

R E P O R T

by

THE AUDITOR OF THE HIGH COURT OF JUSTICIARY

in

H.M. ADVOCATE v. [REDACTED] and OTHERS  
AR & Others

Mr. Donaldson, Advocate, who is the Junior Counsel in this trial was advised that the Law Society proposed a fee of £3,300 to his leader and this had been accepted by him. The Law Society offered two-thirds of this figure to Mr. Donaldson i.e. £2,200 which he rejected. The fee asked for by Mr. Donaldson was £3,010. Accordingly the matter came to taxation before the Auditor.

The Law Society contended as they state in their Note of Objections that the junior should be paid two-thirds of his leader's fee which is the usual practice.

Mr. Donaldson contended, and he appeared personally, that (1) the fact that his leader had accepted a low negotiated fee did not bind him at a taxation and that he was entitled to be paid a "rate for the job"; (2) in considering that rate he contended that his client Ramsay was No. 1 on the indictment and accordingly the Counsel had to cross-examine first; (3) [REDACTED] was involved in 23 of the charges and as such was a major conspirator and actor; (4) the Auditor repeats Mr. Donaldson's next contention from a note he has written:- "The Law Society then advised the meeting that Mr. Matthews had settled with the Society for £2,840. I expressed my surprise at this in view of the fact that I had recently spoken to Mr. Matthews on the subject and he had not given any impression of ever /



	<u>NUMBER</u>	<u>DATE</u>	<u>SUBJECT</u>
174.	373497	25.6.81	J. Beltrami (Messrs. Beltrami Dunn & Co., ) <u>Counsel: Mr. W.J. Taylor</u>
175	375572	25.6.81	W.J. Dunn (Messrs. Beltrami Dunn & Co., ) <u>Counsel: Mr. W.J. Taylor</u>
176.	369117	6.5.81	W.J. Dunn Esq., (Messrs. Beltrami Dunn & Co., ) <u>Counsel: Mr. I.W. Donaldson</u>
177	373289	9.10.81	(Messrs. Ross, Harper & Murphy). <u>Counsel: Mr. D. Macaulay Q.C.</u> W.G. Jackson.
178		3.12.81	(Messrs. Macnair, Clyde & Ralston), <u>Counsel: D. Macaulay Esq., Q.C.</u>

F.S. REF.  
DATE OF ISSUE 24/08/81  
SOLUTIONS REF.  
SOL. LEGAL AID CODE

Public Services Ref. or all correspondence

EX. CERT. NO.

VATE CODE

VAT REG. NO.

Details	Item Amount
...	£ 130.00
...	100.00
...	420.00
...	19.75
TOTAL	460.00
TOTAL VAT AT 15%	69.75
	529.75

of payments - not the date of issue.  
in any payment or challenge.

£373.75

Taxed off  
373.75  
£4,950.75



Edinburgh 3<sup>rd</sup> December 1981. The foregoing amount is taxed at the sum of Four thousand nine hundred and fifty pounds 75 (£4,950.75)

*H. Rogers Smith*  
AUDITOR OF THE COURT OF SESSION

Auditor's Fee: £45  
VAT 6.75  
£51.75

HIGH COURT OF JUSTICIARY  
(at GLASGOW)

THE LEGAL AID (Scotland) (Criminal Proceedings)  
SCHEME 1964

Accused : [REDACTED]

Charge : Murder

Result : 6 years

EDINBURGH, 9th October 1981. The Auditor taxes the fees due to Counsel as undernoted for their whole trouble at the sum of Seven hundred and twenty pounds (£720) to which Value Added Tax will fall to be added.



*W. Angus Smith*

AUDITOR OF HIGH COURT OF JUSTICIARY

Note referred to:-	D. Macaulay, Q.C.	£530.00
	W.G. Jackson, Advocate	<u>190.00</u>
		<u>£720.00</u>

Agents:- Ross, Harper & Murphy

Auditor's Fee	£22.50
VAT at 15%	<u>3.75</u>
	<u>£26.25</u>

*D. MacAulay Q.C.  
O'Connor Wilkinson*

FACULTY SERVICES LIMITED  
**AGENT'S COPY OF NOTE OF PROPOSED FEE**

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 6071  
 Telex:  
 727 850 FAC ADV G

THIS COPY WILL BE RECEIPTED AT PAYMENT

PB.

Messrs. Ross Harper & Murphy.,  
 163, Ingram Street,  
 GLASGOW.

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

VAT Registration No. 264 7472 36

SOLICITORS REFERENCE

CASE H.M.A. v. [REDACTED]

DATE OF ISSUE 16.12.80

PARTY Defender

ADVOCATE W.G. JACKSON, ESQ

L.A. CERTIFICATE No. 373289

Date	Details	£	£
24.11.80	Consultation Longriggend	40.00	
1.2.80	Trial at Glasgow High Court	160.00	
			200.00

STATEMENT OF £ 10.00  
 AMOUNT PAY £ 190.00  
 CRIMINAL TAXATION DEPT.  
 LEGAL AID CENTRAL COMMITTEE

*Tax to be added by the Assessor 7th Com 19 Session @ £ 190.00.*

If Fee is settled against this note of Proposed Fee VAT will fall to be added and then a Receipted VAT Invoice will be issued.

FACULTY SERVICES LIMITED  
**AGENT'S COPY OF NOTE OF PROPOSED FEE**

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 6071  
 Telex:  
 727 850 FAC ADV G

B.R.

THIS COPY WILL BE RECEIPTED AT PAYMENT

Messrs. Ross Harper & Murphy  
 232 St. Vincent Street,  
 GLASGOW.

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

VAT Registration No. 270 6859 34

SOLICITORS REFERENCE

CASE H.M.A. v [REDACTED]

DATE OF ISSUE 14.1.81.

PARTY Accused

ADVOCATE D. MACAULAY ESQ. J.C.

L.A. CERTIFICATE No. 373289

Date	Details	£	£
24.11.80.	Consultation at Longriggend	80.00	
1.2.80.	Trial @ £250 per hour	500.00	
			580.00

HIGH COURT OF JUSTICIARY  
(at Glasgow)

368 117  
176.

THE LEGAL AID (Scotland) (Criminal Proceedings)

SCHEME 1964

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Accused : [REDACTED]  
Charge : Conspiracy  
Result : Guilty

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EDINBURGH, 6th May 1981. The Auditor taxes the fees due to Counsel as undernoted for his whole trouble at the sum of Two thousand seven hundred and fifty pounds (£2,750) to which Value Added Tax will fall to be added.



*W. R. [Signature]*

AUDITOR OF HIGH COURT OF JUSTICIARY

Note referred to:-

I.W. Donaldson, Advocate                      £2,750.00

Agents:- Beltrami Dunn & Co., Glasgow

Auditor's Fee	£82.50
VAT at 15%	<u>12.37</u>
	<u>£94.87</u>

*Solicitor [Signature]*

*PER AN WATSON  
-10-*

12 PA 7

HIGH COURT OF JUSTICIARY  
(at Glasgow)

THE LEGAL AID (Scotland) (Criminal Proceedings)

SCHEME 1964

Accused : [REDACTED]  
Charge : Conspiracy  
Result : Guilty

EDINBURGH, 6th May 1981. The Auditor taxes the fees due to Counsel as undermoted for his whole trouble at the sum of Two thousand seven hundred and fifty pounds (£2,750) to which Value Added Tax will fall to be added.



*W. James Smith*

AUDITOR OF HIGH COURT OF JUSTICIARY

Note referred to:-

I.W. Donaldson, Advocate

£2,750.00

Agents:- Beltrami Dunn & Co., Glasgow

Auditor's Fee	£82.50
VAT at 15%	<u>12.37</u>
	<u>£94.87</u>

FACULTY SERVICES LIMITED  
**AGENT'S COPY OF NOTE OF PROPOSED FEE**

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 6071  
 Telex:  
 727 856 FAC ADV G

B.R

THIS COPY WILL BE RECEIPTED AT PAYMENT

Messrs. Beltrami Dunn & Co.  
 93 West George Street,  
 GLASGOW.

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

VAT Registration No. 300 8354 95 SOLICITORS REFERENCE

CASE H.M.A. v [REDACTED] DATE OF ISSUE 17.10.80.  
 PARTY Accused  
 ADVOCATE I.W. DONALDSON ESQ. L.A. CERTIFICATE No.

Date	Details	£	£
	B/Fwd...	1900.00	
6.10.80.	Trial day	140.00	
7.10.80.	Trial day - part only - other work undertaken	100.00	
8.10.80.	Trial day	140.00	
9.10.80.	Trial day	140.00	
10.10.80.	Trial day - part only - other work undertaken	100.00	
13.10.80.	Trial day	140.00	
14.10.80.	Trial day - late sitting 9.30 p.m.	210.00	
15.10.80.	Trial day	140.00	3,010.00
NOTE: 1. Complicated Terrorist trial 2. Ramsay on 23 charges 3. Junior Counsel to W. Taylor 4. Section 13 (2) & (6) certificate granted. 5. 475 productions and 492 labels - 290 witnesses.			

If Fee is settled against this note of Proposed Fee VAT will fall to be added and then a Receipted VAT invoice will be issued.

FACULTY SERVICES LIMITED

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 6071  
 Telex:  
 727 856 FAC ADV G

B.R.

**AGENT'S COPY OF NOTE OF PROPOSED FEE**

THIS COPY WILL BE RECEIPTED AT PAYMENT

*NEW*  
 Messrs. Beltrami Dunn & Co.  
 93 West George Street,  
 GLASGOW.

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

VAT Registration No. 300 8354 95 SOLICITORS REFERENCE WD

CASE H.M.A. v [REDACTED] DATE OF ISSUE 17.10.80.  
 PARTY Accused  
 ADVOCATE I.W. DONALDSON ESQ. L.A. CERTIFICATE No.

Date	Details	£	£
17.10.80			



HIGH COURT OF JUSTICIARY  
(at INVERNESS)

THE LEGAL AID (Scotland) (Criminal Proceedings)  
SCHEME 1964

Accused : [REDACTED] - tried 3.3.81

EDINBURGH, 25th June 1981. The Auditor taxes the fees due to Counsel as undernoted for his whole trouble at the sum of Four hundred and sixty pounds (£460) to which Value Added Tax will fall to be added.



*W. R. Smith*  
AUDITOR OF HIGH COURT OF JUSTICIARY

Note referred to -

W.J. Taylor, Advocate

£460.00

Agents:- Beltrami Dunn & Co.

Auditor's Fee	£15.00
VAT at 15%	<u>2.25</u>
	<u>£17.25</u>

FACULTY SERVICES LIMITED  
**AGENT'S COPY OF NOTE OF PROPOSED FEE**

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 9071  
 Telex:  
 727 868 FAC ADV G

PB.

THIS COPY WILL BE RECEIPTED AT PAYMENT

Messrs. Beltrami Dunn & Co.,  
 93 West George Street  
 GLASGOW  
 G2 1PF

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

VAT Registration No 270 8975 22

SOLICITORS REFERENCE

CASE H.M.A. v. [REDACTED]

DATE OF ISSUE

PARTY

24.3.81

ADVOCATE W..J.TAYLOR.ESQ

L.A. CERTIFICATE No.

Date	Details	£	£
26.2.81	Consultation (Inverness) Inspection of Productions	200.00	
2.3.81	Travel to Inverness.	200.00	
3.3.81	Trial	200.00	
			600.00

TAKEN BY THE ADDITOR OF THE COURT OF SESSION

② / 460-00

If Fee is settled against this note of Proposed Fee VAT will fall to be added and then a Receipted VAT Invoice will be issued.

HIGH COURT OF JUSTICIARY  
(at INVERNESS)

THE LEGAL AID (Scotland) (Criminal Proceedings)  
SCHEME 1964

Accused : [REDACTED] - tried 2/12/80

EDINBURGH, 25th June 1981. The Auditor taxes the fees due to Counsel as undernoted for his whole trouble at the sum of Three hundred and fifteen pounds (£315) to which Value Added Tax will fall to be added.



*W. R. [Signature]*  
AUDITOR OF HIGH COURT OF JUSTICIARY

Note referred to:-

W.J. Taylor, Advocate £315.00

Agents:- Beltrami, Dunn & Co.

Auditor's Fee £10.50  
VAT at 15% 1.57  
£12.07

FACULTY SERVICES LIMITED  
 AGENT'S COPY OF NOTE OF PROPOSED FEE

PARLIAMENT HOUSE  
 EDINBURGH  
 EH1 1RF  
 031-228 6071  
 Telex:  
 727 066 FAC ADV G

THIS COPY WILL BE RECEIPTED AT PAYMENT

Messrs. Beltrami Dunn & Co.  
 93 West George Street  
 Glasgow

Invoice No.  
 Date & Tax Point  
 Fee £  
 VAT @ %  
 Total £

270 8975 22  
 VAT Registration No.

~~XXXXXXXXXX~~

SOLICITORS REFERENCE

373487

CASE H.M.A. v [REDACTED]  
 PARTY

DATE OF ISSUE 20.1.81

ADVOCATE W.J. Taylor

L.A. CERTIFICATE No.

Date	Details	£	£
27.1.80	Consultation (Inverness)	110.00	
1.12.80	Travel to Inverness	170.00	
2.12.80	Travel	145.00	
		425.00	

Taxed by the Auditor of the Court of  
 Session @ £315:00

If Fee is settled against this note of Proposed Fee VAT will fall to be added and then a Receipted VAT Invoice will be issued.