

**Hearing Outcome 3<sup>rd</sup> June 2024.**

The purpose of the hearing was to challenge the decision of Costs Officer Ahmed following the request for reassessment put before him. The applicant put forward the request for an oral hearing to dispute the decisions relating to:

- Time reduced for the attendance at the annual Deputyship meeting
- Time reduced for preparation of the working budget
- Time reduced for time claimed for the preparation of two OPG reports in one general management period

The hearing was in front of Costs Judge Whalan and was held virtually.

With respect to point one, following submissions made, it was agreed that the time claimed for the attendance at the annual Deputyship meeting should be allowed in full.

With respect to point two, the legal representative of the applicant made submissions to the Judge that this work is essential to ensure the Deputy is able to carry out their fiduciary duties. It would be against the OPG Deputy Standards and SRA Account Rules if the Deputy did not carry out this work. Further, in the original assessment, the costs officer claimed this time as overheads as per the case of Philpotts to which the legal representative argued that this case was unwritten and therefore it is unfair to use this against a Deputy when no one knows the outcome of this case.

The Judge disagreed with the legal representative that this was a point of principle on the basis that the time had not been disallowed but had instead been reduced. As such, the Judge was of the opinion that this was a matter of quantum rather than principle. Additional time was allowed for this work carried out.

With respect to point three, submissions were made that the Deputy should not have to wait for work to be assessed when it was carried out in the specific management period. On this matter, the Judge agreed with the costs officer that only one Deputyship report should be prepared during each general management period. The Judge did allow this time in full, but confirmed this had not been allowed on principle, but rather to stop any further delays in light of how much time had passed. The Judge confirmed that if this were to happen in the future, delays for recovering this time should be expected.