

**THE SCOTTISH LEGAL AID BOARD**44 Drumsheugh Gardens
Edinburgh EH3 7SW

Telephone 0131 226 7061

APPLICATIONS DIVISIONMR JOHN A MCLEOD
GEORGE MATHERS & CO
SOLICITORS
LP46 ABERDEEN 1*Please ask for extension number 265**Your ref: H63H**Please quote the department above and our
reference: 08/SF*

04 October 2007

Dear MR MCLEOD

Applicant's Name: BRIAN HOWES
Legal Aid Reference: SM/08/6319161406
Applicant's Identifier: HOWESB9610103026
Sanction Request Received: 19/09/2007**COPY**

We have reconsidered and refused your request for sanction received 19/09/2007 to employ the following:

Agents letter dated 27/9/07 (Received 1/10/07) has been noted. For the sake of clarity, The Board was seeking clarification as to how the police obtained the incriminating evidence in question, for instance, was this under the MDA 1971? Counsel's note did not confirm the position from Crown office regarding a hearing under the International Co-operation Act or elaborate on whether one was necessary in the circumstances of this case. In any event, the previous reasons for refusal are adhered to. In particular, it has not been shown that the matter is so novel or complex so as to merit the employment of both Senior and Junior Counsel.

Yours sincerely

S. FERGUSON
Case Officer
Applications Division