

THE SCOTTISH LEGAL AID BOARD

SS & Others

ACCOUNTS COMMITTEE
REPORT ON THREE TAXATIONS

Please find attached copies of three accounts taxed by the Auditor of Court in Perth on the 28th June 1988.

In the case of [REDACTED] the solicitors had submitted an account under ABWOR. In this case the solicitor appeared for the accused on the 22nd July and tendered a plea of guilty, at that diet sentence was deferred for a period of six months, in order for the accused to be of good behaviour. The only item in dispute was the preparation fee for the deferred sentence which had been claimed at 1 hour, this had been assessed by the Department at half an hour. Although the sum in dispute may only be half an hour it was more a question of principle as the solicitor was of the view that he was entitled to charge 1 hours preparation for a deferred diet. As can be seen from the copy account the Auditor agreed with the Department that half an hour was appropriate.

In the other two cases claims had been made under the Duty Solicitor Follow-up Scheme and these were the cases of [REDACTED]. In these claims the Department took the view that the time claimed on a particular day should be aggregated, whereas the solicitor took the view that he was entitled to the minimum claim for each particular meeting. As can be seen in the case of [REDACTED] the solicitor was engaged for a total time of 15 minutes, however this was extended to show a claim on the Fund for 1 hour. The Auditor again agreed with the approach taken by the Department.

[REDACTED]

5th July 1988

KBACC

ACCOUNT OF EXPENSES

Incurred by

THE SCOTTISH LEGAL AID BOARD

to

MESSRS A C MILLER and MACKAY, SOLICITORS, PERTH

Our File - [redacted] - HB 120188 FU
Our Reference - [redacted]

LA Ref No:- SOC/DW/CM/239287

Date of first appearance as duty solicitor -
13/1/88 - Sheriff Court, Perth

22/1/88

Attdce with you on your call noting you have seen a doctor and he is recommending putting you in Murray Royal Hospital. This did not seem too bad an idea. You think the doctor is going to turn up at Court on 4 February 1988 but you are not sure about this. You think you have also seen a Social Worker but again are not clear about this. We undertook to see you at Court on 4 February and we noted that you would have no objections in principal to being sent to Murray Royal Hospital. Engaged 20 minutes.

Tax off 5.12 15 - 30

4/2/88

Attdce with you at the Sheriff Court, Perth discussing the various reports we uplifted namely Social Enquiry Report (3 pages), psychiatric report (2 pages) and supplementary psychiatric report with accompanying letter (2 pages). Engaged 35 minutes.

Tax off 15.30 22 - 95

Attdce Sheriff Court later in the day submitting plea in mitigation to the Court when you were eventually admonished. Engaged at the Sheriff Court 5 minutes between 11.40 - 11.45 am.

19 - 80

£ 58 - 05

Tax off 20 - 142
37 - 63

Perth 28th June 1988.
The foregoing account is hereby
checked at the sum of THIRTY SEVEN POUNDS
SIXTYTHREE PENCE (£37.63)

ALTAIR OF COURT
PERTH
[Signature]

Gibney
Why tax off £5.12?
And has allowed only
actual total time for
court work on 4-2-88

KBACC1

ACCOUNT OF EXPENSES

Incurred by

THE SCOTTISH LEGAL AID BOARD

to

MESSRS A C MILLER and MACKAY, SOLICITORS, PERTH

Vincent/Fowler
5 + 5 + 5 mins
And allows only
1/2 hr in ct.

Our Clients - [redacted]
Our File - [redacted] Theft 250188 Duty FU

LA Ref No:- SOC/MR/239841

Date of first appearance as duty solicitor -
27/1/88

19/2/88

Attdce with the accused [redacted] going over with him very fully the Social Enquiry Report (3 pages) and the Community Service Report (1 page) which we uplifted earlier that day. Discussing with Martin John Vincent and obtaining his comments thereon. Engaged 5 minutes.

7-65

Attdce with the accused [redacted] discussing her up to date circumstances and noting the position. Engaged 5 minutes.

7-65

Attdce Sheriff Court, Perth making plea in mitigation when [redacted] was sentenced to 30 days imprisonment and [redacted] was fined £80. The advocacy was a total of 5 minutes.

19-80

f
35-10
Tax 76
15 30
19.80

Recd 28th June 1988.
The foregoing account is hereby
taxed at the sum of NINE TEEN POUNDS
EIGHTY PENCE (£19.80)

