

# **Taxation Report**

**8<sup>th</sup> March 2002**



**Alex Quinn Law Accountants**

**Solemn Time & Line**

**Law Accountants Fee**

**Auditor of the Court of Session**

Parliament House  
Edinburgh EH1 1RQ

Your Ref: JDH/SMCS  
Our Ref: 28324

DX 549304 Edinburgh 36  
LEGAL POST: LP 5 Edinburgh 10  
Telephone: 0131-240 6789  
Fax: 0131-220 0137  
E-mail: [maildesk@auditorcos.co.uk](mailto:maildesk@auditorcos.co.uk)

[REDACTED]  
The Scottish Legal Aid Board,  
LP 2  
EDINBURGH

8th March 2002



Dear Sir,

H.M.A. v. [REDACTED]

I am enclosing, for your information, a copy of the Auditor's Report in this case. In the circumstances of this action, the Auditor will not be rendering a Note of Fee.

The Auditor's Note of Fee dated 19th November in the sum of £1015.20 is still outstanding.

Yours faithfully,

*Annewright*

RP Principal Clerk  
Enc.

The Auditor  
Neil J. Crichton, W.S.

Principal Clerk  
Mrs. Cynthia Cameron

R E P O R T

By

AUDITOR OF THE COURT OF SESSION

In the cause

H.M.A. v. [REDACTED]

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EDINBURGH, 8th March 2002.

This taxation concerned the payment of a cancellation fee to Mr. [REDACTED] of Messrs. Alex. Quinn & Partners, Law Accountants, for preparing for a taxation of Counsels' fees set down for Tuesday, 13th November 2001. The diet was cancelled that day. [REDACTED] seeks a reasonable payment for the work he did in preparation for the diet.

[REDACTED] Solicitor, of the Scottish Legal Aid Board argued that the Auditor has no locus to deal with these fees or indeed the level of them. He relied on the case of *Uisean McKay v. H.M.A. SCCR 679 at page 685, paragraph (b)*. In that case the Court's Opinion was written after there had been a taxation which was not the case here.

While/

While the Auditor has considerable sympathy with [REDACTED] in that there is no doubt Counsel and their Law Accountant were put to considerable time and expense in preparing for the diet, the Auditor has no authority to award the Law Accountant a fee for such preparation.

*May. Liberton.*

AUDITOR OF THE COURT OF SESSION