

FORMAL ORDER OF THE DISCIPLINARY COMMITTEE
OF THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT
No. 166 of 1992

IN THE MATTER of SARAH WATSON
VS FRANKLIN BECKFORD
ATTORNEY-AT-LAW

A N D

IN THE MATTER OF THE LEGAL
PROFESSION ACT

PANEL MRS MARGARETTE MAY MACAULAY - CHAIRMAN
MRS. MERLIN BASSIE
Miss BERYL ENNIS

DECISION DELIVERED - 17th APRIL, 1999

UPON THE APPLICATION dated 10th August, 1992 made under Section 12(1)(A) of the Legal Profession Act coming on for hearing before the Disciplinary Committee on the 25th July, 1998, 13th March, 1999 and 17th April, 1999.

AND UPON the Complainant Sarah Watson appearing with her Attorney-at-Law Aisha Mulendwe on the 13th March, 1999 and on the 17th April, 1999 upon the appearance of Miss Aisha Mulendwe, Attorney-at-Law for the complainant and the Attorney Franklin Beckford, not appearing.

The Panel having been handed a letter from the Attorney, Franklin Beckford dated this 17th day of April 1999 as to his non-attendance this day and having considered the same, decided to proceed.

The Panel heard from Miss Mulendwe inter alia that the Attorney Franklin Beckford had not fulfilled any of his written undertakings made to the Panel on the 13th day of March 1999, despite the fact that she had written to him twice about his said undertakings, by letters dated 25th March and 12th April 1999, and which were copied and delivered to the General Legal Council and to the Complainant. She reported that to date she had received no reply from him to either letter and pointed out that he made no reference to his said undertakings and his failure to fulfil them in his letter of 17th April 1999, which she had only just seen before this hearing. She submitted that he had breached the provisions of Canon VI(c) and (d) and that it was a serious infraction which ought to be penalised to the utmost degree.

The Panel having considered Franklin Beckford's said letter, the letters of 25th March and 12th April 1999, submissions of Miss Mulendwe, the written undertakings and record of the last hearing;

AND having also satisfied itself that the Notice of Hearing was duly served on the said Attorney Franklin Beckford, FOUND as follows:-

- (1) That the Attorney Franklin Beckford failed to fulfil his undertaking to send a copy of Transmission Application to Miss Mulendwe on the 19/3/99 for vetting;
- (2) That the Attorney Franklin Beckford failed to fulfil his undertaking to pay estate duty by 26/3/99 and to send the receipt to Miss Mulendwe;
- (3) That the Attorney Franklin Beckford failed to fulfil his undertaking to send Certified Agreement for Sale and Transfer, to Miss Mulendwe by 19/3/99;
- (4) That the Attorney Franklin Beckford failed to fulfil his undertaking to forward the signed Transmission on receipt to Miss Mulendwe;

(5) That the Attorney Franklin Beckford failed to fulfil his undertaking to forward the registration fee on Transmission and Transfer to Miss Mulendwe on 26/3/99;

(6) That the Attorney Franklin Beckford failed to fulfil his undertaking to forward the Certified Copy of the Letters of Administration to Miss Mulendwe on 26/3/99.

The Panel, consequently finds the Attorney-at-Law Franklin Beckford guilty of misconduct in a professional respect in breach of Canon VI(c) of the Legal Profession (Canon of Professional Ethics) Rules 1978.


The Panel therefore makes the following ORDERS pursuant to Section 12(4) of the Legal Profession Act that:-

1. That Attorney-at-Law is hereby suspended from practice for a period of three (3) months from the date hereof, that is the 17th April 1999;


2. If the Attorney-at-Law fails to fulfil his undertaking by the end of the three (3) months period, then the Attorney's name shall be struck off the Role;

3. Costs of \$2,000.00 to be paid by the Attorney-at-Law Franklin Beckford to the Complainant.

Dated this 26th day of April 1999.


MARGARETTE MAY MACAULAY


MERLIN BASSIE


BERYL ENNIS

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AND

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PROFESSION ACT

PANEL Miss Dorothy Lightbourne - Chairman
Dr. Adolph Edwards
Mr. Allan Wood

DECISION DELIVERED ON 15TH DAY SEPTEMBER, 1999

WHEREAS by decision delivered on 17th April 1999, the attorney-at-law FRANKLIN BECKFORD was suspended from practise for a period of three months.

UPON the Application of the said Attorney-at-law for a rehearing of the said matter, when an interim order was made lifting the said suspension until the 14th day of September 1999, and the attorney was requested to file a further affidavit which affidavit was received on 13th September, 1999.

AND UPON the parties being absent

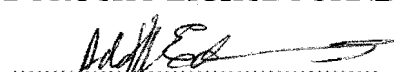
AND UPON a review of the decision delivered on the 17th day of April 1999, it is hereby ordered that the said Order of Suspension be withdrawn.


THIS ORDER is made under Section 19 of the Legal Profession Act.

It is hereby further ordered that the substantive complaint made by Sarah Watson against the Attorney-at-law as set out in her affidavit sworn to on the 18th day of September, 1993 be heard and determined.

Dated this 23rd day of September, 1999


DOROTHY LIGHTBOURNE


DR. ADOLPH EDWARDS


MR. ALLAN WOOD