



GENERAL LEGAL COUNCIL

ANNUAL REPORT

APRIL 1, 2018 TO MARCH 31, 2019

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INTRODUCTION

The General Legal Council was established in January 1972 by the Legal Profession Act. Its statutory function is concerned with the legal profession and in particular the organization of legal education and the upholding of standards of professional conduct. By virtue of the Legal Education Act, the Council's function as the Legal Education Authority is vested in the Council of Legal Education which is established by Agreement among several Commonwealth Caribbean countries.

Apart from Law Officers of the Crown and legal officers of Government who are *ex officio* entitled to practise as such, no person can lawfully practise as an attorney who does not hold a practising certificate issued by the Council. Practising Certificates are issued annually on satisfying certain requirements, including the payment of an annual fee.

The Council is required to appoint from among its members or former members, Judges or retired Judges and attorneys of not less than ten (10) years standing, the Disciplinary Committee which adjudicates on complaints of misconduct by attorneys in any professional respect.

The Council is authorized to make rules prescribing the standards of professional etiquette and professional conduct for attorneys and to direct that any specified breaches of such rules constitute misconduct in a professional respect.

The Council maintains a website at <http://www.generallegalcouncil.org/>.

CHAIRMAN'S MESSAGE:

A new Council was appointed with effect 25th April 2019 for a term of 3 years. Seven members were appointed to the Council for the first time while an eighth member had held previous appointment. Special thanks is extended to the outgoing Members of the Council.

The outgoing Members of Council can rightly look back with satisfaction at what has been achieved. Perhaps the signal achievement has been the enactment of the Legal Profession (Contingency Fees) Regulations 2018 in compliance with the mandate given to Council by the amendment to the Legal Profession Act promulgated in 2007. The Contingency Fee Regulations came into effect on 1st February 2019 to prescribe measures regulating the form and content of contingency fee agreements and prescribing limits on the percentages that can be charged in legal proceedings, including personal injury actions and family law proceedings. Restriction is also imposed on taking contingency fees from damages awarded for future medical care.

The Legal Profession (Accounts and Records) Amendment Regulations 2018 and 2019 accompanied by the Guidelines on the With-Holding of Practising Certificates for Non-Compliance were also enacted. The objective of these measures is to close loopholes with regards to the filing of accountant's reports and to withhold practising certificates from attorneys who have been non-compliant for multiple years thereby reducing the necessity for the filing of complaints with the Disciplinary Committee against such attorneys.

The General Legal Council has been compelled to intervene in protection of client property in a number of instances where attorneys have died without arrangements in place for the handing over of client property. This has resulted in considerable strain on the limited resources of Council. However, Council has successfully intervened and where necessary obtained orders from the Supreme Court so to do. The Legal Profession (Canons of Professional Ethics) Amendment Rules 2019 now require sole practitioners to put in place arrangements to protect client property in event of death or incapacity and also requiring that Council be notified of such arrangements.

In 2018 case management software similar to that utilized by the Caribbean Court of Justice was acquired for the Disciplinary Committee. The adoption of the case management system coupled

with training and the dedicated work of the members and staff of the Disciplinary Committee has met with phenomenal results whereby the Disciplinary Committee has more than tripled the number of complaints concluded in this year as compared to the preceding year. This has virtually cleared the backlog of complaints.

The Continuing Legal Professional Development Program (CLPD) continues to be a success and a webinar system has been implemented whereby attorneys who are unable to attend seminars can now participate. This is intended to facilitate attorneys who require CLPD credits but are unable to attend sessions whether by reason of being overseas or otherwise. This should greatly alleviate the difficulty that such attorneys have experienced in obtaining their CLPD credits.

In addition, the The Legal Profession (Continuing Legal Professional Development) (Amendment) Regulations 2018 empowers the Accreditation Committee to accredit established providers such as the Jamaican Bar Association. No longer will such providers have to obtain accreditation of their programs from the GLC's Accreditation Committee. This measure will alleviate the difficulties experienced in preceding years where the Accreditation Committee has had a backlog of programs awaiting accreditation to the inconvenience of participating attorneys.

The new Council will pursue its mandate to regulate the Legal Profession in the public interest. I extend thanks and appreciation to all Members of Council, the Disciplinary Committee and the Council's dedicated staff who continue to serve loyally and well.

GENERAL LEGAL COUNCIL

The following is a detailed report on the activities of the Council and the Disciplinary Committee during the twelve months ending on March 31, 2019:

1. MEMBERSHIP

Mr. Allan Wood, Q.C. – Chairman	
Mr. Richard Ayoub	Mrs. Denise Kitson, Q.C.
Mrs. Pamela Benka-Coker, Q.C.	Ms. Annaliesa Lindsay
Hon Mr. Justice Patrick Brooks, C.D.	Mr. N. Patrick McDonald
Miss Saverna Chambers	Mr. Lowel Morgan
Mr. Adley George Duncan, Snr.	Mrs. Janet Morrison
Mrs. Nicole Foster-Pusey, Q.C.	Miss Hilary Reid
Lt. Col. Linton P. Gordon	Mr. Walter Scott, Q.C.
The Hon. B. St. Michael Hylton, O.J. Q.C.	Mrs. Donna Scott-Mottley

2. MEETINGS

During the period April 1, 2018 to March 31, 2019, a total of eleven (11) regular monthly meetings were held as follows:-

2018: April 25, May 30, June 27, July 25, September 26, October 24, November 28 and December 12

2019: January 23, February 20 and March 27

A special meeting was held on August 15, 2018.

The Council also held a planning retreat on June 9, 2018.

ATTENDANCE OF MEMBERS AT MEETINGS:

NAMES	Times Possible	Times Present	Times Absent	Apologies Tendered
Mr. Allan Wood, Q.C.	12	11	1	1
Mr. Richard Ayoub	12	9	3	3
Mrs. Pamela Benka-Coker, Q.C.	12	5	7	7
The Hon. Mr. Justice Patrick Brooks, C.D.	12	10	2	1
Ms. Saverna Chambers	12	7	5	4
Mr. A. George Duncan	12	4	8	2
Mrs. Nicole Foster-Pusey, Q.C.	9	3	6	5
Lt. Col. Linton Gordon	12	4	8	6
The Hon. B. St. Michael Hylton, O.J., Q.C.	12	9	3	3
Mrs. Denise Kitson, Q.C.	12	10	2	2
Ms. Annaliesa Lindsay	12	6	6	5
Mr. N. Patrick McDonald	12	8	4	4
Mr. Lowel Morgan	12	11	1	1

Mrs. Janet Morrison	12	6	6	4
Ms. Hilary Reid	12	9	3	1
Mrs. Donna Scott-Mottley	12	0	11	0
Mr. Walter Scott, Q.C	12	9	3	1

3. STAFF

The staff complement was a total of twenty-one (21) persons. The following adjustments have been effected:

The General Counsel, Ms. Candice Williams, resigned effective January 17, 2019 and a new General Counsel, Ms. Shana Kay Shirley was employed effective March 4, 2019. Ms. Dania Barrett has been employed as an Administrative Assistant to the Disciplinary Committee effective August 13, 2018. Mr. Wayon Henry, Bearer/Office attendant, resigned as of January 2, 2019 and Mr. Donald Sangster was employed effective January 21, 2019.

4. SALARIES

There was no salary increase during this period.

5. DEBIT/CREDIT CARD PAYMENT SYSTEM

The card payment system which was implemented to facilitate the payment of practising certificate and CLPD seminar fees by attorneys-at-law has been well utilized and the Council has been moving towards a completely cashless system for security related reasons.

6. OTHER COMMITTEES

The Committees of the Council are as follows:

COMMITTEE	CHAIR PERSON
Accounting Reports	Hilary Reid
Accreditation	Denise Kitson
Advertising Regulatory	Daniella Gentles-Silvera

CLPD	Justice C. Dennis Morrison
Compensation Fund	John Bassie
Finance and Accounting	Lowel Morgan
Information Technology	Denise Kitson
Proceeds of Crime Act	Allan Wood
Protection of Client's Assets	Annaliesa Lindsay
Regulatory Reform	Lowel Morgan

7. ACCREDITATION COMMITTEE

1. During the period, January - December 2018, the Committee received a total of **442** new applications from institutions for accreditation of courses to be presented by them and **5** applications for renewal of accreditation. There were **345** applications for exemptions and **209** applications from individuals for credits for activities in which they had participated. Of the total of **996** applications which were reviewed during the period, **857** applications were successfully addressed, **2** were refused, and **137** were deferred.
2. The data also discloses that during that period, of a total number of **2018** attorneys, **558** are fully compliant in their participation in CLPD programmes and **1293** are partially compliant, as is indicated on the compliance schedule attached. Attorneys have until November 2019 to become fully compliant. **63** attorneys have received exemptions; **69** received extensions and **3** are within their extended period for compliance.
3. The Accreditation Committee is pleased to report that consequent on the promulgation of the *Legal Profession (Continuing Legal Professional Development) (Amendment) Regulations, 2018*, in March 2019, provider status has been conferred on the General Legal Council (to be effected through its Continuing Legal Professional Development Committee) and on the Jamaican Bar Association. This will undoubtedly result in a

significant reduction in the number of papers to be reviewed and processed by the Committee. However in accordance with the mandate imposed by the regulations, the Committee has implemented the requisite monitoring procedures and has required strict compliance with the same by the institutions on whom provider status has been conferred.

8. ADVERTISING REGULATORY COMMITTEE

During the period under review the Advertising Regulatory Committee of the General Legal Council (“the Committee”) met nine (9) times.

The members of the Committee are:

1. Daniella Gentles-Silvera;
2. Delrose Campbell
3. Anna Gracie;
4. Mikhail Jackson;
5. Adam Jones;
6. Julianne Mais Cox;
7. Debra McDonald;
8. Carleen McFarlane;
9. Stacey Mitchell; and
10. Janet Morrison.

During the period, the Committee:

1. Wrote eleven (11) letters to Attorneys-at-Law advising them that their websites, advertisements in the Yellow Pages and on the internet and social media platforms were in breach of the Canons of the Legal Profession (Canons of Professional Ethics) Rules (“the Canons”). The nature of the breaches ranged from advertising summer specials at reduced rates; sole practitioners practicing using the business name “& Co.”; Attorneys claiming to be specialists and implying superiority over other Attorneys. Five (5) Attorneys responded favourably to our letters agreeing to remove the advertisements and thanking the Committee for its guidance.
2. Communicated with the General Legal Council on certain Attorneys who have refused to comply with our letters advising them of breaches of the Canons and asking them to desist in the future. Of particular note was the law firm Bignall Law who circulated an advertisement over the Christmas season, December, 2018, which was also in breach of an Order made by the General Legal Council on the 26th September, 2018 in that the law firm

failed to first get the approval of the General Legal Council before releasing the advertisement. A recommendation was made to the General Legal Council to lay a complaint.

3. Updated the advertising guidelines which were posted on the General Legal Council's website.

9. CONTINUING LEGAL PROFESSIONAL DEVELOPMENT (CLPD)

INTRODUCTION

1. The CLPD Committee of the General Legal Council was established in 2013 and since May 2015 has been chaired by the Hon. Mr. Justice C. Dennis Morrison. The Committee aims to meet at least once per month during term time and has from time to time met more frequently as the need has arisen. The full membership of the Committee is shown in Appendix A.

FUNCTIONS

2. The scope of the Committee's work is:
 - i) To design and present courses for the purpose of the continuing legal professional development of attorneys-at-law;
 - ii) To arrange programmes for the delivery of CLPD seminars on an island wide basis; and
 - iii) To ensure that there are adequate offerings in Ethics and Client Welfare, Business Management and Finance.
3. In January 2019 the General Legal Council was granted accredited provider status. Consequently the Committee assumed the additional responsibility of awarding credits to the courses it presents, subject to the approval of the Accreditation Committee.
4. In carrying out its functions, the CLPD Committee encourages the conduct of research in the preparation of papers on a variety of legal subjects. In the relevant period, the Committee presented papers on topics such as: arbitration, mediation, advocacy, administrative law, corporate and commercial law, conveyancing, criminal law, taxation,

intellectual property, sports law, law and technology, banking law, Caricom law and employment law, among others. Regarding the mandatory requirements for presentations in Ethics and Client Welfare, Business Management and Finance, the Committee has also sought to ensure that there have been adequate offerings in these subjects.

5. In fulfilling its mandate to ensure that seminars are accessible island wide, the Committee holds seminars in Kingston, Mandeville in Manchester, Montego Bay in St. James, Ocho Rios in St. Ann.
6. A total of 82 seminars were held during the period April 1, 2018 – March 31, 2019, broken down as follows:
 - Mandeville (3);
 - St. Ann (10),
 - St. James (10); and
 - Kingston and St. Andrew (59);
7. Of the Fifty-Nine (59) seminars held in Kingston, Thirty-Two (32) were held in collaboration with the CCJ Academy of Law Conference, which is reported below.
8. The topics, number of presentations and number of attorneys who attended these seminars are presented in Appendix B. There has been a total of 10,612 registrations by attorneys for these seminars.
9. It should be noted that the CLPD Committee has responded to the requests of Seventh Day Adventists and has as far as practicable, tried to accommodate more seminars on Sundays.

REGIONAL SEMINARS

10. A regional seminar refers to a cluster of seminars held over a 1-2 day period. The aim of holding regional seminars is:

- To provide accessible CLPD opportunities for attorneys who reside or practice in different areas of Jamaica;
- To provide attorneys with the opportunity to complete as many of their CLPD credits as possible during a single weekend;
- To present specific legal topics that may be associated with particular regions;
- To reduce administrative expenses; and
- To facilitate the attorneys' compliance with their CLPD obligations.

11. Regional seminars were held in the relevant period in the following locations:

- i) May 26 -27, 2018, Kingston
- ii) October 6-7, 2018, Ocho Rios, St. Ann
- iii) March 9-10, 2019, Montego Bay, St. James

5th Biennial Conference on Law “The Future of Legal Practice in the Caribbean – Catalyst for Regional Success?”

12. In December 2018, the General Legal Council collaborated with the CCJ Academy for Law to stage the 5th Biennial Conference on Law, under the theme *“The Future of Legal Practice in the Caribbean – Catalyst for Regional Success?”*

13. The Conference was held in Jamaica over the period December 13-15, 2018 and attracted attendees from outside of Jamaica as well as local attorneys. This conference marked the second time the General Legal Council and the CCJ Academy for Law joined forces to plan a conference. The partnership with the CCJ deepened the pool of talent from which a diverse array of presenters and presentations were drawn.

14. The topics, number of presentations and number of attorneys who attended these seminars are presented in Appendix C. The costs were shared between the CCJ Academy for Law and the General Legal Council. The net financial contribution to the General Legal Council was J\$2,271,625.00.

FINANCIAL CONSIDERATIONS

15. The CLPD Committee continues to generate revenue far in excess of its expenditure. Over the relevant period, the net contribution of the Committee to the Council's coffers was therefore approximately J\$19.43 million. A financial report showing the income and expenditure of the Committee over the period April 2013 to March 2019 is attached as Appendix D.

16. The following factors contributed to the relatively low cost of delivering 82 seminars over the relevant period is accounted for by the following:

- Members of the CLPD Committee donated their time to the Council in planning a schedule of seminars for the year;
- Members of the CLPD Committee assisted in the selection of topics and presenters;
- Members of the CLPD Committee prepared and presented papers;
- Members of the CLPD Committee donated their time to review papers, to ensure that they met the required standards;
- Presenters donated their time without a fee, in the research, preparation and presentation of the seminar papers;
- Staff at the Council undertook the responsibility of advertising the seminars through email and other media; and
- The majority of the seminars take place at the Lloyd Barnett Seminar Rooms, formerly Jambar Conference Hall, which has been leased on a long-term basis by the GLC.

17. The major costs associated with the programme relate to the rental of venues, provision of refreshments, accommodation of presenters and staff members for seminars held out of town, and the photocopying of seminar papers.

18. Notwithstanding the quite favourable income to expenditure ratio, the Committee continues to explore possible cost containment measures which target the only expenses associated with the programme. These include:

- i) Identifying less costly alternative venues;
- ii) Designing seminars to attract both legal and non-legal attendees, e.g.; accounting professionals, real estate practitioners etc.;
- iii) Reducing the assortment of refreshments;
- iv) Rationalising the selection of venues outside of Kingston and/or arranging them in clusters; and
- v) Sending seminar papers to participants electronically.

Nevertheless, the Committee has striven to avoid reducing standards for the hosting of the seminars so as not to endanger the quality of the product.

19. The year under review showed marked improvement in the financial returns. There was an increase in the income, number of seminars and attorneys attending seminars. These achievements have been gained despite increasing competition. The net contribution of the programme to the General Legal Council was the highest since the programme started. This is undoubtedly, the result of the hard work of the members of staff, the Committee and the presenters who volunteered their time to research, prepare and present papers.

FUTURE DEVELOPMENTS

Utilisation of Electronic Technology:

20. On March 10, 2019, seven (7) attorneys participated in three seminars using the webinar service. The attorneys were able to ask questions of the presenter and gave positive feedback after the seminars by e-mail. All the attorneys who participated in the seminars were overseas. On March 30, 2019, fourteen (14) attorneys registered for the seminar

“Apparent Bias – the Judge is a Friend”, presented by Mr. Allan Wood Q.C. through the webinar service. Save for one attorney, these attorneys were in Jamaica. It is expected that over time, the participation by webinar will increase. Seminars will continue to be offered as webinars from time to time, as the programme continues.

21. As part of its mandate to increase efficiency in communication, the Committee has implemented electronic processing of Certificates of Participation which are sent via email and are automatically generated through the GLC’s database. Soft copies of seminar papers are also distributed by email to the attendees.

CONCLUSION

22. The Committee continues to express its gratitude to the GLC’s administrative staff who has assisted with the successful delivery of the CLPD programme over the year under review.
23. The Committee is particularly grateful to Miss Tanya Ferril, the CLPD Coordinator and Mr Ian Jackson, the GLC’s CEO, who provided crucial support over the entire period.
24. As the Committee looks ahead, it will need to consider the expansion and diversification of subject areas in order to maintain attorneys’ interest and encourage greater participation. This will also involve exploring the need to engage experts from related disciplines and the question of the costs which may be associated with the engagement of such professionals.

APPENDIX A

COMMITTEE MEMBERS

Mr. Justice C.D. Morrison
Dr. the Hon. Lloyd Barnett, O.J.
Ms. Carol Aina
Ms. Nancy Anderson
Mr. John Bassie
Ms. Gillian Burgess
Ms. Jeromha Crossbourne

Dr. Adolph Edwards
Mr. B. St. Michael Hylton Q.C.
Ms. Tracey Long
Mr. N. Patrick McDonald
Mr. Adrian Nelson
Mr. Robert Fletcher
Ms. Sidia Smith
Mr. Sundiata Gibbs
Mr. Jeremy Taylor
Mr. Nigel Gayle

APPENDIX B
April 2018 – March 2019

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
EC1028 21st Century Digital Law Challenges Cloud Computing for Lawyers is its use ethical.	Saturday, April 7, 2018	Jambar Conference Hall Kingston	146	1
EC1019 Attracting Clients Part 11 Ethics Touting Referrals Statements To The Media And Fee Sharing	Sunday, April 15, 2018	Jambar Conference Hall Kingston	112	1
EC1014 Disciplinary System - Complaints - Professional Misconduct and Adjudication - Cooperation - Compliance	Saturday, April 21, 2018	Jambar Conference Hall Kingston	121	1
EC1029 Ethical Considerations Plea Bargaining	Tuesday, April 24, 2018	Jamaica Conference Centre Kingston, Golf View Hotel Mandeville	390	2
EMF2011 Making Yourself Compliant with the Legal Profession Accounts and Records Regulations 1999	Saturday, May 5, 2018	Hibiscus Lodge Ocho Rios, Jambar Conference Hall Kingston	155	2
CL342 Caution Statements and Editing	Saturday, May 26, 2018	Jamaica Conference Centre Kingston	297	1
EMF2017 Critical Thinking and Management of Your Clients Case at the Criminal Bar	Saturday, May 26, 2018	Jamaica Conference Centre Kingston	329	1
CL347 Jamaica National Identification System and the Right to Privacy	Sunday, May 27, 2018	Holiday Inn St. James, Jamaica Conference Centre Kingston	375	2
EC1030 Ethical Aspects of the Decision to Prosecute and the Prosecution of Criminal Cases	Sunday, May 27, 2018	Jamaica Conference Centre Kingston	272	1

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
EC1010 Legal Aid - The Role of Counsel - Ethics & Procedure	Wednesday, June 13, 2018	Jambar Conference Hall Kingston	139	1
CL345 Appeals in Parish Court Proceedings Part One (Civil Proceeding)	Wednesday, June 20, 2018	Jambar Conference Hall Kingston	113	1
EC1031 Professional Undertakings in Commercial and Conveyancing Matters	Saturday, June 23, 2018	Golf View Hotel Mandeville, Holiday Inn St. James	109	2
CL325 Recovery of Property or Money paid under an Illegal Contract	Wednesday, July 4, 2018	Jambar Conference Hall Kingston	110	1
CL331 The Application to Register Land: The Attorneys Dream or Nightmare"	Wednesday, July 11, 2018	Jambar Conference Hall Kingston	142	1
CL314 Interpreting Tax Legislation	Saturday, July 21, 2018	Jambar Conference Hall Kingston	75	1
CL351 Knowledge as Power the Access to Information Act in Action Procedures and Appeals	Saturday, September 8, 2018	Rooms on the Beach Ocho Rios, Jambar Conference Hall Kingston	116	2
CL352 Proposed Amendments to the RTA	Friday, September 21, 2018	Jambar Conference Hall Kingston, Holiday Inn Montego Bay	228	2
EC1035 Social Media and Professional Misconduct	Friday, September 21, 2018	Lloyd Barnett Seminar Room Kingston, Neils Auditorium Mandeville, Holiday Inn Montego Bay	288	3
CL324 Tax Avoidance Schemes and the Corporate Veil After the Panama Papers 2017	Saturday, September 22, 2018	Jambar Conference Hall Kingston	73	1
EC1036 Incompetence of Counsel how to avoid being the subject matter of that ground of Appeal	Saturday, September 29, 2018	Jambar Conference Hall Kingston, Jambar Conference Hall Kingston	277	2

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
CL348 "All workers are equal but are some workers more equal than others? Conceptions of Equality in Employment law in Jamaica."	Friday, October 5, 2018	Jambar Conference Hall Kingston, Cardiff Hall St. Ann	346	2
EMF2019 Expanding Profession Communicating Through Technology	Friday, October 5, 2018	Jambar Conference Hall Kingston, Cardiff Hall St. Ann	377	2
AMF2016 Law Practice Management and Technology People Process and Profitability	Saturday, October 6, 2018	Cardiff Hall St. Ann	275	1
CL349 Restrictive Covenants	Saturday, October 6, 2018	Cardiff Hall St. Ann	266	1
EC1034 Undue Influence the Attorneys Role and Responsibilities	Saturday, October 6, 2018	Cardiff Hall St. Ann	284	1
AMF2017 You have been assessed for taxes and aggrieved What options do you have for redress Exploring the tax appeal system within the Jamaican Context	Sunday, October 7, 2018	Cardiff Hall St. Ann	273	1
CL350 Demystifying Redundancy What it is vs What it is not	Sunday, October 7, 2018	Cardiff Hall St. Ann	277	1
EC1033 Attorneys Duties to the Public	Sunday, October 7, 2018	Cardiff Hall St. Ann	280	1
CL353 NIDS & The Constitution	Monday, November 5, 2018	Jambar Conference Hall Kingston	82	1
EC1032 Attorneys Preparation for Mediation and Ethical Considerations	Wednesday, December 5, 2018	Jambar Conference Hall Kingston	147	1
CL355 Quit Holding me Back Injunctions Restraining a Mortgagees Power of Sale a Contemporary Analysis of the Marbella Principle	Saturday, March 9, 2019	Montego Bay Convention Centre St. James	292	1
EC1041 Dealing with Mortgage Property The Mortgagee Files	Saturday, March 9, 2019	Montego Bay Convention Centre St. James	326	1

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
EMF 2020 Attorneys Preparation for Arbitration	Saturday, March 9, 2019	Montego Bay Convention Centre St. James	305	1
AMF 2020 Connecting the parts Human Capital in Firm Practice and Management	Sunday, March 10, 2019	Montego Bay Convention Centre St. James	312	1
CL 356 ASSESSMENT OF DAMAGES IN PERSONAL INJURY CASES Part 1 - Challenges in Cases of Whiplash Injury and The Need for Reform Part 2 - Challenges in Cases of Nervous Shock - Rationalising the Principles	Sunday, March 10, 2019	Montego Bay Convention Centre St. James	267	1
EC1042 APPARENT BIAS – THE JUDGE IS A FRIEND	Sunday, March 10, 2019	Lloyd Barnett Seminar Room Kingston, Montego Bay Convention Centre St. James	380	2
CL354 Emerging Issues in Family Law - The Impact of Advanced Reproductive Technology on Traditional Legal Presumptions	Wednesday, March 20, 2019	Lloyd Barnett Seminar Room Kingston	120	1

APPENDIX C

5th Biennial Conference on Law “The Future of Legal Practice in the Caribbean – Catalyst for Regional Success?”

TABLE OF REGISTRANTS

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
Case Management as an Aid	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	100	1
EC1037 Cross Border Practice and Accessibility of Legal Services	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	151	1
EC1038 POCA and the Free Movement of Money	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	153	1
Facilitating the Utilisation of Expert Evidence	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	38	1
Habeas Corpus Has it lost its value	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	12	1
Intellectual Property and Access to Justice Infringement and the Starving Artist	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	72	1
Monetising and Protecting our Creative Industries	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	27	1
Principles of Criminal Copyright Litigation	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	24	1
The Future of Justice is Digital	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	216	1
The Future of the Legal Profession	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	211	2
The New Green Economy Making the Most of Marijuana	Thursday, December 13, 2018	Jamaica Pegasus Hotel Kingston	72	1
CL357 Employment Contracts: IP at Work and Play	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	169	1
Defamation in the Digital Age	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	75	1

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
Disclosure as an instrument of Fairness	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	44	1
EC1039 Problems of Attorney Client Confidentiality in the Age of Electronic Communication	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	207	1
Forms of Digital Piracy Internet Streaming Cyberlockers Linking Sites and Botnets	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	25	1
IP Explore the means by which IPL facilitates exploitation of our greatest assets	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	228	1
Issues in copyright protection and enforcement in Caribbean Intellectual property	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	37	1
Judgement Delayed is Justice Denied	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	252	1
Ownership of Digital Assets and Data Protection	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	85	1
Principles of Civil Copyright Litigation	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	42	1
The Sub Judice Rule in the Social Media Age	Friday, December 14, 2018	Jamaica Pegasus Hotel Kingston	50	1
Business Development and IP Law	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	89	1
Does Article 214 RTC Impose a Duty on National Courts to Make a Referral to the CCJ	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	28	1
E-Banking and Safeguarding Clients Funds	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	87	1
Facilitating the Attainment of Relief through Administrative Orders	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	64	1
Investor State Arbitration and IPL	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	27	1

Course Title	Course Date	Venue	Number of Participants	Number of Presentations
IPL Evolutions in Health and Agriculture	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	64	1
The Business of IP Law in Sports	Saturday, December 15, 2018	Kingston	53	1
Procedural Rules as a Facilitator and not a Hindrance to Justice	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	124	1
The Caribbean's Global IP Strategy Where are we now	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	173	1
The Social, Cultural and Economic Ramification of Geographical Indications	Saturday, December 15, 2018	Jamaica Pegasus Hotel Kingston	48	1

APPENDIX D

GENERAL LEGAL COUNCIL CONTINUING LEGAL PROFESSIONAL DEVELOPMENT PROGRAMME FINANCIAL RETURNS APRIL 2013 – MARCH 2019

	April 2013 – March 2014	April 2014 – March 2015	April 2015 - March 2016	April 2016 – March 2017	April 2017 – March 2018	April 2018 – March 2019
Income	J\$17.4m	J\$23.3m	J\$22.8m	J\$24.1	J\$22.5m	J\$26.1m
Expenses	J\$8.9m	J\$9.4m	J\$12.7m	J\$12.4m	J\$8.1m	J\$4.4m
Net Contribution	J\$8.5m	J\$13.9m	J\$10.1m	J\$11.7	J\$14.4m	J\$19.43m
Number of Seminars	42	47	38	64	61	46
Attendees	5,667	6,995	7,530	9,565	8,961	10,612

- *Does not include numbers related to the CCJ 5th Biennial Conference*

10. INFORMATION TECHNOLOGY COMMITTEE

1. During the year April 1, 2018 – March 31, 2019, the General Legal Council continued to contract the services of Ms. Bertina Macaulay and Mr. Sean Williams to handle its Information Technology requirements.
2. Ms. Macaulay's responsibilities included the following software related issues:
 - i) maintenance of the Council's website;
 - ii) management of the database;
 - iii) management and maintenance of internet and email connectivity;
 - iv) providing statistical and analytical data;
 - v) securing licences for the operating systems;
 - vi) sourcing and installing software upgrades;
3. Mr. Williams' responsibilities covered hardware and networking matters:

- i) supply, installation and maintenance of servers, computers and other IT related equipment;
 - ii) maintenance and upgrading of the internal IT network;
 - iii) installation of anti-virus software
 - iv) liaising with third-party providers e.g. FLOW, QUICKBOOKS etc.
 - v) providing substantial IT support to resolve the multiplicity of accounting errors that were made during the year.
4. Beginning in April 2018, the General Legal Council implemented the following technological upgrades:
- i) With the support and assistance of the Caribbean Court of Justice, the Disciplinary Committee began using the CURIA Court Management Software. Use of this software has significantly improved the Committee's administration, documentation and case management activities and has assisted to substantially reduce the backlog of outstanding disciplinary matters;
 - ii) The provision of laptop computers to all members of the Disciplinary Committee to receive verbatim notes of evidence for all Disciplinary Committee hearings has resulted in a marked improvement in the accuracy and delivery time of the notes of evidence and a marked reduction in paper consumption;
 - iii) By expanding the use of teleconferencing and video link facilities at sub-committee meetings and at Disciplinary Committee hearings, this has accommodated attorneys and complainants who are unable to personally attend either the meetings or hearings.
5. The Continuing Legal Education Committee of the GLC implemented an online platform in October 2018 which enables webinars to be streamed online, worldwide.
- i) The software used was supplied by Zoom Video Communications Inc;
 - ii) There is a monthly charge from Zoom of US\$54.00 to facilitate 100 online participants at each presentation;
 - iii) All seminars in Kingston will now be available online. However seminars presented in the rural parishes will, for the most part, not be available online due to insufficient telecommunications bandwidth at the locations;
 - iv) Eight seminars have so far been streamed live with approximately 200 participants in total from the UK, USA, Canada, other Caribbean Islands and Hong Kong.

6. During the period under review, the Council’s website received 182,357 visits from the territories listed below:

Territory	Number of website visits
Jamaica	141,402
North America	26,794
Europe	5,940
Other Caribbean Territories	4,897
Asia & South Pacific	2,256
Africa	787
Central & South America	281

These website visits focused on the following areas:

Area of Interest	Number of hits
General Administration Issues	61,182
Attorneys Profiles	59,220
Disciplinary Committee	26,037
CLPD	19,651
Regulations	15,138
Proceeds of Crime Act	1,129

The Information Technology Committee has not met but interfaces with either the staff of the General Legal Council, or any of the IT Consultants as may be necessary, since issues which required intervention were satisfactorily addressed.

Although, the technological processes continue to function efficiently, it is anticipated that there will be the need for a review of the IT facilities as well as the content of the GLC website

in the upcoming year, to ensure maintenance of relevance and service to the profession and public alike.

11. PROTECTION OF CLIENTS' PROPERTY COMMITTEE

The following comprise the matters that have been addressed or are being addressed by the committee:

a. Estate Carol Vassell

No further former clients of Miss Vassall have come forward to retrieve their files or claim any of the funds being held by the GLC. An application has been made to the Supreme Court for directions, and specifically seeking the court's permission to pay the sums being held to the Accountant General and for the files currently being held by the GLC to be delivered to and stored at Government Archives. The application came on before the learned Master Harris on April 3, 2019. Miss Vassall's executor was present with an attorney at law, who indicated that they would not be opposing our application, save that they wished to include four (4) additional boxes of clients' files that they still had. The Judge adjourned the matter to May 30, 2019 at which time we expect to get the order as prayed.

In the interim, discussions will be had with the executor and/or her attorney to ensure that the files that are in their possession are properly indexed prior to transferring to the GLC.

b. Damion Masters

With Mr. Master's father's confirmation that he is in possession of the files of clients of Damion Masters, a further and final visit is to be made to determine whether his method of returning files to the former clients is sufficient. Mr. Jackson is to ascertain whether there is an inventory of the files and if not, one is to be established. However, since last year, the GLC has not received any queries by the former clients of Mr. Masters.

c. Cynthia Levy Brown and Estate Carlton Campbell

All advertisements for the former clients of both attorneys have not yielded any subsequent take up and the GLC has received no queries from any former client of either attorney. The Committee has therefore decided that it will seek to have the files currently being held by the GLC transferred to the Government archives for storage.

d. Henry Woodham St. John

There will be some follow up with the children of the deceased in an effort to ascertain whether satisfactory arrangements are in place for dealing with his former client's property.

e. Lanza Turner-Bowen

The GLC made the decision to intervene on Mrs. Turner-Bowen's death mainly on the basis of the several queries that were received from her former clients. Her former landlord

facilitated the process of the removal of her files to the GLC and same will be examined with a view to indexing and reviewing in order to respond to the various queries that the GLC has received. The GLC has temporarily employed Miss Deanna McFarlane to assist in the processing of these files, and in particular to identify the files that have been the subject of queries, which at this time total about twelve (12).

In addition, Notices to several banks have been sent out, in particular Sagicor Bank, which we were informed held clients' funds for Mrs. Turner-Bowen. These notices requested that sums being held on behalf of clients be transferred to the GLC, pursuant to section 20D of the Legal Profession Act.

f. Attorneys removed from the Committee's consideration

Matters in relation to the following attorneys have been removed from the Committee's consideration:

- (a) Mr. Richard Bonner – the Committee concluded that satisfactory arrangements were in place.

g. Other Matters

The Committee also noted the untimely passing of the following attorneys: Ms. Elham Bogle; Mr. Gareth Forbes; Mr. William Hines and Mrs. Eileen Crosbie-Salmon. With respect to Miss Bogle, we were advised that her mother had three (3) files for former clients, which were distributed to the respective clients. There has been one query received by the GLC and there will be some communication with her brother to assist. In so far as the other attorneys are concerned, the GLC has received no queries and at this time cannot say whether satisfactory arrangements have been made in relation to clients' property.

The proposed presentation in relation to the amendments to the Legal profession Act that impacts this sub-committee will to be done by Annaliesa Lindsay and Symone Mayhew sometime before the 2019 summer break.

Prepared by the Clients Asset Committee – April 9, 2019

Members

Miss Annaliesa Lindsay – Chair
Mr. Allan Wood QC
Mr. Lloyd Barnett
Mrs. Caroline Reid-Cameron QC
Mr. Nathan Robb
Mrs. Symone Mayhew
Miss Carlene Larmond
Mr. Ian Jackson
Miss Shauna-Kay Shirley

12. ACCOUNTING REPORTS COMMITTEE

During the year under review the Committee did the following:

- a. Reviewed the Legal Profession (Accounts and Records) Regulations, 1999 amended on August 3, 2017 (the “Accounting Reports Regulations”), to correct errors and to update the form of Accountant’s Report contained in the Second Schedule to the Accounting Reports Regulations. This further amendment was promulgated by the General Legal Council (“GLC”) on April 2, 2019;
- b. Considered several policy issues raised by attorneys and reviewed the Accounting Reports Regulation in order to provide guidance to management regarding the interpretation of the Regulations or the policy of the GLC towards the issue raised;
- c. Reviewed and responded to requests for exemptions and extensions;
- d. Developed a policy to guide the implementation of the regulation for the withholding of practicing certificates for non-compliance with the Accounting Reports Regulations.
- e. Reviewed compliance with the Accounting Reports Regulations and recommended next steps, inclusive of the filing of complaints against non-compliant Attorneys;

During the period April 1, 2018 to March 31, 2019 there were 3734 attorneys on the roll and there were 2282 Practising Certificates issued.

Accountant Reports or Declarations are generally due by June 30 each year for the preceding calendar year (unless an attorney has a different 12 month period as his/her financial year). The average percentage compliance for the years 2000-2017 as at March 31, 2019 is 89.57%. As at March 31, 2019, compliance in respect of the year 2018 stood at 27.20% however, we continue to receive accountant reports and declarations in respect of this year, and anticipate the usual deluge of declarations and accounting reports by June 30, 2019, when most become due.

The compliance level from 2000-2018 as at March 31, 2019 stood as follows:

Fee Year	No. Attorneys in Practice	No. Attorneys with Submissions	No. Attorneys Outstanding	Percentage Compliance	Percentage NON-Compliance
2018	2239	635	1604	28.36%	71.64%
2017	2180	1803	377	82.71%	17.29%

2016	2036	1809	227	88.85%	11.15%
2015	1854	1716	138	92.56%	7.44%
2014	1760	1675	85	95.17%	4.83%
2013	1600	1538	62	96.13%	3.88%
2012	1465	1408	57	96.11%	3.89%
2011	1367	1319	48	96.49%	3.51%
2010	1297	1252	45	96.53%	3.47%
2009	1224	1179	45	96.32%	3.68%
2008	1142	1099	43	96.23%	3.77%
2007	1117	1058	59	94.72%	5.28%
2006	1078	1017	61	94.34%	5.66%
2005	1022	957	65	93.64%	6.36%
2004	971	901	70	92.79%	7.21%
2003	931	857	74	92.05%	7.95%
2002	891	822	69	92.26%	7.74%
2001	904	812	92	89.82%	10.18%

The 2017 amendment to the Accounting Reports Regulations empowered the GLC, where it was satisfied that the circumstances warranted it, to grant extensions of time to comply with the Accounting Reports Regulations. Additionally, the 2017 amendment also empowered the GLC to grant exemptions to attorneys who are exclusively employed outside Jamaica from the requirements under the Accounting Reports Regulations for the delivery of an accountant's report or declaration for the period of such employment outside Jamaica. During the period April 1, 2018 to March 31, 2019 there have been 4 applications for extensions which have been granted and 11 applications for exemptions which have been granted.

During the period April 1, 2018 to March 31, 2019 twelve (12) complaints were laid against attorneys who had failed to comply with the Accounting Reports Regulations.

13. FINANCE AND ACCOUNTING COMMITTEE

The Finance and Accounting Committee continued to guide, support and strengthen the Council's financial activities during the period April 1, 2018 – March 31, 2019.

The committee provided proper, adequate and rigorous supervision and direction, specifically in matters concerning expense containment and prudent investment opportunities.

Among the significant contributions made by the Committee during the period under review, was to assist the Chief Executive Officer to prepare the Council's annual revenue and expense budget.

The Finance and Accounts Committee also periodically monitored all financial inflows and outflows in accordance with the budgeted provisions, therefore ensuring that the Council's finances were carefully administered.

The Committee maintained a close working relationship with the external auditor to ensure that the Council's operational and reporting standards continued to be in line with the established accounting, financial and administrative procedures.

The members of the General Legal Council's Finance & Accounting Committee during the 2018/2019 financial year were, Messrs. Lowel Morgan (Chairman), Richard Ayoub, Stuart Stimpson, Stephen Shelton QC, and a Chartered Accountant, Ms. Paula Turner.

14. PRACTISING CERTIFICATE FEES

The following fee structure remained in effect:

Less than five years' standing	-	\$14,400.00
Five years' standing but less than fifteen	-	\$28,800.00
Fifteen years standing and over	-	\$43,200.00
Attorney-at-law who has retired from practice	-	\$10,000.00
Attorney-at-law in the first year of practice who applies for a practising certificate after September 1 in that year	-	\$7,200.00

It is estimated that there are Three Thousand, Seven Hundred Thirty-Four (3,734) attorneys on the roll. In 2018/2019 Two Thousand Two Hundred Eighty-Two (2,282) attorneys held practising

certificates. The Council has published on its website, a list of attorneys who are entitled to practise by virtue of their having paid their practising certificate fees. The Council also continues to work with the Chief Justice, the Registrar of Titles and other relevant departments to ensure that persons who are not entitled to practice are not allowed to do so.

15. APPLICATIONS FOR ENROLMENT

Applications for qualifying certificates were received from 147 persons and approved as set out in Appendix I.

The Disciplinary Committee of the General Legal Council has specific responsibility for the maintenance and enforcement of discipline in the legal profession by the examining and hearing of complaints laid against attorneys-at-law.

Members

The following persons are members of the Disciplinary Committee:

- | | |
|---|--|
| Mrs. Daniella Gentles-Silvera (Chairman) | Mrs. Ursula Khan |
| Mrs. Pamela Benka-Coker, Q.C. | Mrs. Gloria Langrin |
| Miss Delrose Campbell | Ms. Carlene Larmond (appointed on the 1 st October, 2018) |
| Mr. Peter Champagnie | Mr. Jerome Lee |
| Mrs. Judith Cooper-Batchelor | Miss Annaliesa Lindsay |
| Mr. Jeffrey Daley | Mrs. Margarette Macaulay |
| Miss Lilieth Deacon | Mr. Dane Marsh |
| Mr. Richard Donaldson | Mrs. Debra McDonald |
| Ms. Katherine Francis | Mr. Charles Piper, Q.C. |
| Miss Anna Gracie | Mr. Kevin Powell |
| Miss Nadine Guy | Mr. Pierre Rogers |
| Mr. Trevor Ho-Lyn | Mrs. Marjorie Shaw |
| Ms. Althea Jarrett (appointed from the 1 st October, 2018) | Mrs. Tana’ania Small-Davis |
| Mr. Christopher Kelman | Mr. Michael Thomas |

General Meetings

During the period under review ten (10) general meetings of the entire body of the Disciplinary Committee were held.

Attendance by Members at Monthly General Meetings			
Names	Times Possible	Times Present	Times Excused

Mrs. Daniella Gentles-Silvera	10	10	
Mrs. Pamela Benka- Coker, Q.C.	10	5	4
Miss Delrose Campbell	10	9	
Mr. Peter Champagnie	10	6	2
Mrs. Judith Cooper- Batchelor	10	5	1
Mr. Jeffrey Daley	10	7	2
Miss Lilieth Deacon	10	3	4
Mr. Richard Donaldson	10	5	
Ms. Katherine Francis	10	7	1
Miss Anna Gracie	10	9	
Mrs. Nadine Guy	10	6	
Mr. Trevor Ho-Lyn	10	10	
Ms. Althea Jarrett	5	2	1
Mr. Christopher Kelman	10	2	6
Mrs. Ursula Khan	10	7	3
Ms. Carlene Larmond	5	3	
Mrs. Gloria Langrin	10	6	2
Mr. Jerome Lee	10	10	
Ms. Annaliesa Lindsay	10	6	1
Mrs. Margarette Macaulay	10	2	4
Mr. Dane Marsh	10	6	1
Mrs. Debra McDonald	10	8	2
Mr. Charles Piper, Q.C.	10	-	1
Mr. Kevin Powell	10	6	2
Mr. Pierre Rogers	10	6	3
Ms. Marjorie Shaw	10	5	1
Mrs Tana'ania Small- Davis	10	5	1

Mr. Michael Thomas	10	5	3
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Attendance at Hearings - 3rd April, 2018 - 30th March, 2019

NAMES	TIMES POSSIBLE	TIMES PRESENT	TIMES EXCUSED
Benka-Coker, Q.C, Pamela (Mrs.)	27	25	2
Campbell, Delrose (Miss)	43	40	3
Champagnie, Peter (Mr.)	60	52	8
Cooper-Batchelor, Judith (Mrs.)	34	31	1
Deacon, Lilieth (Miss)	45	41	4
Daley, Jeffrey (Mr.)	48	46	2
Donaldson, Richard (Mr.)	25	22	3
Francis, Katherine (Miss)	67	59	8
Gentles-Silvera, Daniella (Mrs.)	77	72	5
Gracie, Anna (Miss)	30	29	1
Guy, Nadine (Mrs)	26	24	2
Ho- Lyn, Trevor (Mr.)	65	54	11
Jarrett, Althea (Miss)	10	10	0
Kelman, Christopher (Mr.)	64	63	1
Khan, C.D, Ursula (Mrs.)	45	42	3
Langrin, Gloria (Mrs.)	56	54	2
Larmond, Carlene (Miss)	12	12	0
Lee, Jerome (Mr.)	58	57	1
Lindsay, Annaliesa (Miss)	39	36	3
Macaulay, Margarett (Mrs.)	9	7	2
Marsh, Dane (Mr.)	43	37	6
McDonald, Debra (Mrs.)	78	74	4
Piper, Charles (Mr.)	22	21	1
Powell, Kevin (Mr.)	63	61	2
Rogers, Pierre (Mr.)	35	32	3
Shaw, Marjorie (Ms.)	35	32	3
Small-Davis, Tana'ania (Mrs.)	41	38	3
Thomas, Michael (Mr.)	44	39	5

NB: For the period 1st April, 2018 to 31st March, 2019 Charles Piper and Margarett Macaulay were not listed on the six months panel and neither were Judith Cooper Batchelor and Richard Donaldson from the 1st December, 2018 Charles Piper, Judith Cooper Batchelor and Richard Donaldson requested time off due to work/personal pressures and Margarett Macaulay has been overseas.

Summary of Complaints 1st April, 2018 to 31st March, 2019

* Complaints pending as at the 1st April, 2018 -

859

Complaints filed between 1st April, 2018 to 3rd March, 2019 - 265

Complaints considered at general meetings:

(a) Complaints where no prima facie case found - 92

(b) Complaints where prima facie case found and matter sent to hearing - 161

(c) Complaints where Application for withdrawal granted at general meeting 4

Total number of complaints considered at general meeting **257**

Complaints dealt with at Hearings:

(a) Number of complaints withdrawn - 91

(b) Number of complaints dismissed - 129

(c) Number of complaints upheld - 62

TOTAL number of complaints dealt with - 282

Total number of complaints disposed at general meetings and at hearings: 378

Total number of complaints pending as at the 1st April, 2019 - 450

Outstanding judgments as at the 31st March, 2019 - 86

Part heard matters as at the 31st March, 2019 - 79

*** NB. The figure of 859 for pending complaints as at the 1st April, 2018 has not been verified by a physical count.**

In April, 2018 the Disciplinary Committee implemented a computerised database called Curia Suite Apex (Advance Performance Exponents Inc) Case Management System (Apex Curia-Case Management System) which is a group of case management and automation solutions, specifically designed and built to automate case management activities and provide timely and accurate performance reports to improve efficiency and productivity. All complaints were scanned and uploaded unto the database and are available to be viewed via the Curia website by the staff of the Disciplinary Committee and all the members of the Disciplinary Committee.

In addition to computerizing our database, the Disciplinary Committee in April, 2018 embarked on a brand-new way of doing business whereby fixed panels were struck for a six (6) month period and cases assigned to each Panel for the period. There were eight (8) Panels and on average each panel was assigned forty-three (43) cases for the period April, 2018 - November, 2018. Between December, 2018 - 31st March, 2019 on average each panel was assigned 24 cases. The panels for the six month period from December, 2018 have two more months to go but we decided after the first six months to reduce the number of matters before each panel.

This new method of fixed panels has led to a noticeable increase in the completion of matters. Prior to the new system being implemented, and before fixed panels were introduced, for the twelve-month period from 1st April, 2017 to 31st March, 2018, one hundred and four (104) complaints were completed by the Disciplinary Committee. Since the implementation of the fixed panels three hundred and seventy-eight (378) complaints have been completed with two (2) more months left to go April, 2019 and May, 2019. We therefore have completed 263% more matters with another two months to go. Indeed, had the eighty-six (86) outstanding Decisions been delivered we would have completed four hundred and sixty-four (464) matters and would in fact have shown a 346% increase in total matters completed.

Additionally, it should be noted that for the most part all complaints for which a prima facie case was found at the general meeting now have a date for hearing except for matters filed after. Further as at the 31st March, 2019 most of the complaints before the general meeting are complaints filed in 2019.

The Disciplinary Committee's new way of business has been an adjustment for all and for some of the members and staff, the adjustment has been more challenging than for others. However, as time goes on, I have no doubt that the Disciplinary Committee will complete more of the matters with greater speed and efficiency.

Attorneys who have been Struck Off/Suspended

Between the 1st April, 2018 to 31st March, 2019 the following Attorneys were struck off the Roll and/or suspended from practice.

<u>Attorney</u>	<u>Struck off</u>
Ms. Grace-Ann Cameron	28.4.2018
Mr. Ian Robins	5.5.2018
Mrs. Minette Lawrence	26.5.2018
Mr. Lancelot Cowan	20.9.2018
Mrs. Jennifer Messado	15.9.2018
Mr. Howard Lettman	28.9.2018
Mr. Jerome Dixon	27.10.2018

<u>Attorney</u>	<u>Suspended</u>
Mr. Sean Clarke	30.03.19

Hyacinth Ashmeade vs Lorraine Ramson (suspended if order is not complied with by 30.4.2019)

Costs and Fines Orders Imposed Under the Period Under Review

Costs Imposed by the Disciplinary Committee	\$3,930,000.00
Fines Imposed by the Disciplinary Committee	\$7,075,000.00
Costs Collected by the Disciplinary Committee	\$1,610,000.00
Fines Collected by the Disciplinary Committee	\$4,170,000.00
Costs outstanding	\$2,220,000.00
Fines outstanding	\$2,905,000.00

Four sets of documents are copied each month for monthly meetings for the following persons:
 Mrs. Pamela Benka-Coker, Q.C.
 Mrs. Gloria Langrin
 Mr. Richard Donaldson

However, Mr. Donaldson no longer attends the meetings, the remaining documents are usually given to Messrs. Pierre Rogers, Peter Champagne and/or Christopher Kelman. All other members now access their documents through notebooks/laptops/computers. The Disciplinary Committee has approved certain amendments to the Legal Profession (Disciplinary Proceedings) (Amendment) Rules, 2019 specifically service by fax, email and personal service has been introduced and consolidation of complaints. The first amendment should reduce the administrative expenses going forward.

**OUTSTANDING APPEALS AGAINST THE GENERAL LEGAL COUNCIL AS AT 31ST
 MARCH, 2019**

1. **Oswest Senior-Smith v The General Legal Council (exp. Lisa Palmer Hamilton) (Civil Appeal No. 6 of 2016)**

This is an appeal against the general meeting's decision that there was no prima facie case for the Attorney to meet. The appeal was heard and Judgment given upholding the Disciplinary Committee's decision. Costs was awarded to the General Legal Council. Oswest Senior-Smith filed a motion to appeal the decision to the Privy Council which was dismissed by the Court of Appeal. Michael Hylton, Q.C. represents the General Legal Council.

2. **Richard D. Bonner v The General Legal Council - MA No. 97/2017 (Exp. Dr. Opal Gibson-Corbin)**

This appeal was filed on the 12th October, 2017 against the decision of the Disciplinary Committee to strike off Mr. Bonner off the Roll of Attorneys. A date has not yet been fixed for the appeal. Sandra Minott-Phillips, Q.C. represents the General Legal Council.

3. **Gregory Lopez v The Disciplinary Committee of the General Legal Council (Paul Black) - Misc. Appeal No. 27 of 2017**

The Attorney filed a Notice of Appeal on the 18th April, 2017 and Application for a stay of the decision striking him off the Roll. No date has been fixed as yet for the application. The Attorney has not prosecuted the matter. Sandra Minott-Phillips, Q.C. represents the General Legal Council.

4. **Arlean Beckford v The General Legal Council (Exp. Loretta Henry Grant)**

An application was filed for extension of time within which to file an appeal. When it came on for hearing on the 27th June, 2016 Ms. Beckford's Attorney applied for an adjournment to allow him time to review the file. The Registrar of the Court of Appeal by letter dated the 14th August, 2017 to Ms. Beckford's Attorney requested that he relist the notice of

application for a new date to be inserted. No date has been fixed. Sandra Minott-Phillips, Q.C. represents the General Legal Council.

5. Norman Samuels v The General Legal Council - MA 5/2016 (formerly 85/2016)

This appeal filed on the 30th August, 2016 was heard during the week of the 13th April, 2018 and judgment has been reserved. Sandra Minott Phillips, Q.C. represented the General Legal Council.

6. Harold Brady v The General Legal Council - Civil Appeal No. MA 01/2017 (Exp. Factories Corporation)

This appeal came up for hearing on the 11th October, 2017. The Court ordered that the Appellant file a Notice of Application to admit fresh evidence in relation to allegations of bias and also ordered that all of the deponents of the affidavits including the Chairman of the Disciplinary Committee Panel, Daniella Gentles-Silvera, should attend Court to be cross examined to enable the Court to determine if the Appellant's application for fresh evidence should be allowed. The matter was adjourned to the week of the 12th March, 2018 and on that day again adjourned the 16th July, 2018 due to the limited number of Judges who could hear this matter. On the 16th July, 2018 it was again adjourned as Mr. Brady's Attorney indicated that he would be making an application for the President of the Court of Appeal to recuse himself. The matter came up for hearing again on the 11th March, 2019 but was adjourned as one of the judges recused herself from the matter. The appeal has now been fixed for the week of the 28th May, 2019. Denise Kitson, Q.C. represents the General Legal Council.

7. Claim No. 2017 HCV 01211 - Abe Dabdoub and Raymond Clough v The Disciplinary Committee of the General Legal Council (exp. Dirk Harrison Contractor General of Jamaica)

An application was filed in the Court of Appeal on the 28th June, 2018 seeking leave to appeal a decision of the Supreme Court that the Fixed Date Claim Form filed as an appeal against the Disciplinary Committee's decision that there is a prima facie case to be answered, is misconceived and is an abuse of the process of the Court. Carlene Larmond

represents the General Legal Council. The Court of Appeal refused the Attorneys' leave to appeal the decision of the Supreme Court striking out the claim on the 15th November, 2018.

8. Humphrey McPherson v Disciplinary Committee of The General Legal Council (Misc. Appeal No. 2 of 2016) (Application No. 120/17) (Idela Joyce Stewart)

This matter involves an appeal from a decision of the Disciplinary Committee of The General Legal Council delivered on the 30th November, 2016 striking off the Attorney from the Roll. The appeal was in fact struck out on the 9th June, 2017 on the basis that the notice of appeal was filed out of time. Mr. McPherson subsequently filed an application for a number of orders including that a procedural appeal be heard. This appeal arising out of the same disciplinary hearing was filed in 2013 (MA No. 2 of 2012) against certain rulings by a Panel of the Disciplinary Committee made during the hearing on the 18th April, 2013. The Attorney is requesting in the application that the rulings should be overturned or alternatively that his name be restored to the Roll as an Attorney. Mr. McPherson did not pursue the procedural appeal and is now seeking to resurrect it and have it incorporated in the 2016 appeal which has been struck out. The Attorney is also seeking an order that the Order of the Court of Appeal striking out the appeal, made on the 9th June, 2017 be set aside. The procedural appeal which is to be heard on paper, is to be considered on the 27th May, 2019. Sandra Minott Phillips, Q.C. represents the General Legal Council.

9. The Disciplinary Committee of The General Legal Council (Exp. Elizabeth Hartley) v Janice Causwell - JCPC 2017/0037

On the 11th March, 2019 the Privy Council handed down its judgment allowing the General Legal Council's appeal. The Privy Council held that a complaint filed by an agent on behalf of a complainant who ratifies the agent authority to bring the complaint after the complaint was filed may be subsequently ratified. Michael Hylton, Q.C. and Carlene Larmond represented the General Legal Council.

10. Michael Lorne v The General Legal Council - Misc. Appeal No. 3 of 2017

This is an appeal filed by Michael Lorne against a decision striking him off the Roll. The appeal has been fixed for the 10th June, 2019. Sandra Minott-Phillips, Q.C. and Litrow Hickson represent the General Legal Council.

11. Don Foote v The Disciplinary Committee of The General Legal Council (Amy Robinson) (Miscellaneous Appeal No. 2 of 2018)

Mr. Foote filed an appeal against a decision of the Disciplinary Committee which sanction included a fine of \$1,000,000.00 to be paid on or before the 24th May, 2018 failing which Mr. Foote was to be suspended from practice for one (1) year. Mr. Foote paid the fine within the stipulated period. The appeal has been fixed for the week commencing the 20th May, 2019 but the appellant has failed to comply with the Case Management Conference orders and therefore the General Legal Council's Attorney has filed an application for the appeal to be struck out. The General Legal Council is represented by Sandra Minott-Phillips, Q.C. and Litrow Hickson.

12. Eileen Boxill v Jennes Vashti Anderson (a member of the General Legal Council - SCCA No. 941 of 2012 consolidated with Miscellaneous Appeal No. 3 of 2014

The appeal was successful and the decision of the Disciplinary Committee sanctioning the Attorney for failure to file statutory declarations under the Accounting Regulations was set aside and costs awarded to the Attorney. The costs are being taxed. Mrs. Denise Kitson, Q.C. represents the General Legal Council.

13. Howard Lettman v The Disciplinary Committee of The General Legal Council (Rudolph Campbell) - Appeal No. 1 of 2018

This appeal was filed on the 9th January, 2018 against an Order given on the 1st December, 2017 suspending the Attorney from practice. On the 5th November, 2018 Mr. Lettman filed a Notice of Abandonment of the Appeal. Carlene Larmond represented the General Legal Council in the appeal.

14. Ian H. Robins v The General Legal Council (Miscellaneous Application No. 6 of 2018)

An appeal was filed against a striking off order of Mr. Robins for breach of the Legal Profession (Accounts and Records) Regulations on the 17th May, 2018. The Attorney applied for a stay which was granted on the 29th November, 2018 on the condition that the Attorney's practice be limited to one case **R v Missick**. The appeal has been fixed for the week commencing the 10th June, 2019. The General Legal Council is represented by Carlene Larmond.

15. George Jeffrey v Leroy Equiano (Miscellaneous Application No. 7 of 2018)

This appeal was filed on the 22nd May, 2018 by the complainant in person against a decision of the Disciplinary Committee dismissing the complaint. The General Legal Council is represented by Carlene Larmond.

16. Minette Lawrence v The General Legal Council (SCCA No. 64/2018)

This appeal was filed on the 13th June, 2018 against a finding of professional misconduct and an order striking off Mrs. Minett Lawrence off the Roll of Attorneys. An application for stay was filed but withdrawn by the Appellant on the 20th November, 2018. The appeal is fixed for the week commencing the 10th June, 2019. The General Legal Council is represented by Hugh Small, Q.C. and Trudy-Ann Dixon Frith.

17. Richard Retzin v The General Legal Council (exp. Girvan Williams) MA 10/2018

This appeal was filed on the 19th July, 2018 against a panel's (Disciplinary Committee) decision given on the 14th July, 2018 not to recuse themselves from hearing a complaint. The Attorney, Richard Retzin alleges that the Panel members are biased. This appeal was fixed for the week commencing the 4th March, 2019 but on the 8th January, 2019 the Attorney withdrew the appeal and costs to the General Legal Council was agreed at \$150,000.00. The General Legal Council was represented by Sandra Minott-Phillips, Q.C. and Litrow Hickson.

18. Jerome Dixon v The Disciplinary Committee of the General Legal Council - Civil Appeal No. 109 of 2018

This appeal was filed on the 15th November, 2018 against a decision striking the Attorney off the Roll for breach of an undertaking. An application for a Stay was filed but no date has been fixed. The General Legal Council is represented by Mr. Michael Hylton, Q.C.

19. Jennifer Messado v The Disciplinary Committee of the General Legal Council (Elise Wright Goffe) (Miscellaneous No. 11/2018)

An appeal was filed on the 12th October, 2018 by Mrs. Messado against an order of the Disciplinary Committee of the General Legal Council striking her off the Roll. The General Legal Council is represented by Sandra Minott-Phillips, Q.C.

20. Gorstew Limited v General Legal Council (Garth McBean) (Miscellaneous Appeal No. COA 2019 00012)

This appeal was filed on the 1st February, 2019 by Gorstew Limited against an order of the Disciplinary Committee of the General Legal Council dismissing the complaint. The General Legal Council is represented by Mr. Michael Hylton, Q.C.

21. Gorstew Limited v General Legal Council (Raymond Clough) (Miscellaneous Appeal No. COA 2019 MS00002)

This appeal was filed on the 21st February, 2019 by Gorstew Limited against an order of the Disciplinary Committee of the General Legal Council dismissing the complaint. The General Legal Council is represented by Mr. Michael Hylton, Q.C.

22. Gorstew Limited v General Legal Council (Roald N.A. Henriques, Q.C.) (Miscellaneous Appeal No. COA 2019 MS00003)

This appeal was filed on the 21st February, 2019 by Gorstew Limited against an order of the Disciplinary Committee of the General Legal Council dismissing the complaint. The General Legal Council is represented by Mr. Michael Hylton, Q.C.

23. Laural Washinton Turner v General Legal Council

The General Legal Council is represented by Carlene Larmond.

INCOME AND EXPENDITURE

A statement of the Council’s Income and Expenditure for the period 1st April, 2017 to 31st March, 2018 which is extracted from its audited Financial Statement is set out below:

<u>INCOME</u>	<u>\$</u>
Practising Certificate Fees	68,765,049
Conference	2,574,395
CLPD	25,494,403
Interest on Fixed Deposit	413,572
Fines	5,880,000
Other	<u>1,026,000</u>
	104,153,419
Administrative and General	<u>(90,022,083)</u>
Total Comprehensive Income for the year	<u>14,131,336</u>
 <u>EXPENDITURE:</u>	
Advertising	642,301
Audit and accounting fees	680,000
Bad debt	8,000
Bank charges	1,478,436
Depreciation	3,703,199
Donation	1,869,918
Electricity	2,681,185
Foreign exchange loss	1,767,080
Insurance	129,250
Irrecoverable GCT	3,625,103

Legal and professional fees	4,011,405
Loss on disposal	245,492
Meeting expenses	1,454,834
Office expenses	1,102,172
Office Rent	5,461,042
Printing, stationery and postage	3,552,205
Repairs and maintenance	3,164,914
Salaries, wages and related costs	47,013,078
Security	3,324,155
Staff welfare	1,799,324
Staff training	12,000
Telephone	1,915,885
Travel and accommodation	151,000
Uniforms	<u>230,105</u>
	<u>90,022,083</u>

APPENDIX I

Applicants who received qualifying certificates:

- | | |
|----------------------------------|--------------------------------|
| 1. Abel, John Stephen | 5. Anderson, Kristen Patrice |
| 2. Allen, Janeika Paulina Sheree | 6. Bailey, Janeak Nardia |
| 3. Anderson, Ajani Yohance | 7. Bell, Michelle-Lee Shanarda |
| 4. Anderson, Jodi-Kay Monique | Melleshia |

8. Bennett, Stacian Davia W.
9. Bennett, Tawana Shaneil
10. Berry, Chadwick Antoine
11. Bethune, Amanda Rasheda
12. Bishop, Ashley Simone
13. Blackwood, Nashell Moya
14. Boyd -Phillips, Hyacinth Stephanie
15. Brady, Courtnie Jeneel
16. Braham, Gillian
17. Brown, Aneisha Geneve
18. Brown, Arielle Giovanna
19. Brown, Ju-Dave Gea-Marie
20. Brown, Keelie-Ann Amoi
21. Brown, Sasha-Gay Tashema
22. Bruce, Latina Shamara
23. Bryan, Allison-Gaye Maria
24. Buckley, Anna-Kay Melissa
25. Burton, Jonathan Jeovauni
26. Campbell, Abuna Emanuel Jones
27. Campbell, Peta-Kaye Tresecka
Roderica
28. Campbell, Samoi Antoinette
29. Campbell-Palmer, Samantha
30. Chin, Alyssa Lauren
31. Christie, Alicia Petergayle
32. Compass, Arthur David
33. Cotterell, Antwan Adrian
34. Coulson, Abbi-Gaye Houdehan
35. Cowan, Christopher St. Michael
36. Crooks, Shari-Lee Teja
37. Cunningham, Shana-Kay Teria
38. Davis, Kenisha Kamara
39. Davis, Stanecia Annmarie
40. Dawson, Sharryn Shareema
41. Daye, Candice Christina Foote
42. Drum, Vyktor Troy-O'Brien
43. Dunbar, Ayesha Safiya
44. Duncan, Romane Steve
45. Dyer, Atibo Ato
46. East, Brittney Alicia-Bonet
47. Facey, Peta-Gay Lorri-Ann
48. Farquharson, Shanique Sasha-Gaye
49. Fitz-Henly, Yakum Mekfet
50. Foster, D'Angello Georgino
51. Francis, Christine Abaigale
52. Gentles, Shanice
53. Goldsmith, Chadwyck Khan
54. Goldson, Christopher Lloyd
55. Gomes, Christopher Anthony
56. Gooden, Simone Christina
57. Gordon, Matthew Noel
58. Gordon-Deciciego, Elizabeth
59. Graham, Shereese Georgette
60. Grant, Terrisha Aneita
61. Green, Dwayne Kevin Joshani
62. Green, Shameika Shantae
63. Griffiths, Jana Robyn
64. Hamilton, Kelly Anne
65. Hamilton, Shelly-Ann Jennies
66. Hanson, Sashalee Sophine
67. Harris, Shontol Shantal
68. Harrison, Kenisha Kayon

69. Headley, Leonnette Latrix
70. Hemans, Atalie Abigail Toni-Ann
71. Henry, Peter-Kaye Ashley
72. Henry, Shanese Anna-Kay
73. Henry, Tasanigue Alecia
74. Hines, Hanielle Elexia
75. Hudson-Buchanan, Myoka Alicia-Gay
76. Hunter, Monique Alison Jeanelle
77. Hylton, Eavean Patrene
78. Hyman, Kadidia Hannah-Dee
79. Irving, Kristie Cornelia
80. Jarrett, Jordan Alexander James
81. Jarrett, Nicholas Melvin Barrington
82. Johnson, Courtney-Dawn Alexandria
83. Jones, Kemoy Zen
84. Kellyman, Nicholas Andre
85. Larmond, Sashane Alicia
86. Lawrence, Chad St. Patrick
87. Lorne, Mikael Ababa Jahnoi Imru
88. Malcolm, Rushell Marieke
89. Maxwell, Tishanna Marion
90. May, Shaniel Allyson
91. McDonald, Renee Imani
92. McFarlane, Danielle Akea
93. McKenzie, Andre Charles
94. Miller, Romario Odane
95. Minott, Shellisa Arlene
96. Mitchell, Tassja Ashlee
97. Moncrieffe, Peta-Gaye Donna-Marie
98. Morris, Sonja Brooke Lee
99. Morrison Alcindor, Twanieka
100. Mullings, Scott Vaughn
101. Nelson, Dava-Gaye Shantae
102. Osbourne, Taj-marie Victoria
103. Palmer, Ted Jason
104. Parris-Campbell, Camilla Samantha
105. Paul, Sherika Kenesha
106. Phillips, Alex Robert
107. Pitter, Trishann Jennifer
108. Pitter, Trishanner Jenever
109. Powell, Daniesha Ava-Joan
110. Powell, Sharon Kay
111. Radcliffe, Kristina Marcia Antoinette
112. Reid, Danielle Abigail
113. Richards, Marvin
114. Richards, Sanique Cheyenne
115. Roberts, Grace-Ann AbbeyGayle
116. Robinson, Sharelle
117. Rodney, Joscine Tamara
118. Royal, Matthew Anthony
119. Rufus, Donna Patrice
120. Samuels, Karen
121. Scarlett, Gabrielle Cymanthia
122. Shaw, Alexander Leopold
123. Simpson, Tessa Mallone
124. Singh, Leah Nina
125. Spence, Keisha Ann-Patrice
126. Spence, Rayhnah Symonne
127. Stewart, Jhneil Yunoka

128. Stone, Stephenie Samantha
129. Tavares, Francesca Gabrielle J.
130. Taylor, Lee-andria Latanya
131. Thomas, Camellia Olivia Therese
132. Thomas, Daneisha Donna
133. Thomas, Jonelle Jamila
134. Thompson, Houston Kiara Kate
135. Tomlinson, Sharlette Otesha
136. Virgo, Markel Abe Oneil
137. Walcott, Keri
138. Walker, Stacy-ann Chantelle
139. Wallace, Amanda Coli-Marie
140. Wallen, Mark Robert Constantine
141. Waller, Kedisha Oneaka
142. Webber, Natalia Vennesa
143. White, Shantol Kimberly
144. Williams, Daniel Alicia
145. Williams, Sean-Tay Prudence
146. Young, Janika Akella
147. Young, Tracia Chevannese

CHAIRMAN:

SECRETARY:

DATE: