

NOTE OF ORAL JUDGEMENT

COMPLAINT NO. 53 OF 1996

BEFORE THE DISCIPLINARY COMMITTEE OF
THE GENERAL LEGAL COUNCIL

BETWEEN LAURA MURRAY COMPLAINANT
AND WINSTON WALTERS RESPONDENT

BEFORE MRS. PAMELA BENKA-COKER, Q.C.,
MRS. MARGARET MACAULAY and MR. ALLAN WOOD

30TH JANUARY, 1999

The Panel of the Disciplinary Committee of the General Legal Council heard evidence from Complainant, Laura Murray who brings this complaint alleging a breach of Canons IV(R) and IV (S) of the Legal Profession (Canons of Professional Ethics) Rules, namely, that the attorney has not dealt with the client's business with all due expedition and in the conduct of the client's business he has acted with deplorable negligence or neglect. At the hearing of the complaint on 30th January 1999, the Complainant appeared in person and gave evidence. There was no appearance by the Respondent although he had been duly served with a Notice of hearing. On the evidence of the Complainant, the Committee made the following findings:

Findings

1. The Complainant retained the services of the attorney in 1977 to administer the estate of her late husband, Egerton Douglas.
2. In 1980, the Complainant also retained services of the Respondent to probate the Will of her father, Adolphus Daley.

3. To the date of this hearing, the Respondent has not completed the work and has not attended to give an explanation. Further he has never been present at any of the previous dates set for the hearing of this complaint.
4. In light of its findings, the Committee finds the Attorney, Winston Walters, guilty of misconduct in a professional respect. The Committee finds that the Attorney Winston Walters has breached Canons IV (R) and IV (S) of the Legal Profession (Canons of Professional Ethics) Rules 1978.

In light of the above, the Committee in keeping with its powers under ss 12(4) and (5) of the Legal Profession Act imposes a fine of \$50,000.00 to be apportioned as follows:

\$30,000.00 to the Complainant; and

\$20,000.00 to the General Legal Council;

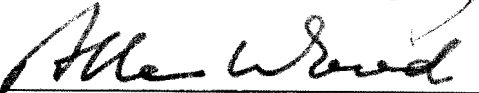
The Complainant is also to have costs of \$2,000.00.

Dated the 30th day of January, 1999.


PAMELA E. BENKA-COKER Q.C.

CHAIRMAN


MARGARETTE MACAULAY


ALLAN WOOD