Attendance travelling to H.M. Prison Glenochil and return – From 8.30 – 10.15 a.m. and 3.50 – 5.50 p.m. (delay on M9, road works) – Total time engaged 3 hours 45 minutes (qualified) – apportioned with 1 other file		39.60 ✓
		Paid travelling expenses – 134 miles (apportioned with 1 other file)	26.80 ✓	
			32.10	
	10	Writing the Parole Board for Scotland advising fully of our actings in this matter and that we will be representing our client's interests at the forthcoming Lifers Tribunal; advising that we will go over the dossier and prepare written representations in early course		6.00 ✓

£ 26.80 £ 119.45
32.10

2013

32.16
~~26.80~~

119.45

Jun 10

Writing Scottish Ministers enclosing copy letter we have sent to the Parole Board for Scotland

2.40 ✓

Writing you with reference to our recent lengthy meeting advising that we are in the process of reading through all of the papers and preparing your written representations; advising that we will submit a copy to you shortly

6.00 ✓

1100-00
12

Writing the Scottish Ministers enclosing copy papers referred to in our letter of 10 June

2.40 ✓

INC
12/06/13 — 35000

Attendance at telephone to [redacted] at the Parole Unit discussing matters with him in general terms

2.40 ✓

Attendance completing application for increase in authorised expenditure (£1,100 granted)

2.40 ✓

17

Attendance at telephone to [redacted] at the Parole Division noting that they had omitted to send part of the dossier that is relevant and should be read; noting that she is going to send it out tonight and it should be with us tomorrow or Wednesday at the latest

2.40 ✓

Perusing and considering dossier served, which consists of only the most relevant up-to-date papers; carefully considering against the background of client's instructions received - 85 sheets - From 8.30 - 10.40 a.m., 2 hours 10 minutes (qualified)

94.95

18

Attendance continuing to read through dossier served; carefully considering against the background of client's instructions (130 sheets perused) - From 8.00 - 11.00 a.m., 3 hours (qualified)

126.60

Excessive - Previously represented client

Attendance continuing to read through the dossier served and taking detailed notes on same - 75 sheets - From 5.00 - 7.00 p.m., 2 hours (qualified)

84.40

-126-60
-84-40

22

Perusing and considering additional dossier received from the Parole Division of the Scottish Ministers; considering further work carefully against the background of instructions received - 168 sheets - From 9.10 a.m. - 1.25 p.m., 4 hours 15 minutes (qualified)

179.35

-179-35

£ 26.80

£ 622.75

32.16

359.00

32.16
26.80

359.00
622.75

2013

Jun 24

Writing you enclosing copy written representations prepared, advising that we will simply submit them to the Parole Board for Scotland with a copy going to the Scottish Ministers if we do not hear from you by 26 June; advising that we will represent your interests at the Tribunal itself

6.00 ✓

26

Writing Parole Board for Scotland advising fully of our actings in this matter and that we will be representing our client's interests at the forthcoming Tribunal scheduled for 28 June at 10.00 a.m.; advising that our client is not asking for his release at this time and there are no preliminary issues; advising that we have sent a copy of the written representations to the Scottish Ministers as well as a copy to our client himself; putting forward detailed representations for consideration and commenting very fully thereon - 24 sheets (charged at framing rate of 250 words per sheet)

X 72.00

Writing Scottish Ministers enclosing copy written submissions submitted to the Parole Board for Scotland

* WHY ARE WRITTEN REPS BEING CHGD? - IF ORAL HEARING UNDERTAKEN THEN THESE ARE NOT NECESSARILY PLEASE FORWARD COPY IF NOT IN AGREEMENT

27

Attendance at telephone to the Parole Board noting that they have now faxed us the up-to-date LLO and social work reports

2.40 ✓

Perusing and considering additional paperwork received in relation to current dossier including LLO report and social work report together with ICM report 25 sheets - From 5.00 - 5.40 p.m., 40 minutes (qualified)

31.65 ✓

28

Attendance travelling to H.M. Prison Glenochil and return - From 7.40 - 9.40 a.m. and 11.25 a.m. - 1.20 p.m., 3 hours 55 minutes (qualified)

84.48

Paid travelling expenses - 134 miles

64.82
53.60 ✓

Attendance waiting and meeting with accused prior to Tribunal - From 9.40 - 10.05 a.m., 25 minutes (qualified)

21.10

Appearing at Tribunal - From 10.05 - 11.00 a.m., 55 minutes

54.80

Meeting with you after the Tribunal discussing the outcome and further procedure - From 11.00 - 11.20 a.m., 20 minutes (qualified)

10.55

£ 80.40

£ 908.13

96.48

641.98

-72.00

-5.28

Account Drafted by Quinns Law Accountants, Edinburgh
* 740-120 = 5 HR 20m | 1 HR = 54.80
45m = 31.65
3 HR 35m = 74.20

96.48
80.40 641.98
908.13

2013

Jun 28 Thereafter being escorted to gate – From 11.20 – 11.25 a.m., 5 minutes (qualified)

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Jul 2 Writing you advising as to the outcome of the Tribunal on 28 June, advising that you will now have a decision letter within 14 days and should there be anything arising out of that that we have not already covered with you, then you should contact us at that time

6.00

-6.00

17 Confirmatory letter
Perusing and considering Decision received from the Parole Board for Scotland and taking notes on same 2 pages – From 8.50 – 9.00 a.m., 10 minutes (qualified)

10.55

18 Writing you advising that we have now had sight of the decision letter sent to you on 10 July; advising that it would appear that everything is in order and in particular, that the Tribunal were impressed by your realistic and mature approach to matters which should hopefully stand you in good stead for the next Tribunal when you will be in a far better position to consider applying for your release and commenting thereon 2 pages

12.00

-9.60

meeting after hearing & client will get this. Allow format
ADD OUTLAYS to close file

£ 80.40 £ 938.88
96.48 670.53
80.40
96.48
£1,017.08

AUTHORISED EXPENDITURE £1,100
CONTRIBUTION PAYABLE NIL

Audit fee

£767.01

£66.00

£833.01

453.45

96.48

-483.23

C L DONALD

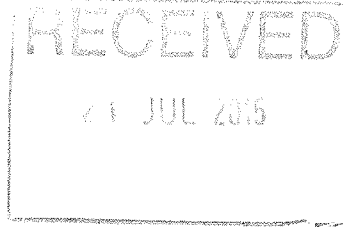
AUDITOR OF COURT

LP – 80
DUNDEE

EMAIL: cldonald@btinternet.com
TEL: 07516 680879

[REDACTED]
Scottish Legal Aid Board
LP – 2
Edinburgh 7

Your reference JC/JC R1015
Our reference CLD
Date 20 July 2015



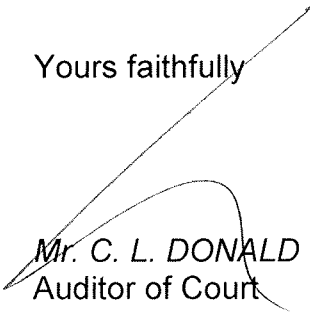
Dear Sir

[REDACTED]

I refer to the above and to the taxation at Dundee Sheriff Court on 10 July. I enclose herewith a copy of the account of expenses as taxed and my report.

Regarding the publication of Auditor of Court's reports, I suggest you contact the secretary of the Society of Sheriff Court Auditors, Mr Roland McMillan. His email address is rolandmcmillan@btinternet.com

Yours faithfully


Mr. C. L. DONALD
Auditor of Court