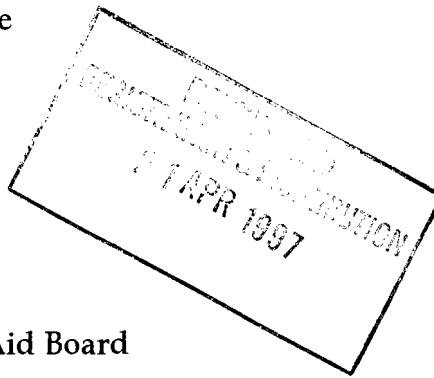




SCOTTISH COURT SERVICE
Sheriffdom of Grampian, Highland and Islands
Sheriff Clerk's Office
Sheriff Court House
The Castle
Inverness
IV2 3EG



Your reference

Our reference AN/SG/L5

Date 17 April 1997

[REDACTED]
Assistant Manager
The Scottish Legal Aid Board
DX ED 250
Edinburgh

Dear Sir
W v W

[REDACTED] -v- [REDACTED] [REDACTED]

I have enclosed herewith a copy of my report following upon the diet of taxation heard on 20th March 1997 together with a copy of the account of expenses as taxed.

The audit fee of £180 should be made payable to the Sheriff Clerk and remitted in due course.

Yours faithfully

A. Newman
Mrs A Newman
Sheriff Clerk Depute

**SHERIFFDOM OF GRAMPIAN, HIGHLAND AND ISLANDS
AT INVERNESS**

REPORT

by

AUDITOR OF COURT

on

ACCOUNT OF EXPENSES

incurred by

SCOTTISH LEGAL AID BOARD

in causa

[REDACTED]
[REDACTED]

against

[REDACTED]
[REDACTED]
[REDACTED]

This account relates to expenses incurred by Gillian Stewart, Solicitor for the preparation of a Report under Section 11 of the Matrimonial Proceedings (Children) Act 1958. Mrs Stewart was appointed by the Court by interlocutor dated 29th August 1996. The Report was duly prepared and an account of expenses made up and tendered to the Scottish Legal Aid Board for payment as an outlay against the Solicitors account. The Board have disputed the account and requested that it be submitted for taxation under Regulation 12 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989. A diet of taxation was fixed for 20th March 1997 within Inverness Sheriff Court.

At the diet Miss Smith appeared for the Pursuers Solicitors, Mr David Sutherland appeared for the Reporter and [REDACTED] represented the Scottish Legal Aid Board. At the outset it was agreed that the main issues of dispute were in connection with the

preparation of precognitions and the subsequent copying of same. Two other minor points were dealt with, the first point was on page 3 of the account in respect of an entry dated 16th July 1996 relating to a telephone attendance with directory enquiries and British Rail where it was agreed that the amount shown should be reduced to £7.50. ✓

The second point related to the entry on page 9 under the 17th October 1996 relating to the framing of the judicial account of expenses. The position adopted by the Scottish Legal Aid Board with regard to this point was that they are entitled to free accounting and reference was made to the Fees Supplement 1996 at page 19, chapter 2, paragraph 1(c) and that all that should be allowed in this regard should be a copying fee for lodging an additional copy of the account of expenses already prepared for the use of the Legal Aid Board with the Auditor of Court. Mr Sutherland for the Reporting Officer did not accept this point and argued that the detail in the account of expenses was only required for taxation purposes and therefore the framing of the judicial account should be allowable in the final account. Having had an opportunity to consider the authority quoted by the Scottish Legal Aid Board I accept their submission and have deleted the sum of £76.00 in respect of that entry on page 9 of the account. ✓

There then followed a discussion on the subject of necessary copies of any precognitions which may be allowed by the Auditor of Court and it was subsequently agreed that Messrs. Sutherland & Co. had already conceded the point of copyings in a letter to the Scottish Legal Aid Board dated 29th January 1997. On this basis, Mr Sutherland on behalf of the Reporting Officer conceded that the copying charges throughout the account of expenses in this case should be deleted where they related to precognitions. ✓

We then turned in the course of the taxation to the main issue in dispute i.e. the framing of detailed precognitions. Mr Sutherland for the Reporting Officer put forward the following points in support of the position taken by the Reporting Officer in this case. (1)

That the Reporting Officer should be allowed to charge for precognitions following upon all meetings regardless of who was being interviewed and rejected the position being adopted by the Scottish Legal Aid Board not to allow such precognitions but to expect the Reporting Officer to rely upon hand written notes taken at the time of the meeting and thereafter to allow time for framing of the final report. (2) He submitted that the extension of file notes as precognitions were absolutely essential to the Reporting Officer who had been appointed to investigate and report to the Court upon the care and welfare and the best interest of the child [REDACTED] and submitted that the Reporting Officer should be free to take whatever steps are necessary to prepare such a report. (3) He said that the Reporting Officer must preserve some informality throughout the course of an interview at a time when interviews were being conducted with parties, i.e. parents or the children themselves, where emotions would be running high and it was important for the Reporting Officer to establish a good relationship with these people and must be able to listen to their views freely and take on board their feelings and was not therefore in a position to take extensive notes. (4) He suggested that if the Reporting Officer did take extensive notes at this time it would perhaps alter the entire atmosphere of the interview. When asked what procedure was adopted by the Reporting Officer, he indicated that the normal procedure would be to take brief notes throughout the interview and then to dictate a precognition whilst matters were still fresh in the Reporting Officer's mind and in a position to add thereto any impressions or feelings obtained in the course of the interview. Mr Sutherland conceded that there may be a difference between interviewing a professional party i.e. a Doctor and a relative of a child. (5) He went on to say that interviews could be carried out over the space of many weeks and may deal with varied, complex and major issues and it would be impossible to rely upon hand written notes taken at meetings in possibly an abbreviated form when putting together a report many weeks later. (6) He suggested that it would be unprofessional for a Reporting Officer not to have extended their hand written notes and that therefore precognitions were essential in that the Reporting Officer may wish to put points which would be contained therein to other

parties especially if the Reporting Officer is thereafter cited to Court as a witness. He cited an example of the Reporting Officer being cited as a witness having prepared a Report and where the parties do not accept various statements contained therein. The Reporting Officer on oath if no precognitions had been prepared would only have the very brief notes taken at the meeting which with the passage of time could become ambiguous and could affect the evidence given. (7) Another point made by Mr Sutherland was on the question of confidentiality. He made reference to the situation in criminal proceedings where a Policeman's notebook is no longer produced in evidence but simply statements are produced and put forward in their place. He also likened the situation of the Reporting Officer to that of a Sheriff who issues a Judgement after Proof and often requires the extension of shorthand notes to assist his memory of the evidence particularly if there has been a gap between the time that the evidence commenced and concluded. (8) He went on to state that the Board's position in refusing to allow the typed precognitions equated to the Board dictating to the Reporting Officer on how to act. This he considered to be totally inappropriate as the Reporting Officer is appointed by the Court to carry out a specific function. (9) He made reference to the case of Henderson -v- Henderson, SCLR 1994 at pages 556 and 557, in particular on page 556 at paragraph F from where he quoted the following, "a solicitor is appointed as a Reporter in a case such as this in order to provide factual information to the Court accurately and expeditiously." He also quoted from page 557 at paragraph D which deals with a Reporter being likened to an expert witness and to the allowance of charges as outlays and to the fact that Reporting Officer is employed as a skilled person to make investigations prior to proof. (10) He did not think it appropriate that the Board should be in a position to imposed restrictions upon the conduct of the Reporting Officer who must be free to take whatever steps he/she considers necessary. (11) He went on to state that any such restriction placed upon a Reporting Officer by the Scottish Legal Aid Board's charging policy would put that Officer in an invidious position in having to rely upon hand-written notes which may result in the final Report not being as full as it might otherwise be, or in the Reporter not

receiving the appropriate remuneration and on this point he referred me to the case of L. Petitioners SLT 17th January 1997 at pages 44 and 45. This case dealt with an instance where the Curator was not remunerated by the Legal Aid Board for important work which he had undertaken. (12) He further emphasised that the Scottish Legal Aid Board should not have any power to place any restraints on the conduct of a Reporting Officer and made reference to a Report issued by the Auditor of Court at Jedburgh Sheriff Court in the case of Cowan -v- Gillies and in particular to the second last paragraph of that Report where the Auditor stated that he considered the length of the Report and the attendances of the Reporter at some meetings to be matters entirely for the Reporter except in the most extreme circumstances and refused to interfere with individual entries on that Reporting Officer's account. (13) Mr Sutherland put forward that this case was similar to the case at point in that in the case of Cowan -v- Gillies the Scottish Legal Aid Board had taken issue with the time taken by the Reporting Officer preparing a Report and he felt that that supported the position in this case in that the Auditor of Court refused to disallow expenses or modify the account in respect of attendances in the Cowan -v- Gillies case. (14) Mr Sutherland also went on to comment on the new Act of Sederunt (Child Care and Maintenance Rules) 1997 coming into force on 1st April 1997 and in particular to Rule 2.2 which deals with the Courts ability to make any Order with regard to the expenses of a Reporting Officer or Curator ad Litem and although he conceded that the case being dealt with today was obviously to be determined before the commencement of the new statutory instrument he thought it was worth mentioning due to the fact that it was indicative of the train of thought of the Lord President and the Sheriff Court Rules Council as regards the scale of expenses allowable to Reporting Officer's and Curators. It should however be emphasised that the scale upon which the account in question has been prepared is not in question here. (15) Mr Sutherland went on to emphasise that the Reporting Officer is an Officer of the Court and it should be the Sheriff who should decide what that Officer is entitled to do and be paid for and not a matter for the Scottish Legal Aid Board. (16) He also went on to state that it was not correct that the Scottish Legal Aid

Board had set a precedent in the past never to pay for precognition expenses in a Curator's or Reporting Officer's Report since at least one such case from his firm had been paid in the past.

██████████ on behalf of Scottish Legal Aid Board in response set out that his basic premise for objecting to the allowance of the precognition expenses stemmed from Regulation 4 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989 which states that Solicitors shall be allowed such fees and outlays as are reasonable for conducting the proceedings in a proper manner as between Solicitor and Client third party paying. He took issue with the fact that Mr Sutherland suggested that the Scottish Legal Aid Board had no locus to intervene in cases such as this since in his view the Legal Aid Board were not seeking to intervene in the conduct of the Reporting Officer but only in establishing that the outlays were reasonable in terms of Regulation 4. He went on to state that he accepted that the Reporting Officer has a specific function when appointed by the Court but that that role could be carried out by other suitable persons e.g. Social Workers. He went on to question why Reporting Officer's should be allowed to charge for precognitions since they were not acting for any party and had been appointed specifically for the role of providing the Court with a Report and not to act as a litigator in the proceedings. He then put forward authorities which defined precognitions i.e. MacPhail at paragraph 15.04, W.J. Lewis the Manual of the Laws of Evidence in Scotland, 1925 at chapter 1 and Greens Glossary of Scottish Legal Aid terms 1992 at page 87 which he suggested supported his view that a precognition is a written statement which a witness is expected to give as evidence on oath in the witness box and would be obtained by either the Pursuer or Defender in a case in preparation for Proof. He went on to state that the reference made by Mr Sutherland to the criminal position, i.e. a Policeman's notebook should be ignored and that we should only be looking to civil procedure when considering precognitions. He submitted that a precognition was necessary to ingather and interrogate witnesses to decide on their reliability and credibility and whether or not they would be suitable to lead evidence in a

proof. He submitted that the preparation of a Report for Court did not require such precognitions and that hand-written notes taken at the time of interview should be easily translated into a Report and that the preparation of precognitions from same resulted in unreasonable double charging which would be unacceptable. He then made an analogy to the situation where if it were a private client and not the public purse then he considered that a private client would consider such work also duplication and would be unwilling to pay same. He went on to state that the Scottish Legal Aid Board were in no way trying to dictate to Reporting Officer's as to how they should conduct their role and he made reference to other Solicitors who had been appointed throughout the country as Reporting Officers who simply charged for attendances with witnesses and thereafter for the framing and preparation of the Report with no charges for precognitions. ■

■ for the Legal Aid Board did not think it was appropriate for Mr Sutherland to refer to the judgement issued by the Auditor of Court in Jedburgh as the position there was totally different from the situation in the Walker case in that the issue taken there was mainly on the basis of an appropriate scale for a Reporting Officer to charge and that it was only a minor point that had been taken by him in that case as to the length of the final Report prepared by the Reporting Officer and the length of some attendances with witnesses. He felt that although the Auditor in that case had refused to intervene that should not in any way influence the decision of the Auditor in this case.

Having been asked specifically on the point, if precognitions were to be disallowed would the Scottish Legal Aid Board accept that the attendances with witnesses may have otherwise taken longer to allow the Reporting Officer to take fuller notes. This point was conceded by the Scottish Legal Aid Board, although in the final preparations of the Report the fee allowed for such envisages all work in collating the information.

Reference was then made to a letter which had been sent by the Auditor of Court at Hamilton to the Scottish Legal Aid Board wherein he put forward that the drawing of a Report or the fee allowed for the drawing of a Report would include time for perusing

and considering all material which had to be drawn together to be put into same and that a Reporting Officer will be remunerated therefore in the preparation of the Report.

██████████ submitted that he did not think that it was appropriate to call precognitions what had taken place here in that it appeared that brief notes had been taken which were then taken away and written up. Drawing on his experiences as a Precognition Officer it was his view that the interview should be used to conduct a full interrogation of the witness with detailed notes being taken, not brief notes which required to be interpreted later when drawing a precognition. Having to rely on the brief notes and one's memory of what had been said may result in a less than full precognition being prepared on what might have been said with important information being omitted. This is how he saw what had taken place in the Walker case and felt that that should be distinguished from a true precognition. ██████████ could not see any relevance in Mr Sutherland having referred the Auditor of Court to Henderson since this was the first occasion that a Sheriff had been called upon to write on the role of a Reporting Officer and that this case mainly dealt with the entitlement of the Reporting Officer to fees and did not deal with the allowance of precognition expenses. He further could not see the relevance of the case of L. Petitioners since that dealt with totally different principles in that the Reporting Officer in that case was not paid from the Scottish Legal Aid Board due to the incompetence of Solicitors. In summary he stated that the preparation of precognitions was an unnecessary duplication of work which other Reporting Officers did not require to do. It was therefore an unreasonable use of public funds and the Auditor of Court should disallow such charges.

On a final point and in answer to Mr Sutherland's submission that at least one account containing precognition charges had been paid by the Scottish Legal Aid Board, he stated that due to the number of accounts being dealt with by the Scottish Legal Aid Board it was perhaps not surprising that one had slipped through. The Scottish Legal

Aid Board did not accept that the person dealing with that account had perhaps adopted a more reasonable view.

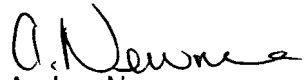
Mr Sutherland in response to the Scottish Legal Aid Board's submission said that it was of no relevance whether the Reporting Officer was paid from private or public funds. It was his contention that irrespective of how the Reporting Officer was to be paid it was invariably necessary for the Reporting Officer to take full statements and precognitions. The taking of precognitions was essential to allow for the filtering of all information into the Report which should cover everything including the emotional situation. He submitted that without the precognitions the Reporting Officer would be unable to obtain the full picture. He stated that the cases he had referred to earlier pointed up the importance attached by Sheriffs to the role played by Reporting Officers. They (Reporting Officers) were appointed to assist the Sheriff in reaching a decision. The Sheriff would otherwise have no alternative but to obtain the information by evidence. Choosing to call for a Report had the advantage of presenting the Sheriff with a full picture. He did not think it appropriate that a Reporting Officer should have to stop and consider whether or not their fees would be met from a private or public source. He felt that the Court would be uneasy if the Reporting Officer had to consider such a question which had no direct bearing on their remit. He further felt that if precognitions were not allowed Sheriffs would not be impressed if Reporting Officer's hand-written notes had ever to be produced for scrutiny.

██████████ for the Scottish Legal Aid Board felt that Reporting Officers should be aware of Regulation 4 and of the need to consider what were appropriate and allowable outlays. He also stated that as matters stood in this current case the expenses of the Reporting Officer would be totally disproportionate to the overall cost of the action. He went on to state that the Reporter in this case, although a Solicitor could quite easily have been another professional person and posed the question of whether or not precognitions by some other professional person would have been necessary.

Mr Sutherland in conclusion stated that he considered that the Sheriff had taken a particular view of the importance of this case and had specifically appointed a Solicitor as a Reporting Officer as opposed to any other professional person.

Having had an opportunity to consider the lengthy submissions made by the Solicitor for the Scottish Legal Aid Board and Mr Sutherland, Solicitor I am not persuaded as a general point that Reporting Officers should be entitled to prepare and charge for precognitions following upon the interviewing of parties in anticipation of preparing a report requested by the Court. I believe that since the role of Reporting Officer could just as easily have been fulfilled by another party and not a Solicitor who would not have been inclined to adopt such a procedure then it would be inappropriate to allow a Solicitor who is appointed as a Reporting Officer to charge for precognition work. I believe it is fair to say that the Reporting Officer knowing that precognitions will not be prepared or extended following upon the interview may require to ensure that the notes taken are extensive and legible and with that in mind although I am deleting from the account all fees claimed in relation to the preparation of the precognitions I am making an allowance at the end of the account for interview time which would perhaps have been greater than it otherwise was. I do not consider the possibility that a Reporting Officer may be called as a witness in the proceedings justifies the preparation of precognitions. I do not consider the reported cases referred to by Mr Sutherland to be of any great assistance in this regard as they concentrate upon other matters. I do not consider the point made by the Scottish Legal Aid Board that allowing the charges for precognitions would result in the Solicitors account becoming totally disproportionate to the overall cost of the action to have any bearing at all on the decisions to be made. Further I believe that in this court as in a great many other Courts in the Sheriffdom Sheriffs appoint Solicitors as Reporting Officers in many instances because the Social Work Department are rarely able to provide reports within a very short space of time. Finally I should say that although I have taken the view that as a general rule the cost of precognitions should not be allowed to Reporting Officers, there may be cases where

the complexity of the report required may justify the extension of the Reporting Officers notes, however I have not been persuaded that this is such a case and have accordingly deleted the precognition costs throughout.



Audrey Newman

Auditor of Court, Inverness

SHERIFFDOM OF GRAMPIAN HIGHLAND & ISLANDS
AT INVERNESS

29th August 1996
Act Campbell

Alt Kennedy

The Sheriff, on Defender's Motion, on no Objections, dispenses with the period of notice in respect of the Defender's Motion, No. 7/3 of Process; having heard parties' procurators on the opposed Pursuer's and Defender's Motions Nos. 7/2 and 7/3 of Process, continues consideration of the said Motions to the Motion Roll of 4th October 1996; and appoints MRS G STUART, Solicitor, Inverness to report to the Court upon the intrests of [REDACTED] by the 27th of September 1996.

ACCOUNT OF EXPENSES

Incurred by

REPORTER, MRS G STUART,
Solicitor

AW in causa

[REDACTED]

[REDACTED] eveland -

PURSUER

CW against

[REDACTED]

[REDACTED]

DEFENDER

Stamp: RECEIVED BY THE CLERK OF THE COURT AT INVERNESS 29 AUG 1996

MESSRS SUTHERLAND & CO.
SOLICITORS INVERNESS

PREPARED BY QUINNS
LAW ACCOUNTANTS
EDINBURGH

1996

Aug.	29	Attendance whilst at Court to advise we would accept the appointment as Reporting Officer in this case and noting the Report was required within five weeks	15.00
	31	Perusing and considering Interlocutors received	15.00
Sept.	2	Attendance at telephone with Munro & Noble to advise that the Initial Writ had not been enclosed	3.20
	3	Writing Mr Anthony Walker advising that we have been appointed by the Court as the Reporting Officer and have received copies of the Motions lodged with the Court in Inverness and setting out the position here in regard to the interim Orders 2 pages	15.20
		Writing [REDACTED] advising that we have been appointed by the Court as Reporting Officer and setting out our requirements	7.60
		Perusing and considering Initial Writ received ¼ hour	15.00
		Writing Anderson Banks & Co. advising that we have been appointed by the Court and understand they may have correspondence with the Cleveland Social Work Department which might be useful and further in this connection	7.60
		Writing Anderson Banks & Co. by fax to set out our requirements	3.20
	5	Writing Anderson Banks & Co. acknowledging and requesting they provide us with the telephone number of the Social Worker so that we can discuss matters with her and requesting they also confirm if Defences were ever lodged in the Action	7.60
	11	Attendance at telephone with [REDACTED] Social Worker to discuss matters	3.20
		Attendance at telephone with [REDACTED] attempting to bring forward the meeting	3.20
		Attendance at telephone with the Defender attempting to re-arrange the meeting for tomorrow afternoon and explaining the reasons for this 2 mins.	3.20
		£	0.00
			99.00

1996

£

99.00

Sept.

11

Attendance at telephone with [redacted] again in connection with our requirements

3.20

Attendance at telephone with [redacted] when he confirmed that [redacted] had all the relevant details in respect of his case and noting their suggestions as regards persons to interview
5 mins.

7.60

Perusing and considering Defences received
6 shs.

15.00

12

Attendance at telephone with [redacted] advising that we have spoken with their Client and we should contact her with regard to previous history and noting she did not have all the previous files and discussing generally
5 mins.

7.20

Perusing and considering Affidavits by Defender received

15.00

13

Attendance travelling to meet with [redacted] and co-habitee with a view to taking details
2¾ hours

165.00

Framing detailed Precognition by [redacted] or Watson
12 shs.

~~91.20~~

Making three copies

~~23.76~~

Paid travelling expenses
(See end of Account)

--

16

Attendance at telephone with Directory Enquiries and then with British Rail arranging train times and arranging meetings with various parties
15 mins.

~~7.50~~

~~15.00~~

Writing [redacted] explaining the situation regarding the appointment of a Court Reporter and enclosing copy of the Interlocutor and setting out our requirements
2 pages

15.20

Making copy of Interlocutor

1.10

Paid British Rail for train ticket to Darlington

45.00

£

45.00

~~458.26~~

335.80

1996

£

45.00

335-80
458.26

Sept.

16

Attendance with Clerk checking on train times etc. and obtaining BR ticket

7.50

Attendance at telephone with Directory Enquiries ascertaining telephone number for [redacted] in connection with accommodation

3.20

Writing [redacted] by fax to confirm reservation and providing details in this connection

3.20

Attendance at telephone with [redacted] explaining the situation here and noting details of her address and explaining the steps which require to be taken here

3.20

Attendance at telephone with [redacted] to confirm his full address

3.20

Attendance at telephone with [redacted] trying to make arrangements with [redacted]

3.20

17

Writing [redacted] advising that we have been appointed by the Court as Court Reporter to look into the access being sought by [redacted] to his son, enclosing copy of the Interlocutor and setting out our intentions here

7.60

Making copy of Interlocutor

0.44

Framing Mandate

7.60

Making copy

1.10

Writing [redacted] in connection with the writer's appointment and enclosing Mandate and setting out our requirements

7.60

Attendance at telephone with [redacted] Social Worker obtaining further details from her

3.20

Writing [redacted] Social Worker advising that we understand she was involved in the Divorce and understand that allegations were made that the child had been sexually abused and advising that [redacted] is now resident in the Inverness area and setting out our requirements here

2 pages

15.20

Making/

£

45.00

524.50
402.04

1996

£

45.00

402.04
~~524.50~~

Sept.

17

Making copy of Interlocutor of Appointment

0.44

Attendance at telephone with Social Worker trying to make contact with her

-. -

Agency faxing letter to the Social Work Department

3.20

Writing [redacted] advising that the writer has been appointed by the Court as Court Reporter in respect of the Claim for Access and explaining the situation here and enclosing copy of the Order
2 pages

15.20

Making copy of Interlocutor

0.44

18

Attendance at telephone with [redacted] arranging to meet her on Tuesday night

3.20

Attendance at telephone with [redacted] taking a Statement from him over the 'phone and noting position regarding the whereabouts of the Medical Records
10 mins.

15.00

Framing Precognition by [redacted]
3 shs.

~~22.80~~

Making three copies

~~5.94~~

19

Attendance at Invermoriston speaking to [redacted] at length and taking full and detailed information
2 hours 20 mins.

150.00

Paid travelling expenses
(See end of Account)

- -

Attendance at telephone with [redacted] when she called to discuss matters

3.20

24

Attendance at telephone with [redacted] when she called in connection with the arrangements

3.20

Attendance at telephone with Social Work Department again to advise of our requirements

3.20

Attendance at telephone with [redacted] asking that she return our call

3.20

Attendance/

£

45.00

753.52
602.32

1996

£

45.00

602.32
~~752.52~~

Sept. 24

Attendance at telephone on two occasions to [redacted] making arrangements to see him tomorrow morning
10 mins.

15.00

Paid expenses to account

50.00

Attendance at telephone with [redacted] taking details for her Statement and thereafter attempting on a number of occasions to contact [redacted] and eventually contacting him and taking his Statement
20 mins.

30.00

Framing Precognition by [redacted]

~~7.60~~

Making three copies

~~1.98~~

Framing Precognition by [redacted]
2 shs.

~~15.20~~

Making three copies

~~3.96~~

Attendance at telephone with [redacted] taking her supplementary Statement
10 mins.

15.00

Framing her supplementary Statement
2 shs.

~~15.20~~

Making three copies

~~3.96~~

Attendance travelling from Inverness to Darlington
14.35 - 21.07 - 6 hours 32 mins.

405.00

Attendance thereafter meeting [redacted] and attending at their house with them and taking detailed Statements

Engaged including time spent travelling to [redacted] house
2¼ hours

135.00

Framing joint Precognition by [redacted]
8 shs.

~~60.80~~

Making three copies

~~15.84~~

25 Attendance/

£

95.00

1,478.06
1,252.32

1996

£

95.00

1202.32
~~1478.06~~

Sept. 25

Attendance travelling from the Hotel to the Pursuer's house
25 mins.

30.00

Paid travelling expenses
(See end of Account)

- -

Attendance meeting with the Pursuer taking her Statement
and discussing matters in detail
9.30 - 1pm - 2½ hours

150.00

Framing Precognition by [REDACTED]
18 shs.

~~136.80~~

Making three copies

~~35.64~~

Attendance thereafter taking Statements from the
neighbours, [REDACTED]
1 hour

60.00

Framing Precognition by [REDACTED]
Thomson
6 shs.

~~45.60~~

Making three copies

~~11.88~~

Attendance thereafter meeting [REDACTED]
1½ hours

90.00

Framing Precognition by [REDACTED]
10 shs.

~~76.00~~

Making three copies

~~19.80~~

Attendance thereafter generally discussing matters with [REDACTED]
[REDACTED], the Pursuer
20 mins.

30.00

Attendance travelling from Yarm to Darlington Train
Station by taxi
25 mins.

30.00

Paid taxi fare
(See end of Account)

- -

Attendance travelling from Darlington to Inverness
16.56 - 23.12
6 hours 16 mins.

390.00

£

95.00

2,583.78
~~1982.32~~

1996

£

95.00

1782.32
2583.78

Sept. 26 Attendance at telephone with Anderson Banks Solicitors trying to make contact with [REDACTED]

3.20

Attendance at telephone with Munro & Noble trying to make contact with [REDACTED]

3.20

Paid overnight accommodation, taxi fares etc. (less payment made to account already)

62.43

Attendance at telephone with [REDACTED] asking her to return our call to go and see her this afternoon

3.20

Attendance at telephone with [REDACTED] taking a Statement from the teacher

15.00

Framing Precognition by [REDACTED]

~~7.60~~

Making three copies

~~1.98~~

30 Attendance at telephone leaving a message for [REDACTED] to contact us

3.20

Attendance meeting [REDACTED] and [REDACTED] taking supplementary Statements
1 hour

60.00

Framing Precognition by [REDACTED]
2 shs.

~~15.20~~

Making three copies

~~3.96~~

Framing further Precognition by [REDACTED]
3 shs.

~~22.80~~

Making three copies

~~5.94~~

Oct. 1 Attendance at telephone with [REDACTED] mother on return call noting her concerns following upon meetings etc.
3 mins.

3.20

Agency framing detailed Report
35 shs.

266.00

Making three copies

69.30

Attendance/

£

157.43

~~3,067.56~~
2408.62

1996

£

157.43

2408.62
3067.56

- Oct. 1 Attendance meeting [redacted] and her co-habitee discussing matters and taking supplementary Statements ½ hour
- 2 Attendance at telephone with Anderson Banks when they called to check the position
- 3 Writing Messrs Munro & Noble enclosing copy Statement, the principal of which has been forwarded to the Court
- Writing the Sheriff Clerk enclosing principal Report with two copies and we have faxed copies of the Reports to both Agents and commenting on the reason for the delay here
- Making two further copies of Report
- Writing Anderson Banks & Co. enclosing copy Report which we have lodged directly with the Court and the principal copy will be sent out in the post and further in this connection
- Making one further copy of Report to send by fax 35 shs.
- Agency faxing Report to Messrs Anderson Banks
- 17 Writing Messrs Munro & Noble in connection with the details we require for the purposes of the Note of Expenses
- Framing Judicial Account of Expenses @ £7.60 per sheet 10 shs.
- Making first copy @ £1.10 per sheet 10 shs.
- Making further copy @ 44p per sheet 10 shs.
- Writing Messrs Munro & Noble with a note of our charges
- Writing the Scottish Legal Aid Board advising that we understand that under the Regulations they do not have authority to make payment directly to the Reporter but we understand the Reporter can send an Account directly to their/

30.00

3.20

1.10

7.60

30.80

1.10

15.40

3.20

7.60

~~76.00~~

11.00

4.40

1.10

£

157.43

~~3260.06~~
2525.12

1996

Oct. 17

their offices for consideration and enclosing copy of the Account together with the Interlocutor and explaining the whole position here
2 pages

Posts and Incidents @ 12% (~~£3275.26~~) (2540.32)

£ 157.43

2525-12
3260.06

15.20

393.03
~~204.84~~

£ 157.43

2845-16
~~3,668.29~~

Add Outlays

157.43

3602.59
3825.72

Add allowance for VAT @ 17.5% (£3668.29)

497.90
641.95

£

~~4467.67~~

Paid travelling expenses (See Page 3)

3500.49

LOGGING A/c

12.00

TAXATION FEE.

180.00

£

120.00

Paid travelling expenses (See Page 5)

+ ALLOWANCE OF EXTRA TIME WHICH MAY HAVE PROVED

£3812.49

NECESSARY

£

Paid travelling expenses (See Page 7)

DURING INTERVIEWS WHEN PRECOGNITIONS NOT ALLOWED

£

Paid taxi fare (See Page 7)

£

Inverness 14 April 1997
I hereby certify that I have taxed the foregoing account in the sum of Three thousand Eight hundred and Twelve Pounds 49 Pence (£3812.49) as per report attached

G. A. Dewar
Taxing Officer