

DECISION OF AUDITOR – COUNSELS' FEES – CRIMINAL

DATE OF DECISION	03.05.91
NAME OF CASE	HMA –V- [REDACTED] JD
CASE TYPE	Murder & Rape – Glasgow High Court
AUDITOR	J Haldane Tait, Court of Session
COUNSEL/SOLICITOR ADVOCATE	SC
AMOUNT(S) AWARDED	£500 per day – conduct of trial
FEATURES	<p>Trial took place in September 1990 and lasted 11 days.</p> <p>Indictment contained one charge of rape and murder of 10 year old girl.</p> <p>131 Crown witnesses.</p> <p>46 documentary productions.</p> <p>101 labelled productions.</p> <p>SC claimed £500 per day. Board offered £400 per day. The prescribed Glasgow fee was then £322.50.</p> <p>Assisting JC.</p> <p>SC involved in considerable research – 1st murder trial in Scotland where DNA genetic profiling test was used by the prosecution therefore extensive forensic enquiries had had to be made.</p> <p>Important questions of admissibility of evidence arose during trial.</p> <p>SC did not charge any separate preparation fee.</p> <p>Accused convicted of murder, acquitted of rape and received life sentence.</p>

FEATURES

Auditor allowed enhanced fee due to gravity of the two charges, duration of the trial, complexity of the forensic evidence and the additional time and research required.