

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

COMPLAINT NO. 9/2002

LLOYD BARNETT

COMPLAINANT

AND

SONIA JONES

RESPONDENT

PANEL-PAMELA E BENKA-COKER Q.C.

ALLAN WOOD

DAVID BATTS.

HEARING DATE : 11<sup>th</sup> May 02.

On the 11<sup>th</sup> May 02 when the within complaint came on for hearing, neither party was present. The panel satisfied itself that both parties were properly served pursuant to the provisions of the Fourth Schedule to the Legal Profession Act.

After careful consideration, the panel decided to proceed with the hearing of the complaint in the absence of the parties in keeping with Rule 8 of the Fourth Schedule of the Legal Profession Act. The panel also decided to proceed and act upon evidence given by affidavit. This course is permissible under Rule 10 of the Fourth Schedule to the said Act.

**NARRATIVE:** The attorney-at- law Sonia Jones (hereinafter referred to as the attorney), was admitted to practise as an attorney –at –law on the 21<sup>st</sup> day of September 1970. On the 6<sup>th</sup> day of September 1999, the attorney was convicted in the Resident Magistrates' Court for the Corporate Area of the offence of fraudulent conversion contrary to section 24 (1)(iii) (a) of the Larceny Act.

As a consequence of the Respondent having been convicted of this offence, Lloyd Barnett, a member of the General Legal Council, as he is empowered

to do under section 12(1) of the Legal Profession Act, brought this complaint to the Disciplinary Committee of the General Legal Council.

By Form of Application dated the 31<sup>st</sup> October 2001 and affidavit in support of the same date, Lloyd Barnett (hereinafter referred to as the complainant) initiated this complaint against the attorney. In the Form of Application, the complainant states that in his opinion the allegations stated in the affidavit accompanying the complaint “constitute conduct unbecoming her profession on the part of the said attorney in her capacity as an attorney-at-law.” In his affidavit, the complainant recites the fact of the attorney’s conviction for the criminal offence of fraudulent conversion contrary to section 24(1)(iii)(a) of the Larceny Act and exhibits therewith the certificate of conviction confirming the attorney’s conviction for this offence. He also adverts to the fact that in laying this complaint he relies on the provisions of the Legal Profession (Prescribed Offences) Rules 1998, and the Legal Profession (Canons and Professional Ethics) Rules.

**EVIDENCE:** As has already been stated, the panel relied on the affidavit evidence of Lloyd Barnett in support of the complaint, and in particular, the certificate of conviction exhibited as LB A to the said affidavit. This certificate is in law, sufficient evidence of the conviction as provided by section 27 of the Evidence Act.

**FINDINGS:** The panel now makes the following findings.


- 1 The attorney was enrolled to practice as an attorney-at-law in Jamaica on the 21<sup>st</sup> September 1970.
- 2 The attorney was convicted of the criminal offence of fraudulent conversion contrary to section 24(1)(iii)(a) of the Larceny Act in the Resident Magistrates’ Court for the Corporate Area on the 6<sup>th</sup> day of September 1999.
- 3 The offence of fraudulent conversion is a prescribed offence under the Legal Profession (Prescribes Offences) Rules 1998 rule 2(9).
- 4 A conviction for such an offence is in breach of Canons 111(k) 1 and 1(b) of the Legal Profession (Canons of Professional Ethics) Rules.

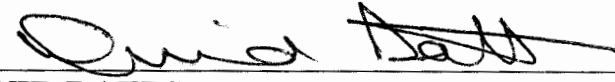
These findings mean that conduct of the attorney and the consequent conviction have tended to discredit the profession and have brought the profession into disrepute.

**SANCTION:** In these circumstances the panel is of the unanimous opinion that the appropriate sanction is that the name of the attorney Sonia Jones be struck from the Roll of attorneys-at-law entitled to practise in the several courts of the island of Jamaica. This order is made pursuant to section 12(4) of the Legal Profession Act. This sanction is consistent with that imposed in the disciplinary complaints against Myrtle Johnson and Carol Lena Winston Churchill who were convicted of criminal offences. See complaints No.87/99 of and No 124/2001.

Dated the 17<sup>th</sup> day of May 2002.

  
PAMELA E BENKA-COKER Q.C.

  
ALLAN WOOD

  
DAVID BATTS