

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

COMPLAINT No. 76/98

BETWEEN	ETHELIN EDWARDS	COMPLAINANT
AND	CARLTON CAMPBELL	RESPONDENT
PANEL	MRS. MARGARETTE MACAULAY MRS. MERLIN BASSIE MR. ALLAN S. WOOD	
PRESENT	MRS. ETHELINE EDWARDS MR. SHILREY EDWARDS	

This matter was heard on the 19<sup>th</sup> May 2001 when evidence was given by the complainant Ms. Etheline Edwards and supported by the evidence of her brother Mr. Shirley Edwards. Their account is a sad reflection on the state of the legal profession.

The story which unfolded from the evidence is that prior to the death of their father Mr. Frederick Edwards in 1976, he sold a portion of his land in Unity Vale, Malvern, St. Elizabeth registered at Volume 1088 Folio 468 to a Mr. Stafford Harris and entrusted the sale to Mr. Campbell who was to have splintered the title. Consequent on the death of Mr. Frederick Edwards in 1976, the probating of his Will was also entrusted to Mr. Campbell and since that time and despite numerous visits to Mr. Campbell's office by various family members, and beneficiaries of the estate of Frederick Edwards, including a brother, Everett Edwards, who traveled from England for that purpose, they have been unable to obtain any update as to the completion of the sale or the probating of the estate. Further it was the evidence of Mr. Edwards that the purchaser Mr. Harris paid a part of the purchase money to Mr. Campbell and Mr. Campbell advised him that he had "some change for us" but the beneficiaries had been unable to obtain any specific accounting for the sum in hand.

Miss Etheline Edwards also tendered in evidence a letter dated 21<sup>st</sup> January 1992 written by Mr. Carlton Campbell to facilitate her obtaining a visa and addressed "To Whom it may concern" which confirmed that Miss Etheline Edwards was his client and owner of a lot of land at Unity Vale given to her by her late father Mr. Frederick Edwards deceased. That letter constitutes an admission that Mr. Carlton Campbell had been retained to complete the sale of the land and to splinter the title which has not been completed to date.

Mr. Carlton Campbell did not attend at the hearing of the Complainant despite the fact that the hearing was adjourned to 30<sup>th</sup> June 2001 to permit him to cross-examine the Complainant and her witness and to answer the Complaint by providing an explanation for the delay and for his failure to provide information to the Complainant and the other beneficiaries of the estate of Frederick Edwards.

We find that:-

1. Mr. Carlton Campbell was retained by Mr. Frederick Edwards, prior to his death in 1976, to complete the sale of part of the property registered at Volume 1088 Folio 468 from Mr. Frederick Edwards to Stafford Harris.


2. Mr. Frederick Edwards died leaving a Will and after the death of Mr. Frederick Edwards in 1976, his widow Mrs. Emma Edwards entrusted Mr. Carlton Campbell with the Will for the purpose of obtaining Probate of same and in order to complete the sale of the property.
3. In breach of Canon IV (r) of the Legal Profession (Canon of Professional Ethics) Rules Mr. Carlton Campbell has failed to provide the Complainant or the other beneficiaries of the estate of Frederick Edwards with any information as to the conduct of their business despite being reasonably required to do so, nor has he dealt with that business with all due expedition despite the fact that approximately 25 years have elapsed since the death of Frederick Edwards.


In the circumstances it is ordered as follows:-

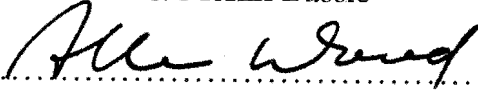
1. Pursuant to section 12 (4) (a) of the Legal Profession Act the Attorney Mr Carlton Campbell is suspended from practice for a period of six (6) months with effect from the 30<sup>th</sup> June, 2001.
2. It is further ordered that the Attorney, Mr. Carlton Campbell deliver up to the General Legal Council all titles, wills, records or other documents in his possession pertaining to the estate of Mr. Frederick Edwards within 14 days of the date of service of this order failing which the period of suspension of the Attorney which is stipulated in paragraph 1 of this Order shall be extended to the 1<sup>st</sup> day of July, 2002..
3. It is further directed that the General Legal Council should cause an investigation to be made into the books, records, files and documents of the attorney, Mr. Carlton Campbell for the purpose of ascertaining and reporting whether the legal Profession (Accounts and Records) Regulations 1999 have been complied with by the Attorney and the costs of such investigation are to be borne by the Attorney Carlton Campbell.
4. The Attorney Mr. Carlton Campbell is to pay the Complainant costs in the sum of \$50,000.00 and costs to the General Legal Council in the sum of \$20,000.00.

This Order is made under section 12 (4) of the Legal Profession Act.

Dated the 30<sup>th</sup> day of June, 2001

  
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Mrs. Margarette MaCaulay

  
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Mrs. Merlin Bassie

  
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Mr. Allan S. Wood