

GENERAL LEGAL COUNCIL

ANNUAL REPORT

APRIL 1, 2019 TO MARCH 31, 2020

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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:

The outbreak of the COVID-19 pandemic began in March 2020. The pandemic has caused extended disruption to the operations of the Council. The pandemic is without precedent in living memory. Cognizant of the disruption which has been caused to attorneys-at-law, the Council implemented measures to assist attorneys to comply with regulatory requirements which include enactment of the Legal Profession (Accounts and Records COVID-19 Amendment) Regulation 2020, whereby time was extended to 30th September 2020 for the filing of accountant's reports for the preceding financial year.

On a positive note the General Legal Council's Compensation Fund Rules were enacted to take effect on 1st April 2020 and a Committee has been appointed, chaired by Hon. B. St. Michael Hylton QC to manage that fund. The initial start up contribution to the fund of \$4 million has been committed by the Council.

The Disciplinary Committee has made adjustments to deal with the disruption which has been caused by the pandemic and the work of the Committee has continued with hearings being held by video link and the necessary protocols to govern such hearings have been issued.

The CLPD Committee has been active, offering CLPD webinars consequent on the fact that face to face seminars have been suspended since March 2020. These webinars have been made available for periods up to 7 days so that attorneys can view them at their leisure. The price of webinars has been discounted so that there will be no additional financial burden to attorneys during the period when face to face seminars are suspended. To further assist attorneys, a series of webinars were offered in May 2020 free of cost.

Notwithstanding the disruption caused by the pandemic, attorneys are enjoined to continue compliance with the governing regulations. I would like to thank the members and staff of the General Legal Council and the members of the Committees for their commitment and hard work.

DATED 18th AUGUST 2020

ALLAN S. WOOD
CHAIRMAN

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, 2020:

1. MEMBERSHIP (ending April 24, 2019)

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

The term of the Council ended on April 24, 2019 and Mr. Allan Wood Q.C. as re-elected Chairman of the General Legal Council. The membership of the new Council is as follows:

MEMBERSHIP (beginning April 25, 2019)

Mr. Allan Wood, Q.C. – Chairman	
Mrs. Marlene Aldred	Ms. Carleen McFarlane
Mr. Richard Ayoub	Mr. Lowel Morgan
Hon Mr. Justice Patrick Brooks, C.D.	Mrs. Janet Morrison
Mr. George Clue	Ms. Hilary Reid
Mr. Leonard Green	Mr. Nathan Robb
The Hon. B. St. Michael Hylton, O.J., Q.C.	Mr. Donovan Walker
Mrs. Denise Kitson, Q.C.	Mr. Ian Wilkinson, Q.C.
Ms. Annaliesa Lindsay	Mrs. Karen Wilson

2. MEETINGS

During the period April 1, 2019 to March 31, 2020, a total of ten (10) regular monthly meetings were held as follows:-

2019: April 24, May 22, June 26, July 24, September 25, October 23, November 27 and December 18

2020: January 22 and February 19

The Council also held a planning retreat on October 26, 2019.

ATTENDANCE OF MEMBERS AT MEETINGS:

NAMES	Times Possible	Times Present	Times Absent	Apologies Tendered
Mr. Allan Wood, Q.C.	10	9	1	1
Mrs. Marlene Aldred	9	6	3	2
Mr. Richard Ayoub	10	4	6	6
Mrs Pamela Benka-Coker, Q.C.	1	1	0	0
The Hon. Mr. Justice Patrick Brooks, C.D.	10	8	2	2
Ms. Saverna Chambers	1	1	0	0
Mr. George Clue	9	2	7	0
Mr. Adley George Duncan Snr.	1	0	1	1
Mrs. Nicole Foster-Pusey, Q. C.	1	0	1	0
Lt. Col. Linton P. Gordon	1	1	0	0
Mr. Leonard Green	9	8	1	0
The Hon. B. St. Michael Hylton, O.J., Q.C.	10	6	4	4
Mrs. Denise Kitson, Q.C.	10	7	3	2
Ms. Annaliesa Lindsay	10	8	2	2
Mr. N. Patrick McDonald	1	1	0	0
Ms. Carleen McFarlane	9	7	2	2
Mr. Lowel Morgan	10	5	5	5
Mrs. Janet Morrison	10	8	2	2
Ms. Hilary Reid	10	5	5	4
Mr. Nathan Robb	9	4	5	4
Mr. Walter Scott, Q.C.	1	0	1	1
Mrs. Donna Scott-Mottley	1	0	1	1
Mr. Donovan Walker	9	8	1	1
Mr. Ian Wilkinson, Q.C.	9	8	1	1
Mrs. Karen Wilson	9	6	3	3

3. STAFF

The staff complement was a total of twenty-two (22) persons. The following adjustments have been effected:

Mr. Donald Sangster, Bearer/Office attendant, resigned April 3, 2019 and Ms. Tannisha Streete was employed effective April 15, 2019. Ms. Tanya Grant was employed as Administrative Assistant effective April 29, 2019.

4. SALARIES

There was a salary increase of 5% effective January 2019.

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 moved 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	B. St. Michael Hylton
Finance and Accounting	Lowel Morgan
Information Technology	Denise Kitson
Proceeds of Crime Act	Allan Wood
Protection of Client's Assets	Annaliesa Lindsay

7. ACCREDITATION COMMITTEE

1. During the period, April 2019 – March 2020, the Committee received a total of **114** new applications from institutions for accreditation of courses to be presented by them. There were **186** applications for exemptions and **95** applications from individuals for credits for activities in which they had participated. Of the total of **395** applications which were reviewed during the period, **363** applications were successfully addressed, **2** were refused, and **30** were granted extensions.
2. The data also discloses that during that period, a total number of **3,592** attorneys, **1,799** are fully compliant in their participation in CLPD programmes and **1,546** are partially compliant. Attorneys have until November 2019 to become fully compliant. Eighty-One (**81**) attorneys have received exemptions and **166** received extensions.
3. The Accreditation Committee is pleased to report that as anticipated, consequent on the conferral of provider status on the General Legal Council and on the Jamaican Bar Association the Committee has seen a significant reduction in the number of papers to be reviewed and processed. An application for provider status by the Faculty of Law of the University of the West Indies has been deferred by them and instead they continue to submit papers for accreditation. The Committee has implemented the requisite monitoring procedures and has required strict compliance with the same by the Continuing Legal Professional Development Committee of the General Legal Council and the Jamaican Bar Association.

Accreditation Committee
July 2020

Denise E. Kitson QC-Chairman
R.N.A. Henriques QC
Ethan Sinclair
Donna Scott Mottley
Donovan Jackson
Norman Davis
Basil Parker
Donovan Walker
Meridian Kohler

8. ADVERTISING REGULATORY COMMITTEE

1. COMMITTEE MEMBERS

The members of the General Legal Council's (GLC) Advertising Regulatory Committee (hereafter "*the Committee*") in the year under review were as follows:

MEMBERS - Ian G. Wilkinson QC, Chairman, Delrose Campbell, Julianne Mais-Cox, Anna Gracie, Mikhail Jackson, Adam Jones, Stacey Mitchell, Janet Morrison and Daniella Gentles-Silvera (the immediate past Chairperson).

- 2.** For the period under review the Committee had a total of five (5) meetings, the number not being greater due chiefly to when the Committee was established by the new Council and the Corona Virus (Covid-19) Pandemic, respectively.

DATES OF MEETINGS

2019

July 9;
September 17;
October 8;
November 5; and

2020

February 11

3. MATTERS ADDRESSED DURING THE PERIOD UNDER REVIEW

The Committee had to write on a number of occasions to several Attorneys-at-Law to address, and resolve, a variety of matters including the following:

- (a) a retired Court of Appeal Judge being advertised on a law firm's letterhead as a consultant with the judicial office being stated;
- (b) members of the legal profession practising as sole practitioners advertising their practices as "*& Company*". The Committee assisted the GLC by preparing a notice to be issued to the relevant stakeholders providing guidance on the matter;
- (c) members advertising themselves or their firms as experts or specialists in particular areas of law practice. The Committee assisted the GLC by preparing a notice to be issued to the relevant stakeholders providing guidance on the matter;

- (d) the frequency of advertisements on television by Bignall Law;
- (e) Billboard size advertisements by Attorneys-at-law;
- (f) the nature of advertisements by Attorneys-at-Law on Social Media (Facebook, Instagram, Twitter etc.); and
- (g) Attorneys-at-Law advertising awards reputedly made to them for achievements in the legal profession.

4. SPECIALIZATION ESTABLISHMENT COMMITTEE – At the invitation of the GLC’ s Chairman Allan Wood QC, the Chairman of the Committee agreed to chair a special body established to set the foundation for a GLC committee (to be established) to certify Attorneys-at-Law as experts or specialists in various areas of law practice. This body (which also includes other volunteers from the Committee) has been meeting and hopes to complete its work within the next few months.

5. PLANS FOR THE COMMITTEE:

The Committee’s plans include the following:

- (a) assisting the GLC as much as possible regarding the constitutional claim filed by Mr. Vaughn Bignall/Bignall Law challenging the validity of provisions in the Canons dealing with advertising;
- (b) continuing to review the Canons, specifically the provisions regarding advertising;
- (c) where necessary, providing updated guidelines on the Canons dealing with advertising; and
- (d) educating Attorneys-at-Law further by, inter alia, making presentations at seminars to highlight the provisions of the Canons.

9. INFORMATION TECHNOLOGY COMMITTEE

During the year, the General Legal Council continued to retain the consultancy services of Ms. Bertina Macaulay and Mr. Sean Williams to handle its Information Technology requirements. 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 reports;
- v) securing licences for the operating systems;
- vi) sourcing and installing software upgrades.

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) anti-virus software support;
- iv) liaising with third-party providers e.g. FLOW, QUICKBOOKS, ZOOM etc.;

In addition, one of the Council's administrative assistants, Mr. Ackeem Anglin who has continued to display an affinity and interest regarding various aspects of the information technology programme, has participated in a comprehensive IT related training programme.

Mr. Anglin has been able to provide a considerable level of in-house IT support, which has significantly reduced the Council's dependence on the external consultants.

During the financial year under review, the General Legal Council's information technology operations were enhanced as follows:

- i) Application of the CURIA Court Management Software has significantly improved the Disciplinary Committee's administration, documentation and case management activities and has assisted in substantially reducing the backlog of outstanding disciplinary matters;
- ii) Use of laptop computers by the administrative staff to prepare verbatim notes of evidence at all Disciplinary Committee hearings has resulted in a marked improvement in the accuracy and delivery time of the notes of evidence of the disciplinary hearings;
- iii) Integrating teleconferencing and video link facilities for various sub-committee meetings and at Disciplinary Committee hearings has facilitated committee members, attorneys and complainants who are unable to personally attend either the meetings or the disciplinary hearings.
- iv) Since March 2019, all CLPD seminars have been streamed live
- v) via the internet to facilitate those attorneys who are unable to physically attend the face-to-face seminars.
- vi) In addition, each of these seminars are recorded and stored in the Cloud and are therefore available to be viewed on demand.

During the period under review, the Council's websites received 182,357 visits from the territories listed below:

Territory	Number of website visits
Jamaica	144,460
North America	29,346
Europe	6,049
Other Caribbean Territories	5,305
Asia & South Pacific	2,496
Africa	717
Central & South America	169

These website visits focused on the following areas:

Area of Interest	Number of hits
General Administration Issues	65,437
Attorneys Profiles	62,798
Disciplinary Committee	29,841
CLPD	21,975
Regulations	17,231
Proceeds of Crime Act	5,987

The Information Technology Committee welcomed new members in September 2019 and intends to continue interfacing with the Council’s administrative staff and the IT Consultants to satisfactorily address various information technology related concerns and requirements, as well as to introduce and implement innovative measures that will continue to improve the organization’s operational efficiencies.

Information Technology Committee
July 2020
Denise E. Kitson QC - Chairman
Justice Patrick Brooks
Mikhail Jackson
Ree Vernon

10. PROTECTION OF CLIENTS' ASSETS COMMITTEE

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

CAROL VASSAL

- The sum of **J\$6,587,159.11** collected on behalf of clients was deposited to the Accountant General on July 5, 2019.
- The Government Archivist, despite the Court Order directing her to receive and store files, has responded that there is not enough room to offer storage at this time. The files thus remain in the Council's possession.
- We have ensured that all remaining Duplicate Certificates of Title have been removed from the files and sent to the Registrar of Titles. Registrar, Miss Cherise Walcott confirmed receipt of these on the 12th day of June, 2020.

LANZA TURNER-BOWEN:

- The files of Lanza Turner Bowen were reviewed by Miss Deanna McFarlane and Miss Tony-Ann Smith, who were employed to go through the files of Mrs. Turner-Bowen, as these files came without an index or accounting reports. An excel sheet was created with a listing of all files in the Council's possession with contact numbers and addresses if they appear on the file. This exercise was necessary so that we know what we have in our possession and it has made it easier for the committee to return files to her former clients when called on so to do. It also allows us to be more pointed in our efforts to have these files returned to clients.
- The matter was referred to the Office of the Supervisor of Insolvency for consideration 'whether the Government Trustee could be appointed as Trustee for the estate of Lanza Turner-Bowen and the Supervisor thereafter undertake administration'. However, the Supervisor of Insolvency, has offered grounds upon which he believes he is not the appropriate body to administer the client files.
- Further advertisements were published on January 28 and February 2, 2020 in the Gleaner and Observer Newspapers and Clients continue to claim files which are returned.
- The Council received a further two hundred and fifty thousand dollars (\$250,000.00) from Harrison & Harrison, Attorneys-at-Law, regarding a Restrictive Covenant Matter outstanding to the deceased.

The Monetary Claims remain the same, vis-a-vis:

1. *John McCalla - J\$1,196,600.00*
 2. *Ratray Patterson Ratray re Ricardo Nathan and Renee Nathan- J\$699,000.00*
 3. *Khaleel Powell - J\$8,585,000.00*
 4. *Estate Headley Lawrence - J\$849,000.00*
 5. *Sophia Messado Douglas- J\$12,460,047.30*
- TOTAL J\$23,789,647.30***

FUNDS RECEIVED FROM SAGICOR BANK:

1. *One Hundred and Seventy-Five Thousand and Ninety-One Dollars, Ninety-Four Cents (J\$175,091.94)*
2. *Three Thousand Four Hundred and Thirty-One Dollars and Sixty-Three Cents (US\$3,431.63)*

FUNDS FROM HARRISON AND HARRISON, ATTORNEYS-AT-LAW:

3. *Two Hundred and Fifty Thousand Dollars (\$250,000.00) from Harrison & Harrison, Attorneys-at-Law, regarding a Restrictive Covenant Matter*

LORRAINE MOORE:

The circumstances of this matter remain the same:

- The Council intervened in the estate of Lorraine Moore, who died testate on August 25, 2019 and who was an Associate with the firm Dunbar and Company, Attorneys-at-Law. However, while so employed we were advised that she had conduct of two private matters: a conveyance matter and a personal injury matter. The firm took conduct of the conveyance matter and the GLC intervened for the purpose of protecting the client she represented in the personal injury suit.
- The matter concluded by way of settlement, the funds from the Insurance Company were dispersed to the Attorney's client account at First Global Bank. Said sum was not yet transferred to the client upon her death. The sum of **One million Six Hundred Thirty Six Thousand, Seven Hundred and Eighty Two Dollars and Nine Cents (\$1,636,782.09)** was sent to Miss Moore's Client Account. This sum represents the settlement sum minus charges for electronic transfer.
- An amount of 25% of this sum, being **Four Hundred and Nine Thousand, One Hundred and Ninety Five Dollars and Fifty Two Cents (\$409,195.52)** was agreed between the deceased and the client to be paid as legal fees. **This legal fees is currently being held by the Council in a Trust Account while the balance of One Million Two Hundred and Twenty Seven Thousand, Five Hundred Eighty Six Dollars and Fifty Six Cents (\$1, 227, 586.56)** was sent to the client's account.
- Beckford, Smith-Waite & Company advised the Council that they are currently representing the daughter of the deceased and are 'taking instructions with respect to an

application for a grant of probate'. As soon as the Grant is presented to the Council, the money being held as legal fees will be paid to the Executor.

OTHER MATTERS:

- It has been brought to our attention that the following Attorneys have died, however, there has been no forthcoming claims requiring an intervention:
 1. Patricia Taylor
 2. Mr. Huntley Watson

- Miss Janet Patmore also continues to administer the client files of Mr. Debayo Adedipe who was struck from the Roll of Attorneys on October 23, 2019. She has advised that she will be sending a proper listing of the matters in the office to the Council as soon as possible.

- Ms Mireille Clough now represents the Estate of Raymond Clough, and is currently administering his client files.

- Both Mrs. Symone Mayhew and Miss Annaliesa Lindsay presented on the powers of the GLC with respect to protection of clients' assets in October 2019 and earlier this year. The presentation is also available for our webinars. Now that the Data Protection Act has been passed, the implications of that will be reviewed and the paper updated where necessary.

Members of Committee:

1. *Miss Annaliesa Lindsay – Chair*
2. *Mr. Allan Wood QC*
3. *Mr. Lloyd Barnett*
4. *Mrs. Caroline Reid-Cameron QC*
5. *Mr. Nathan Robb*
6. *Mrs. Symone Mayhew*
7. *Miss Carlene Larmond*
8. *Mr. Leonard Green*
9. *Miss Carleen McFarlane*
10. *Mr. Ian Jackson*
11. *Miss Shana Kay Shirley*

11. ACCOUNTING REPORTS COMMITTEE

During the year under review the Committee did the following:

- a. Reviewed the Legal Profession (Accounts and Records) Regulations, 1999 in light of the coronavirus epidemic and its effect on the legal profession and subsequently passed the Legal Profession (Accounts and Records Covid-19 Amendment) Regulation. Said Regulation was promulgated by the General Legal Council (“GLC”) on June 1, 2020;
- 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. Refined the 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;

Accountant’s 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). However, in light of the Legal Profession (Accounts and Records Covid-19 Amendment) Regulation, this deadline was amended to September 31 with respect to the most previous financial year.

To date, the average percentage compliance for the years 2000-2018 is 92.75%. Compliance for financial year 2018, is currently at 75.57%. and 2019 is 35.39%, however, we continue to receive accountant reports and declarations with respect to this year, and anticipate the usual deluge of declarations and accounting reports by September 31, 2020, when most become due.

The compliance level from 2000-2019 as at August 2020 stood as follows:

Fee Year	No. Attorneys in Practice	No. Attorneys with Submissions	No. Attorneys Outstanding	Percentage Compliance	Percentage NON-Compliance
2019	2269	803	1466	35.39%	64.61%
2018	2251	1701	550	75.57%	24.43%
2017	2179	1934	245	88.76%	11.24%

2016	2035	1869	166	91.84%	8.16%
2015	1853	1741	112	93.96%	6.04%
2014	1760	1676	84	95.23%	4.77%
2013	1599	1537	62	96.12%	3.88%
2012	1465	1411	54	96.31%	3.69%
2011	1365	1319	46	96.63%	3.37%
2010	1295	1251	44	96.60%	3.40%
2009	1222	1178	44	96.40%	3.60%
2008	1140	1097	43	96.23%	3.77%
2007	1115	1056	59	94.71%	5.29%
2006	1076	1016	60	94.42%	5.58%
2005	1020	955	65	93.63%	6.37%
2004	969	900	69	92.88%	7.12%
2003	929	856	73	92.14%	7.86%
2002	889	822	67	92.46%	7.54%
2001	902	810	92	89.80%	10.20%
2000	879	780	99	88.74%	11.26%

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 from the requirements under the Accounting Reports Regulations for the delivery of an accountant's report or declaration to attorneys who are exclusively employed outside Jamaica for the period of such employment outside Jamaica.

During the period April 1, 2019 to March 31, 2020 there have been 24 applications for extensions which have been granted and 12 applications for exemptions which have been granted.

Pursuant to Regulation 16(6), the GLC withheld the issue of a practicing certificate to __2__ attorneys who had failed to comply with the Accounting Reports Regulations.

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

12. 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, 2019 – March 31, 2020.

The committee continued to provide proper, adequate and rigorous supervision and direction, specifically in matters concerning expense containment, financial transactions 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.

Having recognized the potentially adverse financial and economic conditions that was anticipated from the effects of the international coronavirus pandemic, the Committee provided comprehensive guidance and assistance for re-casting the Council's previously approved revenue and expense budget for the financial year April 2020 – March 2021.

This redefinition of the Council's projected administrative expenses was necessary since it was anticipated that there would be a significant reduction in revenue specifically as a consequence of the unscheduled curtailment of the CLPD programme in the immediate post COVID-19 era of June – December 2020.

The members of the General Legal Council's Finance & Accounting Committee during the 2019/2020 financial year were, Messrs. Lowel Morgan (Chairman), Richard Ayoub, Stuart Stimpson, Stephen Shelton QC, Donovan Walker and a Chartered Accountant, Ms. Paula Turner.

13. 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, Nine Hundred Eleven (3,911) attorneys on the roll. In 2019/2020 Two Thousand Three Hundred Nineteen (2,319) 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.

14. APPLICATIONS FOR ENROLMENT

Applications for qualifying certificates were received from 191 persons and 189 were approved as set out in Appendix I.

The application by Ms. Teresa Wilson was refused by the Council on the grounds that since her arrest, conviction, incarceration and subsequent release from prison she had not been sufficiently rehabilitated.

The application by Ms. Joanna Mills was deferred to the meeting to be held on April 22, 2020.

THE DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL

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 |
| Ms. Delrose Campbell | Mr. Jerome Lee |
| Mr. Peter Champagnie Q.C. | Miss Annaliesa Lindsay |
| Mrs. Judith Cooper-Batchelor | Mrs. Margarette Macaulay |
| Mr. Jeffrey Daley | Mr. Dane Marsh |
| Miss Lilieth Deacon | Mrs. Debra McDonald |
| Mr. Richard Donaldson | Mr. Charles Piper, Q.C. |
| Ms. Katherine Francis | Mr. Kevin Powell |
| Ms. Anna Gracie | Mr. Pierre Rogers |
| Mrs. Nadine Guy | Ms. Marjorie Shaw |
| Mr. Trevor Ho-Lyn | Mrs. Tana’ania Small Davis |
| Mr. Christopher Kelman | Mr. Michael Thomas |

General Meetings

During the period under review nine (9) 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	9	8	1

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

During the period Charles Piper Q.C., Margarette Macaulay, Richard Donaldson and Judith Cooper-Batchelor did not sit on the fixed panels for different reasons.

Summary of Complaints 1st April, 2019 to 31st March, 2020

Complaints pending as at the 1 st April, 2019 -	450
Complaints pending in which Judgments are outstanding	86
New Complaints filed between 1 st April, 2019 to 31 st March 2020	<u>212</u>
Total pending and new complaints	748
Number of complaints considered at general meetings	
(a) Complaints where no prima facie case found	77
(b) Complaints where prima facie case found and matter sent to hearing	123
(c) Complaints where application for withdrawal granted	7
(d) Complaints deferred to next meeting	2
Total number of complaints considered at General Meeting	209
Complaints dealt with at Hearings:	
(a) Number of complaints withdrawn -	140
(b) Number of complaints dismissed -	110
(c) Number of complaints closed (that is old complaints found with no record of status on file. Complainant written about status and Disciplinary Committee never received a response.)	2
(d) Number of complaints upheld -	<u>51</u>
TOTAL number of complaints dealt with	303
Number of complaints disposed of between 1 st April 2019 to 31 st March, 2020 - at general meeting and at hearings	387
Total number of complaints pending as at the 1 st April 2020 inclusive of outstanding Judgments of 89 -	361
(748-387=361)	
* Outstanding judgments as at the 31 st March, 2020 -	89
* Part heard matters as at the 31 st March, 2020 out of total pending and -	63

new complaints

Part heard matters as at the 10th June 2020 -

67

The 3rd term of the sitting of fixed panels was completed in February 2020. The 4th term which was fixed for the period March 2020 to July 2020 had the balance of all 2019 complaints, listed for hearings such that by May there would have been no more complaints filed in 2019 listed for hearing. We also reduced the number of matters before each panel to three (3). Unfortunately, the Covid 19 Pandemic intervened, and the Disciplinary Committee had to suspend all hearings from around the 13th March 2020. In June we commenced hearings by Zoom and have listed hearings for the first two (2) weeks in August to try and regain some of the ground we lost due to Covid. These hearings are compulsory and are treated like in person hearings; however, the fact is that the Zoom hearings have not been as successful as the in person hearings due to a host of different reasons. The Disciplinary Committee intends to restart physical hearings observing the social distancing requirements in September 2020 provided there are no legal regulations or other reasons which prevents us from doing so.

Attorneys who have been Struck Off/Suspended

Between the 1st April 2019 to 31st March, 2020 the following Attorneys were suspended from practice and/or struck off the Roll.

Struck off

	<u>Date</u>
Ms. Loverne George	27 th April, 2019
Mr. Audley Melhado	19 th June, 2019 and 25 th January, 2020
Mr. Howard Lettman	13 th November, 2019, 23 rd November, 2019, 25 th January, 2020 and 15 th February, 2020
Ms. Paulette Warren	27 th July, 2019
Mrs. Jennifer Messado	26 th June, 2019 and 23 rd November, 2019
Mr. Donovan Foote	23 rd November, 2019
Mr. Debayo Adedipe	23 rd October, 2019
Mr. Richard McTyson	7 th March, 2020
Ms. Arlean Beckford	15 th February, 2020
Mr. Donovan Malcolm	17 th April, 2019, 25 th February, 2020 and 29 th February, 2020
Mr. Hopeton Clarke	26 th October, 2019
Mr. Kenneth McLeod	26 th October, 2019
Mr. Humphrey McPherson	6 th March, 2020

Suspended

	<u>Date</u>	<u>Length of Suspension</u>
Ms. Lorraine Ramson	30 th April, 2019	12 months or date of compliance whichever is earlier
Mr. Raymond Clough	1 st September, 2019	1 year
Mr. Lassen Harvey	1 st August, 2019	6 months

Mr. Howard Lettman	22 nd June, 2016	until full restitution is made
Mr. Keith Jarrett	13 th July, 2019	6 months
Mr. Ivor Peynado	17 th April, 2019	2 years

Costs and Fines Orders

Costs Ordered by the Disciplinary Committee	\$3,225,000.00
Fines Ordered by the Disciplinary Committee	\$3,110,000.00

Payments of costs and fines collected as ordered by the General Legal Council during the period under review

Costs	\$800,000.00
Fines	\$990,000.00

OUTSTANDING APPEALS AGAINST THE GENERAL LEGAL COUNCIL FOR THE PERIOD 1ST APRIL 2019 TO 20TH JULY 2020

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

This is an appeal against the decision of the Disciplinary Committee at a general meeting 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 for leave to appeal the decision to the Privy Council which was heard on the 25th September, 2019 and judgment was reserved. A taxation hearing was fixed for the 11th November, 2019 however Mr. Senior-Smith filed an application for a stay and argued that the taxation hearing should be adjourned pending his application for a stay and application for conditional leave to appeal to the Privy Council. The matter was adjourned to the 18th December, 2019. The Registrar informed the parties that the application for a stay will be placed before the judges deciding the application for conditional leave. The Court of Appeal dismissed the application for leave to appeal to the Privy Council. The taxation is to be relisted by the

Court. B. St. Michael Hylton, Q.C. and Melissa McLeod represented 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 and since filing the appeal the Attorney has taken no steps to prosecute same. 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 of the Disciplinary Committee striking him off the Roll. No date was ever fixed for the application. Since filing the appeal and the application the Attorney has taken no steps to prosecute 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 an extension of time within which to file an appeal from an order of the Disciplinary Committee on the 1st September, 2015 striking the Attorney off the Roll. When the application 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. On the 24th July, 2019 the Court of Appeal wrote to the Applicant's attorney asking whether his client still wishes to proceed with the appeal. The Registrar of the Court of Appeal has to date received no response. 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 was reserved. Sandra Minott Phillips, Q.C. represents the General Legal Council.

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

The Appellant filed an appeal on the 10th April, 2017 against a decision of the Disciplinary Committee to strike him off the Roll. The Appellant made allegations of bias and applied for fresh evidence to be admitted at the hearing of the appeal. The application for fresh evidence (which included the cross-examination of deponents of affidavits including the Chairman of the Panel of the Disciplinary Committee) was heard between the 28th May, 2019 to the 31st May, 2019 and on the 17th July, 2019 and 19th July, 2019. The Court of Appeal comprised of McDonald Bishop JA, P. Williams JA and D. Fraser JA reserved its judgment on the fresh evidence application. A date for the hearing of the substantive appeal has not yet been fixed. Denise Kitson, Q.C. represents the General Legal Council.

7. **Humphrey McPherson v Disciplinary Committee of The General Legal Council (MA No. 2 of 2013) (Idela Joyce Stewart)**

This matter involved an appeal from a ruling of the Disciplinary Committee of The General Legal Council dismissing a no case submission by the Attorney. The Court of Appeal comprised of Edwards JA, F. Williams JA and Straw JA dismissed the appeal and gave costs to the General Legal Council on 4th May, 2020. It should be noted that this ruling of the Disciplinary Committee arose in a complaint in which the Disciplinary Committee ultimately struck off the Attorney from the Roll. On the 30th November, 2016 an appeal was filed against that ultimate decision but was in fact struck out on the 9th June, 2017 on the basis that the notice of appeal was filed out of time. Sandra Minott Phillips, Q.C. and Litrow Hickson represented the General Legal Council.

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

This is an appeal filed by Michael Lorne against a decision of the Disciplinary Committee striking him off the Roll. The appeal was heard on the 10th June, 2019 by a panel comprised of F. Williams JA, P. Williams JA and Straw JA. Judgment was reserved. Sandra Minott-Phillips, Q.C. and Litrow Hickson represents the General Legal Council.

9. **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. At the hearing of the appeal on the 29th May, 2019 the Appellant was granted an extension to comply with the Case Management Conference orders and the General Legal Council's application for the appeal to be struck out was refused. The appeal was fixed for hearing during the week commencing the 23rd September, 2019 for one day but due to the illness of the Appellant's Attorney, the matter was adjourned. The General Legal Council is represented by Sandra Minott-Phillips, Q.C. and Litrow Hickson.

10. **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 was heard during the week commencing the 10th June, 2019 and judgment handed down on the 18th October, 2019 which endorsed the reasoning of the Committee but substituted a suspension and fine as by the time of the hearing Mr. Robins had filed his accountant's reports. No order was made as to costs. The General Legal Council was represented by Carlene Larmond.

11. 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. No steps have been taken since the filing of the Notice of Appeal. The General Legal Council is represented by Carlene Larmond.

12. Minette Lawrence v The General Legal Council (Miscellaneous No. 8/2018)

This appeal was filed on the 13th June, 2018 against a finding of professional misconduct and an order striking Mrs. Minett Lawrence off the Roll of Attorneys. An Order was also made for the Appellant to pay the Complainant US\$498,000.00 together with interest and costs of \$750,000.00. The appeal was heard during the week commencing the 4th November, 2019 and judgment reserved. On the 19th June, 2020 the Court of Appeal stayed the monetary orders of the Disciplinary Committee until the 1st July, 2020 or further order. The General Legal Council is represented by Hugh Small, Q.C. and Trudy-Ann Dixon Frith.

13. 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. On the 16th July, 2019 an Amended Notice of Appeal (and Grounds of Appeal) was filed. An application for a stay was filed but no date has been fixed and no further steps have been taken to prosecute this appeal. The General Legal Council is represented by B. St. Michael Hylton, Q.C.

14. 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. On the 25th November, 2019 the Applicant filed and served Notices of Withdrawal of the

Appeal. By letter dated the 25th November, 2019 the GLC's Attorneys, Myers, Fletcher & Gordon, wrote to the Applicant's Attorney, Mr. Patrick Bailey seeking his client's agreement on the issue of costs which the GLC is entitled to recover. By letter dated the 13th December, 2019 the GLC's Attorneys-at-Law wrote to Ms. Messado's Attorney advising that the deadline for agreement and payment of the GLC's costs had passed. The General Legal Council was represented by Sandra Minott-Phillips, Q.C.

15. Gorstew Limited v General Legal Council (Garth McBean) - Application No. COA2019 App00244 (Miscellaneous Appeal No. COA 2019 00001)

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 which involved a publication of a letter by the Attorney which the Complainant contended breached the duty of confidentiality owed to it. The appeal was heard during the week of the 22nd June, 2020. The appeal was heard by Frank Williams JA, Paulette Williams JA and Vivienne Harris JA. The issues included:

- a. Whether the appeal was a nullity as it had been improperly brought against the General Legal Council and not the Attorneys who were the subject of the Disciplinary Committee's decision;
- b. Whether the publication of letter to the Gleaner on the part of the Attorney used the Complainant's confidence and was the Disciplinary Committee correct in dismissing the complaint on the basis that even if there was a breach in confidence Canon IV (t) provided the Attorney with a complete defence in that the newspaper article implied wrongful conduct on the part of the Attorney and therefore the Attorney was justified in writing the letter to protect himself from accusation of wrongful conduct.

The General Legal Council is represented by B. St. Michael Hylton, Q.C., Sandra Minott Phillips Q.C. and Melissa McLeod.

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

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 which involved a publication of a letter by the Attorney which the Complainant contended breached the confidence owed to it. The appeal was heard during the week of the 22nd June, 2020. The appeal was heard by Frank Williams JA, Paulette Williams JA and Vivienne Harris JA. The issues included:

- a. Whether the appeal was a nullity as it had been improperly brought against the General Legal Council and not the Attorneys who were the subject of the GLC's decision;
- b. In light of the death of Raymond Clough should the appeal proceed;
- c. The Disciplinary Committee had no legal basis to dismiss the complaint because it had dismissed a related complaint that being the complaint against Garth McBean Q.C.
- d. Whether the publication of letter to the Gleaner on the part of the Attorney used the complainant's confidence and was the Disciplinary Committee correct in dismissing the complaint on the basis that even if there was a breach in confidence Canon IV (t) provided the Attorney with a complete defence in that the newspaper article implied wrongful conduct on the part of the Attorney and therefore the Attorney was justified in writing the letter to protect himself from accusation of wrongful conduct.

The General Legal Council is represented by B. St. Michael Hylton, Q.C., Sandra Minott Phillips Q.C. and Melissa McLeod.

17. Gorstew Limited v General Legal Council (Roald N.A. Henriques, Q.C.) - Application No. COA 2019 App 00243 (Miscellaneous Appeal No. COA 2019 MS00003)

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 which

involved a publication of a letter by the Attorney which the Complainant contended breached the confidence owed to it. The appeal was heard during the week of the 22nd June, 2020. The appeal was heard by Frank Williams JA, Paulette Williams JA and Vivienne Harris JA. The issues included:

- a. Whether the appeal was a nullity as it had been improperly brought against the General Legal Council and not the Attorneys who were the subject of the GLC's decision;
- b. The Disciplinary Committee had no legal basis to dismiss the complaint because it had dismissed a related complaint that being the complaint against Garth McBean Q.C.
- c. Whether the publication of letter to the Gleaner on the part of the Attorney used the Complainant's confidence and was the Disciplinary Committee correct in dismissing the complaint on the basis that even if there was a breach in confidence Canon IV (t) provided the Attorney with a complete defence in that the newspaper article implied wrongful conduct on the part of the Attorney and therefore the Attorney was justified in writing the letter to protect himself from accusation of wrongful conduct.

The General Legal Council is represented by B. St. Michael Hylton, Q.C. Sandra Minott Phillips Q.C. and Melissa McLeod

18. Laurel Washington-Turner v General Legal Council

This is an appeal against a decision of the general meeting of the Disciplinary Committee that the complainant had not established a prima facie case against the Attorney. The appeal was filed out of time. On the 4th October, 2019 the Court of Appeal directed the Applicant to file an application for an extension of time to file the appeal. This was done and the application for an extension of time was heard on the 20th January, 2020. The substantive appeal was heard on the 21st January, 2020 by Morrison P., F. Williams JA and Edwards JA. Judgment was reserved. The General Legal Council is represented by Carlene Larmond.

19. Leroy Equiano v The General Legal Council and Berchell Melbourne (Appeal No. COA 2019 MIS00004)

This appeal was filed on the 21st May, 2019 by Leroy Equiano against an order of the Disciplinary Committee of the General Legal Council finding him guilty of professional misconduct and fining him One Hundred Thousand Dollars (\$100,000.00). The Appellant since filing the appeal, has taken no further steps to prosecute the appeal. The General Legal Council is represented by Symone M. Mayhew Q.C.

20. Donald Panton v The General Legal Council (ex parte Linton Walters)
(Appeal No. COA 2019 MS 0005)

This appeal was filed on the 28th May, 2019 by Donald Panton against the order of the Disciplinary Committee of the General Legal Council dismissing the complaint on the basis that the Disciplinary Committee lacked jurisdiction to hear the complaint concerning fees charged. Since filing the appeal the Appellant has taken no further steps to prosecute this appeal. The General Legal Council is represented by Symone M. Mayhew Q.C.

21. Joseph Allen v The Disciplinary Committee of the General Legal Council SCCA 159/2012.

This was an appeal filed from an order made on the 1st December, 2012 striking the Appellant off the roll. The appeal has not been prosecuted and on the 24th July, 2019 the Registrar of the Court of Appeal wrote to the Appellant's lawyer asking her if her client still intends to proceed with the matter. No response has been sent to the Court. Sandra Minott-Phillips, Q.C. represents the General Legal Council.

22. Debayo Ayodele Adedipe v Kemisha Gregory Exparte General Legal Council (Miscellaneous Appeal No. COA2019 MS00008)

This appeal was filed on the 11th November, 2019 by Debayo Ayodele Adedipe against the decision of the General Legal Council striking off Mr. Adedipe from the Roll. An

application for a stay was refused by a single Judge of the Court of Appeal on the 19th November, 2019 but was varied by the Court of Appeal in that they ordered that the striking off of the Attorney from the Roll should not be published pending the hearing of the appeal. No date has been fixed for the appeal. The General Legal Council is represented by Denise Kitson Q.C.

23. Hopeton Clarke v The General Legal Council (Miscellaneous Appeal No. COA2019 MS00007)

This appeal was filed on the 11th November, 2019 by Hopeton Clarke against the decision of the Disciplinary Committee of the General Legal Council made on the 26th October, 2019 striking him off the Roll for breach of the Accounting Regulations and failing to pay his practicing fees. An inter partes hearing of the application for a stay was heard on the 21st January, 2020 where a single judge of the Court of Appeal (Justice F. Williams JA) granted Mr. Clarke a stay of the sanction of the Disciplinary Committee pending the hearing of the appeal on certain conditions. The conditions stipulated were that (a) Mr. Clarke is to pay to the General Legal Council practising fees for the years 2012 to 2016 (inclusive). (b) he is to file all outstanding accounting reports and/or declarations using the prescribed forms within seven (7) days of the Order.

By letter dated the 30th January, 2020 Mr. Clarke wrote to the General Legal Council enclosing cheques totaling Four Hundred and Fifty Two Thousand Eight Hundred Dollars (\$452,800.00) covering fees and penalties for the years 2012 to 2019. He also filed a number of Declarations which the General Legal Council did not accept. On the 28th February, 2020 the Attorney for the General Legal Council filed an application to discharge paragraph 1 of the order made on the 27th January, 2020 which was that there is a stay based on the above conditions being satisfied. No date has been given by the Registrar as yet. The GLC is applying to the Full Court of Appeal to review the decision of the single Judge of the Court of Appeal. The General Legal Council is represented by Carlene Larmond.

24. Jennes Anderson v Eileen Boxill (A member of the General Legal Council) (Civil Appeal No. SCCA 94/2012 Consolidated with Miscellaneous Appeal No. 3/2014)

This appeal was heard on the 31st July, 2018 where the Court of Appeal ruled that the appeal be allowed; decision and orders made by the Disciplinary Committee of the General Legal Council on 26 April 2014 are set aside; and costs awarded to the Appellant. The parties agreed on the costs which was paid earlier this year. The General Legal Council was represented by Denise Kitson, Q.C.

25. Don Foote v The General Legal Council (Miscellaneous Appeal No. COA2019 MS00006)

This appeal was filed on the 31st October, 2019 by Don Foote against the decision of the General Legal Council contained in the decision of the Disciplinary Committee dated the 20th July, 2019. An application for a stay of the Disciplinary proceedings was also heard on the 14th November, 2019 and it was dismissed on the basis that the application was premature as the complaint before the Disciplinary Committee had not been concluded. The General Legal Council has agreed to costs in the amount of One Hundred and Seventy Five Thousand Dollars (\$175,000.00). By letter dated the 13th December, 2019 the General Legal Council's Attorneys-at-Law wrote to Mr. Foote's Attorney advising that the deadline for agreement and payment of the General Legal Council's costs had passed. A Bill of Costs was filed by the General Legal Council on the 18th December, 2019. A Points of Dispute was filed by the Appellant and served on the 16th January, 2020. The General Legal Council's Attorneys-at-Law wrote to Mr. Foote on the 17th January, 2020 accepting the sum proposed in the Points of Dispute. It is to be noted that Mr. Foote was subsequently struck off the Roll of Attorneys-at-Law on the 23rd November, 2019 following a sanction hearing which is the subject of further appeals. The General Legal Council was represented by Sandra Minott-Phillips, Q.C

26. Don Foote v The General Legal Council (COA2019 MS0009)

This appeal was filed on the 29th November, 2019 by Don Foote against the decision of the Disciplinary Committee of the General Legal Council striking the Attorney off the Roll of Attorneys. The General Legal Council is represented by Sandra Minott-Phillips, Q.C.

27. Don Foote v The General Legal Council (Miscellaneous Appeal No. COA2019 MS00010)

This appeal was filed on the 12th December, 2019 by Don Foote against the decision of the General Legal Council contained in the decision of the Disciplinary Committee dated the 20th July, 2019 and sanction dated the 23rd November, 2019 striking him off the Roll of Attorneys. An interim stay was granted on the 19th December, 2019 until the 14th January, 2020 when the matter was set for inter-partes hearing. The Appellant also filed an application to have the sanction of the Disciplinary Committee stayed pending the determination of the appeal on the 20th December, 2019. This application was heard on the 14th and 15th January, 2020 and on the 22nd January, 2020 the judge refused the application. The judge also ordered that the Registrar of the Court of Appeal set an expedited hearing of the appeal. Costs was awarded to the General Legal Council to be taxed if not agreed. The expedited hearing of the appeal is fixed for the week commencing the 23rd March, 2020 but was removed from the list due to the ill health of the Appellant's Attorney. No new date has yet been fixed for the appeal. By letter dated the 24th February, 2020 the General Legal Council's Attorney wrote to Mr. Foote's Attorney requesting security for the General Legal Council's costs in the sum of Five Hundred Thousand Dollars (\$500,000.00). On the 17th March, 2020 the General Legal Council's Attorney filed an application for security for costs. The General Legal Council is represented by Sandra Minott-Phillips, Q.C. and Lithrow Hickson.

28. Donald Gittens v The General Legal Council (COA 2019 MS 00011)

This appeal was filed on the 17th December, 2019 by Donald Gittens against the decision of the Disciplinary Committee of the General Legal Council in which they found the Attorney guilty of professional misconduct in failing to provide all information about the progress of the complainant's business with due expedition. The Disciplinary Committee reprimanded the Attorney and ordered him to pay costs in the amount of Forty Thousand Dollars (\$40,000.00). Since filing the appeal the Attorney has taken no further steps to prosecute the appeal. The General Legal Council is represented by Trudy-Ann Dixon.

29. Debby-Ann Samuels v The General Legal Council (COA2019 MS00012)

This appeal was filed on the 19th December, 2019 by Debby-Ann Samuels against the decision of the General Legal Council dated the 20th November, 2019. Since the filing of the appeal the Appellant has taken no further steps. The General Legal Council is represented by Sidia Smith.

Dated the 20th of July 2020

**CHAIRMAN OF THE DISCIPLINARY
COMMITTEE OF THE GENERAL LEGAL COUNCIL**

INCOME AND EXPENDITURE

A statement of the Council's Income and Expenditure for the period 1st April, 2019 to 31st March, 2020 which is extracted from its audited Financial Statement is set out below:

<u>INCOME</u>	<u>\$</u>
Practising Certificate Fees	70,772,808
Conference	-
CLPD	33,985,208
Interest on Fixed Deposit	1,102,712
Fines	6,153,241
Other	<u>1,646,510</u>
	113,660,479
Administrative and General	<u>(94,099,186)</u>
Total Comprehensive Income for the year	<u>19,561,293</u>
<u>EXPENDITURE:</u>	
Advertising	729,397
Audit and accounting fees	770,000
Bad debt	58,641
Bank charges	1,326,191
Depreciation	4,199,670
Donation	125,000
Electricity	2919,186
Foreign exchange loss	-
Insurance	139,750
Irrecoverable GCT	2,806,274
Legal and professional fees	6,748,898
Loss on disposal	148,835
Meeting expenses	654,900
Office expenses	1,599,888
Office Rent	5,693,787
Printing, stationery and postage	2,096,341
Repairs and maintenance	2,240,656
Salaries, wages and related costs	52,837,627
Security	3,606,165
Staff welfare	1,868,983
Staff training	171,300
Telephone	2,615,702
Travel and accommodation	213,500
Uniforms	<u>528,495</u>
	<u>94,099,186</u>

APPENDIX I

Applicants who received qualifying certificates:

1. Addae-Lee, Xinyu Wilheime
2. Allen-Brown, Rita Camille
3. Ammar, Olesya Yuryevna
4. Anderson, Jason Mark
5. Anderson, Mishka Toni-Ann S.
6. Asphall, Danielle Lyssa
7. Auld, Ashley-Marie Brittany
8. Bailey, Samuel John-Anthony
9. Baker, Joelle Ruthanne Clayton
10. Barnes, Deanall Tariano
11. Barnes, Tavia Osbourne-Marie
12. Barrett, Arianne Anola
13. Beaumont Walters, Deneice Antonette
14. Bedassie, Nicholai Shane
15. Bennett, Marlon Cleve
16. Bent, Tiffany Ariane
17. Biersay, Chantelle Tiffanie
18. Black, Connoly Monique
19. Blackwood, Colin
20. Bowes, Jovan Richard
21. Bravo, Danielle Asha Nailah
22. Brown, Rochelle Natalia
23. Brown, Shannel Jhamala
24. Campbell, Tereece Kimberly
25. Carty-Dinnall, Karlia Condeta
26. Chatrie, Khadene Schancia
27. Chin, Kenneth Joseph
28. Chin, Melissa Ann
29. Chong, Rykel Jhordana
30. Christie-Veitch, Abigail Cherie
31. Clarke, Keveine Anakai
32. Clarke, Rushane Anthony
33. Collins, Donovan Earl
34. Collins, Tanesha Kizzie
35. Cook, Luke Daniel
36. Cooper, Russell Darien
37. Cowell, Tadesha Anikia
38. Coy, Anna-Kaye Dominique
39. Cummings, Sherrice Nicole
40. Cunningham, Trissy-Ann Fiona
41. Dabdoub, Natalie
42. Dacosta, Talia Nichelle
43. Dawkins, Khandra Gayle
44. Dixon, Kourtnie Amoy
45. Dixon, Sarah-Elizabeth Marie
46. Dixon-Daley, Berdie Lyn
47. Douglas, Shaquille Antoney S.
48. Downer, Terry-Joe Ashley
49. Downs, Caroline Diane
50. Drummond, Shannon Krista Toni
51. Dunkley, Corey David
52. Edwards, Denise Natasha
53. Ellis, Jasanda Sashorna
54. Evans, Antonia Amoy
55. Evans, Gordon Matthew
56. Farquharson, Stacey-Ann Tameka
57. Fennell, Alexandria
58. Fenton, Shanae Kamoy
59. Ferguson, Sasha Melissa
60. Fletcher, Candace Renae
61. Francis, Ashlee Tatania
62. Francis, Renee Samantha-Kay
63. Gibbs, Sofeen Harvelene
64. Gordon, Jannel Ruth-Ann
65. Gordon, Kenisha Natalee
66. Gordon, Krystal Kessia
67. Gordon, Peta-Gaye Tange
68. Gray, Ricardo Andre
69. Graydon, Nyoka Nicola N.
70. Green, Keon Venisha Yackeisha
71. Green, Mekelia Camille
72. Green-Wilkins, Patricia Natalie
73. Gyles, Daniel
74. Hamilton, Shadecia Gayle
75. Hamilton, Tamar
76. Hanniford, Kymberly
77. Hanson, Shamar Orane
78. Harris, Khamisi Khalid Amiri

79. Hart, Jhanel Alysha
80. Haynes, Rochelle Roxanne
81. Henry, Carla Alecia
82. Hewitt, Julianne Georgia
83. Howard, Roshani
84. Hutchinson, Andrene Faye
85. Hyatt, Matthew Michael
86. Hylton, Cheryl Vivienne
87. Hylton, Mike Alexander
88. Jaggon, Rochelle
89. James-Jarrett, Charlene
90. Johnson, Audrey Denise
91. Johnson, Orville Malcolm
92. Johnson, Shawna-Kay L.
93. Johnson, Zurie Orlando
94. Kanhai Britton, Reeshema
95. Kelly, Jodi-Ann Carmaleta
96. Kelly, Latoya Janneil
97. Kelly, Safiya Weyni Sekayi
98. King, Jimhell
99. Kitchin, Natalya Annie Rose
100. Kitson, Rachel Elizabeth
101. LaBeach, Alessandra
102. Lake, Shajoe Jovannie
103. Lamey, Lance O'Neil
104. Lattery, Daniel Stefano
105. Lawrence, Clayton Howard
106. Lawrence, Damion Anthony
107. Lawson, Nickardo Mike
108. Ledgister, Lateisha Lydia
109. Lee, Rochelle Rashawna
110. Lennon, Odane
111. Lettman, Christopher David-Allan
112. Lewis, Chevoni Vanesa
113. Lowe, Kereda Dhyema
114. Maitland, Jamila Aisha
115. Markland, Sheryl Loretta
116. Marzouca, Joanna
117. Masters -Singh, Jodi-Ann Juleen
118. Mattis, Christan-Marc St. Aubyn
119. McCreath, Stephen Jason D.
120. McFarlane, Karlane Amanda
121. McFarlane, Tashana Alecia
122. Mcintosh, Tanesha Tasheka
123. McKenzie, Crystal Mordia
124. Mcleod, Everol Derrick
125. McNeish, Rasher
126. Meredith, Hu-An Amoi
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128. Mills, Shereika Annesha
129. Mitchell, Jade Monique
130. Moncrieffe, Michelle Angela
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133. Morrison, Grace-Ann Antonille
134. Moulton, Sherika Nathalie
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153. Samuels, Corvia Ruthan
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163. Smith, Tanya
164. Spence, Najeeb mark

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167. Thomas, Andre
168. Thomas, Zoe Chantal
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172. Thompson, Nolda
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179. Wallace, Natasha
180. Walters, Shantel Fiona
181. Wanliss, Alanna Marteen
182. Warren, Chantelle Alicia
183. White, Elieza Maria
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185. Williams, Dwight Gareth- Rance
186. Williams, Jade
187. Williams, Keisha Ann
188. Ximines, Ashleigh Antoinette
189. Yapp, Phillip

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