

DECISION OF AUDITOR – COUNSELS' FEES – CRIMINAL

<b>DATE OF DECISION</b>	08.07.93
<b>NAME OF CASE</b>	GT HMA -V- [REDACTED] & [REDACTED] CM
<b>CASE TYPE</b>	Not Known – Sheriff & Jury, Hamilton Sheriff Court
<b>AUDITOR</b>	P Feeney, Hamilton Sheriff Court
<b>COUNSEL/SOLICITOR ADVOCATE</b>	JC
<b>AMOUNT(S) AWARDED</b>	£202.18 per day – pre-trial preparation
<b>FEATURES</b>	<p>Trial was still ongoing when taxation held on 06.07.93 – had been running for 38 days.</p> <p>The Board did not dispute the actual 49 ½ hours preparation claimed by JC but did dispute the amount sought by JC (i.e. £2,800 = approx. £56 p.h).</p> <p>20,000 pages of documentary productions.</p> <p>Crown case was still in a state of preparation and was “being put together” as the case proceeded – this required more frequent consultations with the accused.</p> <p>Auditor persuaded that the starting point when considering the fee for preparation here should be the “junior counsel Edinburgh” rate.</p> <p>Auditor stated that there were exceptional circumstances surrounding this complex case. Auditor arrived at preparation rate by taking the sum of £242.50 less £80.75 = £161.75 and adding an element for exceptional preparation.</p>