

DECISION OF AUDITOR – COUNSELS' FEES – CRIMINAL

<b>DATE OF DECISION</b>	19.11.92
<b>NAME OF CASE</b>	HMA –V- [REDACTED] PF
<b>CASE TYPE</b>	Murder, Attempted Murder (x2) plus 7 other charges – Glasgow High Court
<b>AUDITOR</b>	J Haldane Tait, Court of Session
<b>COUNSEL/SOLICITOR ADVOCATE</b>	SC & JC
<b>AMOUNT(S) AWARDED</b>	£750 per day (SC) – conduct of trial £400 per day (JC) – conduct of trial
<b>FEATURES</b>	<p>Not known when trial commenced. Trial lasted 54 days.</p> <p>Accused faced 10 charges: murder, attempted murder (x2), attempt to pervert the course of justice, assault to severe injury causing permanent disfigurement, contravention of the Fire Arms Act (x2) and Misuse of Drugs Act.</p> <p>Approx. 400 Crown witnesses – 213 were called.</p> <p>Equally substantial number of productions.</p> <p>No separate preparation fee was charged by SC who submitted that despite this he undertook 3 weeks pre-trial preparation and preparation every evening and over the weekend throughout the trial.</p> <p>SC claimed £800 per day. Board had offered £600 per day. The prescribed fee for SC in Glasgow was £369. JC claimed £400 per day. Prescribed fee for JC with SC was £203.50.</p> <p>Accused acquitted of all charges.</p> <p>Auditor stated the length of trial substantially increased the labour and responsibility involved.</p>

## FEATURES

After service of Indictment Crown served on, no less than three separate occasions, Notices of Intention, with leave of the Court to (1) call additional witnesses (2) lodge further productions. These additions were also substantial increasing the preparation necessary substantially and with limited time to carry this out.

JC undertook prior to trial a complete computer analysis of the individual precognitions of witnesses allocating their evidence to the different charges and likewise with the productions. Computer analysis had to be updated in light of the Notices served by the Crown. JC also prepared computer analysis of each day's evidence indexing it to his own notes for use by SC and the solicitors.