

CH/0059926900

SHERIFFDOM OF LoTHIAN & BORDERS AT EDINBURGH

REPORT

by

SH

F.M.McCONNELL SSC
Joint Auditor
12 Drumsheugh Gardens
Edinburgh EH3 7QG

on Joint Remit

of

- 1) The Scottish Legal Aid Board
and
- 2) David Jack Advocate

15th NOVEMBER 2001

EDINBURGH

Background

1. David Jack, Advocate, had been instructed to act for a mother in connection with a referral from the Childrens Panel to the Sheriff. It was alleged that a young child had been seriously abused; not only was she considered at risk but her sister was also taken into care standing the nature of the allegations against the mother.
2. During the course and at the conclusion of these proceedings Faculty Services Ltd., on behalf of Mr. Jack, issued a number of fee notes covering taking instructions, consultations, preparation, Court appearances and the like. With the exception of two of these fee notes the Board consider that the fees charged are excessive. Attempts were made to reach agreement but Mr. Jack considers his fees are, on any view, reasonable hence the remit to me for taxation.

Submissions on behalf of A. Jack

3. Mr. Jack was present with his clerk. Prior to the taxation his clerk had provided me with copies of decisions by the Auditor of Court at Hamilton (the [REDACTED]) which was issued last year and by my [REDACTED]

colleague Ian Balfour at Edinburgh (the Moir case) dated 26th October 1999. There were common features and it was submitted these cases could be of assistance to me in determining this Taxation.

4. In addition, and of considerable assistance, Mr. Jack had prepared written submissions in support which I have produced with this report.

5. In the course of these proceedings he had rendered 15 separate notes of fee numbered 1 to 15. It was a matter of concession that the fee notes numbered 7 and 15 were not in dispute.

6. In developing his written submissions Mr. Jack placed great emphasis on the complexities of the medical evidence. The allegation against the mother were to the effect that over a long period she had been systematically poisoning her daughter. Running parallel with the Childrens Hearing proceedings were criminal proceedings for attempted murder. It was necessary to instruct reports from eminent consultants in a number of disciplines. Not only had these reports to be read, they had to be comprehended and understood. That required intensive reading and consideration.

7. This research and consideration was crucial in deciding 1) whether the particular consultants should be led in evidence, 2) whether it might be possible to enter into joint minutes of admissions and 3) to lay the foundations for the cross examination of Crown witnesses. There was also to be considered the criminal proceedings which had been commenced.

8. In so far as proceedings in the referral were deemed civil in character there was an issue with evidence which, though competent and relevant in these proceedings, could be detrimental to the mother, the accused, in the criminal proceedings.

9. This was a unique case; it had to be decided on its own merits. The daily rate selected, i.e. £1,100.00 and subject to the 10% reduction was, on his view, reasonable. Counsel emphasised that

the fees he was claiming had already been subject to the 10% reduction. Mr. Jack then took me through the individual invoices:

- | | |
|----------------------|--|
| Fee Note 1
- £350 | that was the initial consultation. It required a degree of preparation and generally discussing what had to be faced and the way forward. |
| Fee Note 2
- £350 | this related to the first appearance in Court dealing with a number of matters, e.g. extending the authority to keep the children in a place of safety, issues of interim contact, discussions with the Court as to the form and nature of further proceedings. He had only charged £350 which was less than what could have been charged for a half day. Counsel indicated that he did not get out of Court until around 11.05 and thereafter there was a discussion with the client and his instructing Solicitor. |
| Fee Note 3
- £350 | this was a further procedural attendance in Court combined with discussions with the client - all similar to Fee Note 2. Again only £350 was charged. |
| Fee Note 4
- £100 | this was for a four page Note which was highly relevant to the issues particular in relation to the issue of how the rehearsal of evidence before the Sheriff could be prejudicial to the client in the criminal proceedings. |
| Fee Note 5
- £350 | This was an important consultation with the mother beginning to go into the complexities of her daughter's condition. |
| Fee Note 6
- £250 | this related to a Note on line of evidence which ran to 4 pages - there had to be careful consideration of all the issues and the Note, which is highly detailed, speaks for itself. |

Fee Note 7
- £350.00

this invoice was agreed.

Fee Note 8
- £150

this was a further Note on the line of evidence - the children had been interviewed by the police and the interviews had been videoed.

This had to be considered along with 1 or 2 other matters.

Fee Note 9
- £350

this related to a consultation with the mother discussing at length the terms of certain medical reports which had come in.

Fee Note 10
- £350

this was a further Court attendance which went on to the afternoon - it was necessary to seek an adjournment which was granted. Only a restricted fee has been charged. Counsel confirmed that following the appearance he met with the Reporter and Safeguarder to discuss a number of matters.

Fee Note 11
- £2000.00

this fee represents the first two full days in Court

Fee Note 12
- £2000.00

Counsel conceded that fee notes rendered for his days in Court subsumed a degree of preparation and complexity. But he argued that this fee note did not represent any duplication or overlapping. The work done under this heading was additional and the hours spent were well spent in so far as his level of preparation ensured that Court time was saved and avoided having to call specialists who had provided reports but where it was decided, on balance, that their evidence would not assist. Mr. Jack estimated that he had spent some 26 hours in relation to the work specified in this fee note. It had to be done to prepare the ground work for the cross-examination of witnesses.

Fee Note 13 the case had been set down for 5 days but in the event only 4 days
- £5000.00 of evidence were heard between 14th and 17th November on which

date the Court made avizandum. Counsel argued that he was entitled

to the fifth day under the normal rule.

Fee Note 14 this represented the further day in Court
- £1000.00

Fee Note 15 this fee note was agreed.
- £350

10. Finally with regard to the two decisions referred to above he submitted these were favourable to him. The Auditor at Hamilton had recognised the complexity of the proceedings and this had been reflected in fees to Counsel which were higher than he was seeking here. With regard to the Moir case he made 3 points 1) the case was decided in 1999 2) the issues he had to deal with in this case were, for the reasons stated, unusually complex and 3) even the Auditor recognised that the fees being claimed by J.R. Moir was on the "light side". His proposed daily rate was not all that much more than what was allowed in the Moir case and far less than in the [REDACTED]. It could not be said his fees were in any way extravagant.

Submissions on behalf of SLAB

11. [REDACTED] appeared on behalf of the Board and submitted that we are here trying to establish a "market" rate. He agreed that this was a complex and difficult case but suggested I should give careful consideration to the Moir case on which he was strongly founding.

12. Reference was also made to the decision of Sheriff Convery in the Cassidy v Celtic Football Club 1999 SLT 95 case, though he acknowledged this was a case where the litigants, because of their financial standing, could exercise choice in a way which was denied to a party on legal aid. Where a party was on legal aid the fact that Counsel's fees would ultimately be paid by a third party, i.e. the Board, has to be taken into account in determining a market rate.

13. [REDACTED] generally adopted the submissions which he made in the [REDACTED] and which are fully set out by the Auditor at Hamilton. He accepted that the Auditor at Hamilton had allowed fees in excess of what was being sought here. He distinguished the Clarke case on the basis that this was a far more complex and difficult case than this one. The case had taken some 48 days of Court time. The volume of paper work was enormous and on occasion it was accepted that on some days Counsel could spend 15 hours just reading papers. There was no comparison between the two cases. Moir was more in point and I should follow the reasoning of my colleague Mr. Balfour.

14. Taking Moir as the starting point the Board had offered £900.00 as a daily rate against £750.00. That recognised the complexity and responsibility in this case. If one looks at all the fee notes, there are a number which relate to Court attendances. The daily rate charged already incorporated provision for a degree of preparation and complexity. Therefore it was incumbent on me to scrutinise very carefully the fee notes relating to preparation and the like. I had to be satisfied there was no element of duplication between fee notes relating to Court attendances and those for preparation.

15. [REDACTED] then turned to the particular fee notes:-

Fee Note 1.

This consultation lasted 1.25 hours. £350.00 has been charged. £200-£250 would be reasonable.

Fee Notes 2 & 3

These relate to Court attendances - not all day attendances though he did accept there would have been some discussions before and after the appearances.

Fee Note 4.

Having reconsidered the charge he had now no objection to it.

Fee Note 5.

This was a consultation lasting 2.5 hours- he considered the fee charged £350.00 to be on the high side.

Fee Note 6

This was for the note on the line of evidence which again he thought excessive.

Fee Note 7

There is no objection to this fee.

Fee Note 8

This was a second note on line - queried if it was necessary.

Fee Note 9

Consultation lasting 2 hours 20 minutes - £350.00 seems excessive.

Fee Note 10

A fee of £350.00 has been charged for appearing in Court essentially to make a motion to adjourn the case for a short period to allow defence to be put in order - should be abated.

Fee Note 11

This involved 2 full days in Court at £1000.00 per day - daily rate ought to be reduced.

Fee Note 12

£2000.00 is being claimed for further consideration of reports and giving consideration to the progress of the case all as detailed in the Fee Notes. Counsel is being paid a daily rate for 7 days in Court and his daily fee must reflect a level of preparation, complexity and responsibility - the sum claimed could not be justified in full and ought to be abated.

Fee Note 13

Counsel has charged 5 days for 4 days in Court. In the circumstances of this case not justified in charging £1000.00 for 5th day.

Fee Note 14

This is a charge of £1000.00 for a Court day - falls to be considered under the daily rate.

Fee Note 15

No objection to this fee.

Decision

16. I was grateful to both parties for their careful and helpful submissions. Plainly the matter is of considerable importance for both sides. Having heard submissions, I have no doubt whatsoever that this was a case of unusual complexity and difficulty which involved a considerable amount of research and preparation. That was also recognised by the Sheriff who allowed the instructing Solicitors an uplift of 50% on their fees. That being so I consider the daily rate of £1000.00 (which is the net fee having deducted the 10%) is reasonable and I do not propose interfering with it. In coming to this decision I do not think I am at variance with the approach of Mr. Balfour in the Moir case.

That was over 2 years ago; and even then the Auditor thought that the fee claimed, standing the complexity and responsibility, was "on the light side". More appropriate is the approach of the Auditor at Hamilton who in a case of unusual complexity and length fixed a daily rate in excess of what is being sought here. Counsel in this case by selecting a daily rate of £1000.00 manages, I think, to reflect a rate which is not in any sense extravagant and does reflect the complexity, difficulty and responsibility of the case.

17. The party paying is not the client; it is the Legal Aid Board and I agree that the Auditor has to take this into account. The Civil Legal Aid (Scotland) Fees Regulations 1989 provide by:-

Regulation 9 that "Subject to the provisions of Regulation 10 regarding calculation of fees, Counsel may be allowed such fees as are reasonable for conducting the Proceedings in a proper manner, as between Solicitor and Client, This Party paying" and

Regulation 10(2) that "Counsel's fees for any work in relation to Proceedings in the Sheriff Court.....shall be 90% of the amount of fees which would be allowed for that work on a Taxation of expenses between Solicitor and Client, Third Party paying, if the work done were not Legal Aid".

I have already dealt with the daily rate for Court attendances. Objections were also taken to fees charged for consultations, preparations, research and so on. Having heard submissions and taking an overview of the whole case I think equity would be served were I to tax the invoices as follows:-

-10-

	<u>Fee claimed</u>	<u>Abatement</u>	<u>Fee allowed</u>
Fee Note 1	£350.00	£50.00	£300.00
Fee Note 2	£350.00	-----	£350.00
Fee Note 3	£350.00	-----	£350.00
Fee Note 4	£100.00	-----	£100.00
Fee Note 5	£350.00	-----	£350.00
Fee Note 6	£250.00	-----	£250.00
Fee Note 7	£350.00	-----	£350.00
Fee Note 8	£150.00	£50.00	£100.00
Fee Note 9	£350.00	£50.00	£300.00
Fee Note 10	£350.00	£100.00	£250.00
Fee Note 11	£2000.00	-----	£2000.00
Fee Note 12	£2000.00	£250.00	£1750.00
Fee Note 13	£5000.00	£500.00	£4500.00
Fee Note 14	£1000.00	-----	£1000.00
Fee Note 15	£350.00	-----	£350.00
			£12300.00 EX VAT

13,100.00

I therefore tax Counsel's fees in total at TWELVE THOUSAND THREE HUNDRED POUNDS (£12,300.00) to which sum falls to be added VAT at 17.5% TWO THOUSAND ONE HUNDRED AND FIFTY TWO POUNDS AND FIFTY PENCE (£2,152.50) and the Audit fees inclusive of VAT of SEVEN HUNDRED AND TWELVE POUNDS AND FIVE PENCE (£712.05) a total of FIFTEEN THOUSAND ONE HUNDRED AND SIXTY FOUR POUNDS AND FIFTY FIVE PENCE (£15,164.55)

q

F. J. MCCONNELL

JOINT AUDITOR

TAXATION OF COUNSELS FEES

SUBMISSIONS

re.

two applications to the sheriff to find grounds of referral established under s.65 of the Children (Sc) Act 1995

This taxation is in respect of counsels fees charged within the proper conduct of two referrals to Edinburgh Sheriff Court from the childrens hearing system to have grounds of referral established or not. The referrals were in connection with two children, sisters, KH and CH then aged 9 and 11 respectively.

- there are a total of 15 fee notes rendered by FSL on behalf of junior counsel
 - as is understood SLAB offer payment in full of fee note numbers 7 and 15 only
 - varying abatements have been suggested in respect of the remaining fee notes
 - what is sought is, at least, the payment in full of all the outstanding fee notes (any increases thereto being solely a matter for the Auditor).
-

To assist the Auditor, the following may be useful background information;

1. There were two referrals - one in respect of each child - being heard simultaneously. The referrals related to;

a) KH being a child who suffered long term health problems. There was at one stage a diagnosis of ataxia telangiectasia - and later a diagnosis of a variant thereof. There were suggestions of cerebellar dysfunction; hypernatraemic dehydration; dietary problems; neurological problems; mild ataxic cerebral palsy. There was a history of feeding problems. There had been nasogastric feeding; gastrostomy tube feeding and fundoplication. The child had been the subject of many referrals to many different medical disciplines over the years. It

was said there had been 17 emergency admissions over the preceeding 4 or 5 years. Sodium levels in the child were recorded as high. A specific incident on 10 March 2000 indicated very high sodium levels with a resultant life threatening condition. It was alleged that there had been the deliberate external administration of salt by SH, the natural mother - whom counsel acted on behalf of.

b) CH was the elder sister of KH and the basis of the referral in connection with that child was that she a member of the same household as KH.

- at risk - not major issue

2. SH had been charged with the attempted murder of her daughter; she had appeared on petition and had been released on bail subject to certain conditions. That all occurred prior to the hearing of evidence commencing in these applications.

3. Throughout the case there existed the undercurrent theme of the syndrome known as "Munchausen Syndrome by Proxy".

- needed a degree of research - foundation

4. The grounds of referral involved allegations of systematic and prolonged salt poisoning. The complexity of the case was apparant from the many sources of medical and expert evidence. { reference is made to FSL letter of 25/7/2001 to SLAB}

5. There were extensive expert reports that required very careful scrutiny to allow for comprehension and proper preparation and conduct of the case. There were by necessity numerous court diets and consultations. One of the earliest problems was the possible prejudice of forthcoming criminal proceedings by the hearing and cross-examination of evidence at the referral proceedings. Other persons such as care assistants/family members and their actions required scrutiny. Toxicology evidence was required. Dietary evidence was required. Scientific and bio-chemical evidence was at the centre of the case. Procedures within the hospital and laboratories were an issue. Other factors requiring comprehension and investigation were - brain swelling; alpha feto protein levels; kidney function; unlicensed paediatric medication used in hospitals; fractional excretion of sodium; plasma creatine; urine creatine; plasma and urine sodium; and blood/urea concentration. The above list is not exhaustive. The case involved an intricate diagnostic process.

6. The SLAB letter of 22/8/2001 confirms the novelty, complexity and gravity of the cause.

7. The solicitors acting for SH received from the presiding sheriff the maximum available uplift in their fees - 50 %.

8. Criminal proceedings in the High Court are progressing and sanction for the employment of senior counsel has been granted by SLAB.

Reference is made to the Civil Legal Aid (Sc) (Fees) Regulations 1989 - and in particular reg. 9 and 10(2) thereof.

- reasonable fees for conducting the proceedings in a proper manner are sought
- 90% of fees on the basis of Solicitor and client, third party paying, in a non legal aid case are appropriate.

In the note by the Joint Auditor dated 26 October 1999, SLAB appear to accept that where particular expertise was required or unusual complexity was present then a fee above the "going rate" would be justified.

In this particular case a counsel of some experience was required and one with expertise in child law related matters/referrals was needed. In addition there was the overlap of the civil and criminal aspects of this case which necessitated particular knowledge.

Novelty, complexity and gravity of the case appears not to be in dispute.

As far as a "going rate" is concerned it can be submitted that there is no "going rate" and each case requires to be considered upon its own individual features. This was a case of a specialised medical and legal nature. The number of "experts" involved was high.

The case of Cassidy v Celtic Football and Athletic Co. Ltd. 1995 SLT (Sh Ct) 95, assists at page 97 G, in showing what may be an extravagant/unfair fee.

In the current case have regard to;

- the number of witnesses
- the specialist nature of the witnesses
- the nature of the research required
- the substantial productions/health/hospital records requiring consideration
- the expert reports
- the high level of preparation required
- the time period of the alleged systematic poisoning - 4 years
- the duration of the medical problems of KH - circa 7 years

It is submitted that the fees rendered are reasonable and indeed could be said to be "light".

There is the report of the Auditor of Court at Hamilton regarding the accounts of MC and DC, advocates. At page 9 thereof one can see the reports of some cases from 1997 to 2000. In that case a rate of £1500 per day was deemed "fair and reasonable"

Each case does contain its own features and circumstances. The current case involved unique and complex medical matters. Counsel required to have a thorough understanding of such matters. Familiarisation with all relevant information and productions was necessary.

It is submitted that a daily fee of at least £1100 to £1200 (scaled down by 10% to £1000) is appropriate in this case and could be said to be conservative for a matter of such peculiarity, speciality and complexity.

The presiding sheriff - well acquainted with the features of the case - granted the maximum uplift to the instructing agents.

The fees are not extravagant. Indeed they could justifiably have been set at a higher rate without being deemed extravagant.

Fee notes 1 to 15 (apart from numbers 7 and 15 - upon which there is no dispute) can properly be deemed as fair and reasonable.

David Jack
Advocate
6/11/01

{5 hours spent preparing for taxation}

SCOTTISH LEGAL AID BOARD

MEMORANDUM



Date: 31 October 2001

Ref: [Click here type ref]

TAXATION – 7 NOVEMBER 2001



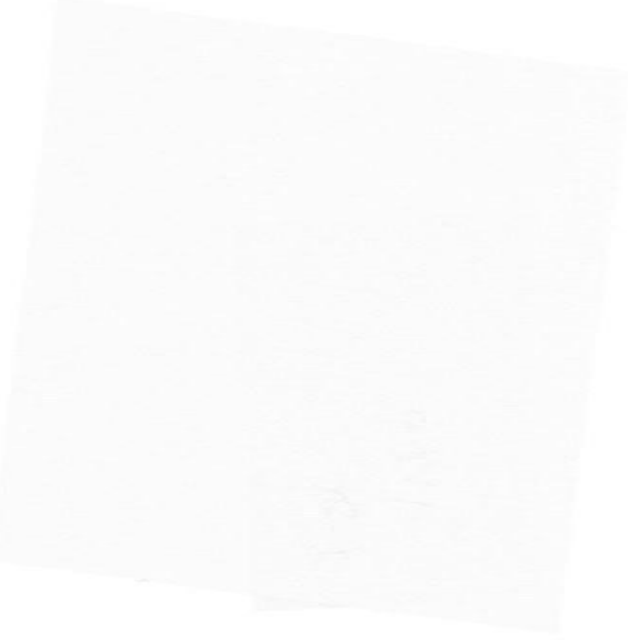
CH/0059926900

Further to our earlier conversation, I enclose the various papers in respect of the above named.

Counsel has claimed a daily rate of £1000 for Edinburgh which was originally offered at £810. There were also various consultations which were offered at a rate comparable to those usually applied in Civil Sheriff Court cases i.e. approximately £100 per hour. Notably, there was also a claim for separate preparation of £2000, for which no allowance was made.

Following receipt of letter dated 25 July 2001, I confirmed to counsel's clerk that I would be prepared to increase the daily rate to £900. This was confirmed as being acceptable to counsel but other abatements proposed were not. My letter of 19 September advised that the daily rate reflects the novel and serious nature of the charges and accordingly I was not in a position to improve upon the offer made. However at that time I invited a counter-proposal from counsel, their response simply being to lodge the account for taxation.

As always, if you feel the offer made could be improved upon then I will obviously go along with that.



.....

301429

FACULTY SERVICES LIMITED
FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
HAYS DX ED302 EDINBURGH 1
Tel: 0131-226 5071
Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.
[REDACTED]
PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 06-07-2000
F.S. REF. H410/HA000162/1 1 of 1
SOLICITORS NAME RICHARD MILLS
SOLICITORS REF. RICHARD G MILL
PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CASE [REDACTED]		CRIMINAL LEGAL AID CERTIFICATE	
CLIENT [REDACTED]		L.A. CERT No.	
CORRESPONDENT		ISSUE DATE CH/ /00399269/00	
ADVOCATE CODE		16-05-2000	
NAME D.M. JACK		VAT REG. No. 593 2971 04	
Item Date	Details	Off	Item Amount
31-05-2000	CONSULTATION RE GROUNDS OF REFERRAL HEARING: COMPLEX AND DETAILED: VERY SERIOUS CASE <u>1h 25min</u>	150	200
	[REDACTED]		
		TOTAL	350.00

TAKEN @ 300

NB Responsibility to recover fees in legally aided cases lies with the instructing solicitor. Failure to include said fee(s) in the account to The Scottish Legal Aid Board will result in payment being due by the instructing solicitor.
The tax date for this supply is the date of payment - not the date of issue.
In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

TOTAL VAT AT 17.5% 61.25
£ 411.25

FACULTY SERVICES LIMITED

SEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE

EDINBURGH

EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE

01-05-2000

P.S. REF.

H4107H4000182/3

SOLICITORS NAME

RICHARD MILLS

SOLICITORS REF.

RICHARD G MILL

PRACTITIONERS LEGAL AID CODE

FIRMS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

CRIMINAL LEGAL AID CERTIFICATE

CORRESPONDENT
ADVOCATE CODE

J01

NAME

D.M. JACK

LA CERT No.

ISSUE DATE CH/ 100599267/00

16-05-2000

VAT REG. No.

393 2971 04

Item Date	Details	Off.r	Rate	Item Amount
07-07-2000	ATTENDANCE AT SHERIFF COURT - DIET OF CASE. : INCLUDING CONSULTATION WITH CLIENT: CONSULTATIONS WITH REPORTER AND OTHER COUNSEL AND COURT APPEARANCE. RE S.66 AND S.67 WARRANT: PLACE OF SAFETY: DIETS OF COURT: CONTACT TO WHETHER: CONDITIONS IN ANY FURTHER WARRANT: PREPARATION REQUIRED OF CASE ETC. <i>Actual cost appearance 1100</i>	150	200	350.00
			TOTAL	350.00
		TOTAL VAT AT	17.30	61.25
			£	411.25

A.P.
B/K:
RECE
REG

His Responsibility to recover costs lies with the instructing solicitor. This fee is the date of payment - not the date of issue. In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

SCOTTISH LEGAL AID BOARD
HAYS BOX No. RM ONLY
[REDACTED]
PER HUGHES WALKER
13 ATHOL PLACE
EDINBURGH
EH3 8HP

20-07-2000

H41C/HA000182/2

RICHARD MILLS

RICHARD G MILL

1 of 1

CRIMINAL LEGAL AID CERTIFICATE

CH/ /00599269/00

16-05-2000

593 2971 04

J01

D.M. JACK

14-07-2000

ATTENDANCE EDINBURGH SHERIFF COURT
WARRANT HEARING S.66/67 - CONTACT,
PROOF DATES, PREPARATION OF EVIDENCE,
EXPERTS REQUIRED ETC

350.00

*** LEGAL AID ***

350.00

17.50

6.25

411.25

Taxed @

350

Handwritten signature/initials

*** INFORMATION PROVIDED FOR: ***
 *** INFORMATION (PROPOSED FEE) ***



EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3542

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE

26-09-2000

F.S. REF.

H410/H400G1B2/4

SOLICITORS NAME

RICHARD MILLS

SOLICITORS REF.

RICHARD G HILL

PRACTITIONERS LEGAL AID CODE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No.

ISSUE DATE CH/ 100599269/00

16-05-2000

VAT REG. No.

593 2971 04

CORRESPONDENT

ADVOCATE CODE

NAME _____

101

D.M. JACK

Item Date	Details	Offer	Accepted	Item Amount
10-09-2000	NOTE (COMPLEX)	50	50	100.00
			TOTAL	100.00
TOTAL VAT AT 17.50				17.50
				£ 117.50

NB Responsibility to recover fees in legally aided cases lies with the instructing Solicitor. Failure to include said fee(s) in this account to The Scottish Legal Aid Board will result in payment being due by the instructing Solicitor.

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In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

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FACULTY SERVICES LIMITED

FREE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH

EH1 1RF

UK No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 26-09-2000

F.S. REF. H410/HAW0016E.D

SOLICITORS NAME RICHARD HILLIS

SOLICITORS REF. RICHARD G MILL

PRACTITIONERS LEGAL AID CODE

FIRMS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No. CH/ 700399289/00
ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

CORRESPONDENT

ADVOCATE CODE

NAME

J01

D.M. JACK

Item Date	Details	Offer	Accepted	Item Amount
13-09-2000	CONSULTATION 2 1/4 HOURS - COMPLEX, INVOLVED. CONSULTATION RE FORTHCOMING SHERIFF COURT PROOF	250	100	350.00
	*** LEGAL AID ***			
			TOTAL	350.00
			TOTAL VAT AT 17.5%	61.25
				£ 411.25

It is the responsibility to recover fees in legally aided cases lies with the instructing solicitor. Failure to include said fee(s) in the account to The Scottish Legal Aid Board will result in payment being due by the instructing solicitor.

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FACULTY SERVICES LIMITED

FFS NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE

EDINBURGH

EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
WAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE

28-09-2000

F.S. REF.

H410/HA000182/5

SOLICITORS NAME

RICHARD MILLS

SOLICITORS REF.

RICHARD G HILL

PRACTITIONERS LEGAL AID CODE

FIRMS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No.

ISSUE DATE CH/ 100999269/00
16-09-2000

VAT REG. No.

593 2971 04

CORRESPONDENT
ADVOCATE CODE

J01

NAME

D.M. JACK

Item Date	Details	Offer	Agree	Item Amount
14-09-2000	NOTE ON THE LINE OF EVIDENCE	100	150	250.00
*** LEGAL AID ***				
TOTAL				250.00

TOTAL VAT AT 17.50

43.75

293.75

NI Responsibility to recover fees in legally aided cases lies with the instructing Solicitor. Failure to include said fee(s) in the account to The Scottish Legal Aid Board will result in payment being due by the instructing Solicitor.

The tax date for this supply is the date of payment - not the date of issue.

In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

FACULTY SERVICES LIMITED

FFS NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH

EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-226 5071

SCOTTISH LEGAL AID BOARD
WAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF BIRTH

DATE OF BIRTH

F.S. REF.

H410/HA000182/7

1 of 1

SOLICITORS NAME

RICHARD MILLS

SOLICITORS REF.

RICHARD & MILL

DATE OF BIRTH

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No.

ISSUE DATE CH/ 700399269/00

16-05-2000

VAT REG. No.

593 2971 04

CORRESPONDENT

ADVOCATE CODE

NAME

J01

D.M. JACK

Item Date	Details	Offw	Abw	Item Amount
22-09-2000	ATTENDANCE EDINBURGH SHERIFF COURT RE GROUNDS OF REFERRAL HEARING. ALL ADVICES RE APPLICATION TO COURT AND CONSULTATIONS WITH AGENTS AND CLIENT ON 22/09/2000 AND THE TWO PROCEEDING DAYS INCLUSIVE OF ALL PREPARATIONS AND CONDUCT OF COURT HEARING (CONCLUDED BY 12 MIDDAY) (1/2 DAY) <i>Actual Court appearance 1/2 day</i>	350	0	350.00
			TOTAL	350.00

NB Responsibility to recover
cases lies with the instructing
include said fee(s) in the acc
Legal Aid Board will result in p
the instructing Solicitor.

The tax date for this supply is the date of payment - not the date of issue.

In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

TOTAL VAT AT 17.50

61.25

£

411.25

FACULTY SERVICES LIMITED
FFS NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
 EDINBURGH
 EH1 1RF
 DX No: ED549302
 Tel: 0131-226 5071
 Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
 HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
 1A GRINDLAY STREET COURT
 EDINBURGH
 EH3 9AR

DATE OF ISSUE 09-10-2000
 F.S. REF. H410/HA000182/8
 SOLICITORS NAME RICHARD MILLS
 SOLICITORS REF. RICHARD G MILL
 PRACTITIONERS LEGAL AID CODE

1 of 1

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

CORRESPONDENT
 ADVOCATE CODE

NAME

J01

D.M. JACK

L.A. CERT No. CH/ 100599269/00
 ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

Item Date	Details	Other	Abuse	Item Amount
22-09-2000	FURTHER NOTE RE EVIDENCE	50	100	150.00
*** LEGAL AID ***				
TOTAL				150.00

TOTAL VAT AT 17.30

26.25

£

176.25

NS Responsibility to recover fees in legally aided cases lies with the instructing Solicitor. Failure to include said fee(s) in the account to The Scottish Legal Aid Board will result in payment being due by the instructing Solicitor.

The tax date for the supply is the date of payment - not the date of issue.

In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

SCOTTISH LEGAL AID BOARD

BAYS BOX NO. RM ONLY

PER HUGHES WALKER

13 ATRON PLACE

EDINBURGH

EH3 8HP

07-11-2000

H410/HA000182/9

RICHARD MILLS

RICHARD G MILL

1 of 1

CRIMINAL LEGAL AID CERTIFICATE

CH/ /00599269/00

16-05-2000

593 2971 04

J01

D.M. JACK

26-10-2000

CONSULTATION RE FORTHCOMING PROOF; NEW
PRODUCTIONS, WITNESSES AND EXPERT
REPORTS

350.00

*** LEGAL AID ***

350.00

17.50

61.25

411.25

FACULTY SERVICES LIMITED

NOTIFICATION (PROPOSED FEE)



SCOTTISH LEGAL AID BOARD
NAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

PARLIAMENT HOUSE

EDINBURGH

EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

DATE OF ISSUE

07-11-2000

F.S. REF.

H410/H400016804

1 of 1

SOLICITORS NAME

RICHARD MILLS

SOLICITORS REF.

RICHARD G MILL

PRACTITIONERS LEGAL AID CODE

FIRMS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

C. HAMILTON

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No. CH/ 100399269/HB
ISSUE DATE 16-03-2000

VAT REG. No. 593 2971 04

ADVOCATE CODE

NAME

JOJ

D.M. JACK

Item Date	Details	Off	Area	Item Amount
26-10-2000	CONSULTATION RE FORTHCOMING PROOF & NEW PRODUCTIONS. WITNESSES AND EXPERT REPORTS <i>2 hr 20 min</i>	250	100	350.00
TOTAL				350.00

250

NE Responsibility to recover fees cases lies with the instructing Solicitor. The Legal Aid Board will result in payment to the instructing Solicitor.

The fee date for this supply is the date of the event that this fee notification is charged.

AL VAT AT 17.5%

61.25

£

411.25

sent by return.

FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
DX No: ED549302
Tel: 0131-226 5071
Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
WAYS EXCHANGE BOX NO.
[REDACTED]

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 16-11-2000
F.S. REF. H410/HAG00162/11
SOLICITORS NAME RICHARD NILLS
SOLICITORS REF. RICHARD G MILL
PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No. CH/ 100599269/00
ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

ADVOCATE CODE J01 NAME D.M. JACK

Item Data	Details	Filed	Alloc	Item Amount
02-11-2000 <i>Cont. Appearance</i> 2.4.00 = 1014 → 1605 3.11.00 = 1005 → 1600	AND 03-11-2000 ATTENDANCE AT EDINBURGH SHERIFF COURT - RE PROOF HEARING	1620	390	2000.00
			TOTAL	2000.00

2000

NO Responsibility to recover fees
cases fee with the Instructing Sol
(include said fee) in the account to
Legal Aid Board will result in payment
the Instructing Solicitor.

The tax date for this supply is the date of payment - not the date of issue.

In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

11 VAT AT 17.50

£

350.00

2350.00

FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE

EDINBURGH

EH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A BRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 16-11-2000

F.S. REF. H410/HA000182/12

SOLICITORS NAME RICHARD MILLER

SOLICITORS REF. RICHARD G MILL

PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No. CH/ 100399269/00
ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

CORRESPONDENT
ADVOCATE CODE

NAME

J01

D.M. JACK

Item Date	Details	Hours	Amount
11-10-2000	AND 12-10-2000 4 HOURS CONSIDERATION OF REPORTERS BIO-CHEMIST REPORT - 18 PAGES NARRATIVE AND TABLES		
25-10-2000	6 HOURS CONSIDERATION OF 5 VOLUMES OF MEDICAL FILES		
29-10-2000	8 HOURS CONSIDER 6 PAGES OF RESPONDENTS BIO-CHEMIST REPORT AND 27 PAGE REPORT OF CONSULTANT PAEDIATRIC NEUROLOGIST IN RELATION TO OTHER REPORTS INCLUDING A FURTHER 6 INVENTORIES OF PRODUCTIONS		
	Continued...		
	*** LEGAL AID ***		
		TOTAL	

TOTAL VAT AT

£

NB Responsibility to recover fees in legally aided cases lies with the instructing Solicitor. Failure to include said fees in the account to The Scottish Legal Aid Board will result in payment being due by the instructing Solicitor.

The tax date for this supply is the date of payment - not the date of issue.

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FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
DX No: ED549302
Tel: 0131-226 5071
Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.
[REDACTED]
PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 16-11-2000
F.S. REF. H410/HA000182/12
SOLICITORS NAME RICHARD MILLS
SOLICITORS REF. RICHARD G MILL
PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CAS [REDACTED]	CRIMINAL LEGAL AID CERTIFICATE		
CLIE [REDACTED]	L.A. CERT No. CH/ 100599269/00		
CORRESPONDENT	ISSUE DATE 16-05-2000		
ADVOCATE CODE J01	NAME D.M. JACK	VAT REG. No. 593 2971 04	
Item Date	Details	Chg	Item Amount
31-10-2000	WITH A 10 PAGE CONSULTANT PAEDIATRIC REPORT PLUS IN EXCESS OF 25 PRECOGNITIONS - PRINCIPALLY INCLUDING A 76 PAGE PRECOGNITION OF ANOTHER CONSULTANT PAEDIATRIC NEUROLOGIST. AND CARRYING ON TO - AND 01-11-2000 IN EXCESS OF 10 HOURS - CONSIDERING 5 PAGE CONSULTANT PSYCHIATRIC REPORT AND INTERNET INFORMATION RE MEDICATIONS OF CISAPRIDE Continued...		
*** LEGAL AID ***		TOTAL	

NE Responsibility to recover fees in legally aided cases lies with the instructing Solicitor. Failure to include said fees in the account to The Scottish Legal Aid Board will result in payment being due by the instructing Solicitor.

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TOTAL VAT AT

£

FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE

EDINBURGH

FH1 1RF

DX No: ED549302

Tel: 0131-226 5071

Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 16-11-2000

F.S. REF. H410/HA000182/12

SOLICITORS NAME RICHARD MILLS

SOLICITORS REF. RICHARD G MILL

PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CASE S.

CLIENTS.

CORRESPONDENT

ADVOCATE CODE

NAME

J01

D.M. JACK

CRIMINAL LEGAL AID CERTIFICATE

L.A. CERT No. CH/ 700599269/00

ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

Item Date	Details	Item Amount
	<p>IBUPROFEN, DOMPERIDONE AND SODIUM IMBALANCES AND RELATED MATTERS AND CONSIDERATION OF ALL THE ABOVE WITH A VIEW TO THE REQUIREMENT FOR WITNESSES; REPORT; JOINT MINUTES OF ADMISSIONS; WHICH WORK HAS AVOIDED OR REDUCED THE POTENTIAL FOR CONSULTING WITH EXPERTS AND POSSIBLY ALSO THE CALLING OF THEM IN COURT - THE ABOVE TIMINGS ARE CONSERVAT- IVELY REPORTED - CHARGE AT 2 DAYS</p> <p>Continued...</p> <p>*** LEGAL AID ***</p>	
	TOTAL	

TOTAL VAT AT

£

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FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
DX No: ED549302
Tel: 0131-226 5071
Fax: 0131-226 3642

SCOTTISH LEGAL AID BOARD
WAYS EXCHANGE BOX NO.

PER HUGHES WALKER
1A GRINDLAY STREET COURT
EDINBURGH
EH3 9AR

DATE OF ISSUE 16-11-2000
F.S. REF. H410/HA000182.12
SOLICITORS NAME RICHARD MILLS
SOLICITORS REF. RICHARD G MILL
PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

CORRESPONDENT
ADVOCATE CODE

NAME

J01

D.M. JACK

L.A. CERT No. CH/ 700599269/00
ISSUE DATE 16-03-2000

VAT REG. No. 593 2971 04

Item Date	Details	Offer	Amount	Item Amount
	EDINBURGH RATE			
	Preparation Summons	0	2000	2000.00
	Witness Dates Court Room			
	For 2 & 3 Nov 2000			
	*** LEGAL AID ***			
		TOTAL		2000.00
		TOTAL VAT AT 17.5%		350.00
				2350.00

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1750

SCOTTISH LEGAL AID BOARD

WAYS BOX NO. RM ONLY

PER HUGHES WALKER

13 ATHOL PLACE

EDINBURGH

RH3 BHP

23-11-2000

H410/HA000182/13

RICHARD MILLS

RICHARD G MILL

1 of 1

CRIMINAL LEGAL AID CERTIFICATE

CH/ /00599269/00

16-05-2000

593 2971 04

J01

D.M. JACK

13-11-2000

14,15,16 & 17/11/00.

PROOF SET DOWN FOR 5 DAYS

RE GROUNDS OF REFERRAL - ATTENDANCE

EDINBURGH SHERIFF COURT

5000.00

4500

(INCLUDING CONSIDERATION OF TOXICOLOGY

Continued...

*** LEGAL AID ***

SCOTTISH LEGAL AID BOARD

HAYS BOX NO. RM ONLY

PER HUGHES WALKER

13 ATHOL PLACE

EDINBURGH

BHJ SEP

23-11-2000

H410/HAG000182/13

RICHARD MILLS

RICHARD G MILL

2 of 1

CRIMINAL LEGAL AID CERTIFICATE

CH/ /00599269/00

16-05-2000

J01

D.M. JACK

593 2971 04

EVIDENCE AND OTHER EXPERT EVIDENCE AND
ALL WORK CONNECTED THERETO)

*** LEGAL AID ***

3000.00

17.50

675.00

5875.00

FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
DX No: ED549302
Tel: 0131-226 5071
Fax: 0131-225 3642

SCOTTISH LEGAL AID BOARD
HAYS EXCHANGE BOX NO.
[REDACTED]
PER HUGHES WALKER
13 ATHOL PLACE
EDINBURGH
EH3 5HF

DATE OF ISSUE 21-11-2000
F.S. REF. H410/H000182/14
SOLICITORS NAME RICHARD HILLS
SOLICITORS REF. RICHARD G HILL
PRACTITIONERS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

FIRMS LEGAL AID CODE

CRIMINAL LEGAL AID CERTIFICATE

CORRESPONDENT
ADVOCATE CODE J01 NAME D.M. JACK

LA CERT No. LA/100379269/00
ISSUE DATE 16-03-2000

VAT REG. No. 593 2471 04

Item Date	Details	EL or	Am	Item Amount
29-11-2000	ATTENDING EDINBURGH SHERIFF COURT RE GROUNDS OF REFERRAL SEE PREVIOUS FEE NOTES RE COMPLEXITY	810	190	1000.00
			TOTAL	1000.00
			TOTAL VAT AT 17.50	173.00
				1173.00

NS Response
cases (fee at
include said
Legal Aid Box
the instructing solicitor.

The tax date for this supply is the date of payment - not the date of issue.

In the event that this fee notification is challenged please return both copies. When making payment please return one copy - a receipt will be sent by return.

FACULTY SERVICES LIMITED

FEE NOTIFICATION (PROPOSED FEE)



PARLIAMENT HOUSE
EDINBURGH
EH1 1RF
DX No: ED549302
Tel: 0131 226 6071
Fax: 0131 226 3642

SCOTTISH LEGAL AID BOARD
WAYS EXCHANGE BOX NO.

PER HUGHES WALKER
13 ATHOL PLACE
EDINBURGH
EH1 1HF

DATE OF ISSUE 22-01-2001
F.S. REF. H410/HA000162/15
SOLICITORS NAME RICHARD MILLS
SOLICITORS REF
PRACTITIONERS LEGAL AID CODE

1 of 1

FIRMS LEGAL AID CODE

PLEASE QUOTE FACULTY SERVICES REF. ON ALL CORRESPONDENCE

CRIMINAL LEGAL AID CERTIFICATE

CORRESPONDENT
ADVOCATE CODE

J01

NAME

D.M. JACK

L.A. CERT No. CH/ 700599269/00
ISSUE DATE 16-05-2000

VAT REG. No. 593 2971 04

Item Date	Details	Offer	Final	Item Amount
22-12-2000	ATTENDANCE AT EDINBURGH SHERIFF COURT CONTINUED DIET OF PROOF; ORAL JUDGEMENT CONSULTATIONS WITH AGENTS BEFORE AND AFTER RE IMPACT OF THIS AND FUTURE DEVELOPMENTS.	350	0	350.00
TOTAL				350.00
TOTAL VAT AT 17.50				61.25
				£ 411.25

NB Responsibility to recover cases lies with the instructing solicitor. The fee for this supply is the fee for the supply of the fee. In the event that this fee notification is not received by the instructing solicitor, the fee for this supply is the fee for the supply of the fee.

When making payment please return one copy - a receipt will be sent by return.