

SCHEDULE 2

Regulation 4(4)(a)

FEES OF COUNSEL IN APPEAL PROCEEDINGS

“PART 2

FEES OF COUNSEL IN APPEAL PROCEEDINGS

CHAPTER 1 — JUNIOR COUNSEL

| | | <i>Junior as Leader</i> | <i>Junior Alone</i> | <i>Junior with Leader</i> |
|-----|---|-----------------------------|-------------------------|-------------------------------|
| 1. | Appeal against Sentence | | | |
| (a) | drafting Grounds or Note of Appeal against sentence | £82 | £82 | £82 |
| (b) | written Submissions in Appeal against Sentence | £125 | £100 | £75 |
| (c) | any hearing under sections 107 and 187 of the Criminal Procedure (Scotland) Act 1995, including any consultation on the day of the appeal | £201 | £150 | £112 |
| (d) | any hearing on appeal against sentence, including any consultation on the day of the appeal | £201 | £150 | £112 |
| (e) | opinion (or note) on appeal against sentence (where not otherwise prescribed) | £75 | £75 | £75 |
| 2. | Appeal by way of Bill of Suspension, Bill of Advocation or Stated Case | | | |
| (a) | drafting Bill of Suspension or Bill of Advocation or adjustment of Stated Case | £85-£266 | £82-£200 | £75-£150 |
| (b) | appearance at any hearing on Stated Case, Bill of Suspension or Advocation | £335 | £250 | £187 |
| (c) | opinion | £125 | £125 | £125 |
| 3. | Appeal against Conviction or Conviction and Sentence | | | |
| (a) | drafting Grounds of Appeal against conviction or conviction and sentence | £250-£420 | £200-£350 | £140-£300 |
| (b) | written Submissions in Appeal against conviction or conviction and sentence | £250-£420 | £200-£350 | £140-£300 |
| (c) | completion of Form 15 (available once per case) | £150 | £150 | £150 |

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| | | <i>Junior as Leader</i> | <i>Junior Alone</i> | <i>Junior with Leader</i> |
|-----|---|-------------------------|---------------------|---------------------------|
| | (d) Hearing on Appeal against conviction or conviction and sentence | £700-£1,089 | £500-£825 | £400-£625 |
| | (e) opinion | £250-£400 | £200-£350 | £140-£300 |
| 4. | Appeal Hearing before a Full Bench (5 or more Judges) | £1,300 | £1000 | £750 |
| 5. | Appeals in relation to Bail or Interim Liberation | | | |
| | (a) all work in connection with an appeal relating to granting of bail or interim liberation, except (b) below | £30 | £30 | £30 |
| | (b) all work in connection with an application for interim liberation before 3 judges | £140 | £100 | £75 |
| 6. | Appeals Conduct Other | | | |
| | (a) hearing on petition to the Nobile Officium | £700-£1,089 | £500-£825 | £305-£625 |
| | (b) reference to the High Court (devolution issue) | £700-1,089 | £500-825 | £400-£625 |
| | (c) appeal arising from pre-trial or continuing trial hearing | £700-£1,089 | £500-£825 | £400-£625 |
| | (d) opinion | £250-£400 | £200-£350 | £140-£300 |
| 7. | Appeals Written Work Other | | | |
| | (a) drafting Devolution Minute | £150 | £150 | £150 |
| | (b) drafting Petition to the Nobile Officium | £225 | £225 | £225 |
| 8. | Consultations | £210 | £184 | £135 |
| 9. | Travel | | | |
| | Supplementary fee chargeable in addition to any of the above fees where necessary travel is undertaken within Scotland, including travel to a Procurator Fiscal's office or elsewhere to view productions | £100 | £100 | £100 |
| | Supplementary fee chargeable in addition to any of the above fees where necessary travel is undertaken furth of Scotland | £200 | £200 | £200 |
| 10. | Accommodation and associated subsistence | | | |
| | Payment of necessary accommodation and associated subsistence per day | £100.00 | £100.00 | £100.00 |

CHAPTER 2 – SENIOR COUNSEL

| | | Senior |
|----|---|---------------|
| 1. | Appeal against Sentence | |
| | (a) drafting Grounds or Note of Appeal against sentence | £124 |
| | (b) written Submissions in Appeal against Sentence | £152 |
| | (c) any hearing under sections 107 and 187 of the Criminal Procedure (Scotland) Act 1995, including any consultation on the day of the appeal | £228 |
| | (d) any hearing on appeal against sentence, including any consultation on the day of the appeal | £228 |
| | (e) opinion (or note) on appeal against sentence (where not otherwise prescribed) | £114 |
| 2. | Appeal by way of Bill of Suspension, Bill of Advocation or Stated Case | |
| | (a) drafting Bill of Suspension or Bill of Advocation or adjustment of Stated Case | £124-£300 |
| | (b) appearance at any hearing on Stated Case, Bill of Suspension or Advocation | £393 |
| | (c) opinion | £187.50 |
| 3. | Appeal against Conviction or Conviction & Sentence | |
| | (a) drafting Grounds of Appeal against conviction or conviction and sentence | £250-£506 |
| | (b) written Submissions in Appeal against conviction or conviction and sentence | £250-£506 |
| | (c) completion of Form 15 (available once per case) | £225 |
| | (d) Hearing on Appeal against conviction or conviction and sentence | £900-£1,250 |
| | (e) opinion | £350-£700 |
| 4. | Appeal Hearing before a Full Bench (5 or more Judges) | £1,500 |
| 5. | Appeals in relation to Bail or Interim Liberation | |
| | (a) all work in connection with an appeal relating to granting of bail or interim liberation, except (b) below | £50 |
| | (b) all work in connection with an application for interim liberation before 3 judges | £150 |
| 6. | Appeals Conduct Other | |
| | (a) hearing on petition to the Nobile Officium | £900-£1,250 |
| | (b) reference to the High Court (devolution issue) | £900-£1,250 |
| | (c) any appeal arising from pre-trial or continuing trial hearing | £900-£1,250 |

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| | Senior |
|---|---------------|
| (d) opinion | £350-£700 |
| 7. Appeals Written Work Other | |
| (a) drafting Devolution Minute | £150 |
| (b) drafting Petition to the Nobile Officium | £225 |
| 8. Consultations | £250 |
| 9. Travel | |
| Supplementary fee chargeable in addition to any of the above fees where necessary travel is undertaken within Scotland, including travel to a Procurator Fiscal's office or elsewhere to view productions | £100 |
| Supplementary fee chargeable in addition to any of the above fees where necessary travel is undertaken furth of Scotland | £200 |
| 10. Accommodation and associated subsistence | |
| Payment of necessary accommodation and associated subsistence per day | £100.00" |