

DECISION OF AUDITOR – COUNSELS' FEES – CRIMINAL

DATE OF DECISION

11.12.95 M S

NAME OF CASE

HMA –V- [REDACTED]

CASE TYPE

Murder, Edinburgh High Court

AUDITOR

J Haldane Tait, Court of Session

COUNSEL/SOLICITOR ADVOCATE

SC

AMOUNT(S) AWARDED

£575 per day – conduct of trial
£425 separate payment – preparation (8 ½ hrs)

FEATURES

Trial commenced on 21.03.94 and lasted 7 days. Trial concluded on 29.03.94.

Accused also charged with theft of keys which gave access to the house where the murder was committed, malicious damage of items belonging to the deceased and another and a long and detailed charge of attempting to pervert the course of justice.

Board accepted case was difficult and complex.

There was considerable history to the case much of which was relevant to the proof of the murder.

The question of insanity or diminished responsibility arose due to the number of lengthy letters the Crown produced by the accused. Expert psychiatric opinion was required.

Late production of a toxicological report complicated the preparation of the defence.

Auditor accepted that there were considerable complexities justifying more than the usual amount of preparation and allowed a separate preparation fee.

The consultations were dealt with according to the circumstances.