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**FORMAL ORDER OF THE DISCIPLINARY COMMITTEE
OF THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT
NO.144** **2002**

**IN THE MATTER OF PEARLETTA
DOUGLAS VS DERRICK DARBY**

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IN THE LEGAL PROFESSION ACT

**PANEL: MR. CHRISTOPHER BOVELL- CHAIRMAN
MRS MARGARET MACAULAY
MR. DAVID BATTS**

DECISION DELIVERED ON THE 29TH NOVEMBER, 2003

UPON THE APPLICATION dated 19th August, 2002 made under section 12(1)(a) of the Legal Profession Act coming on for hearing before the Disciplinary Committee on the 29th November, 2003.

AND UPON Miss Pearletta Douglas appearing and having given evidence on oath

AND UPON the attorney-at-law Mr. Derrick Darby not appearing he having been properly served with the notice of the hearing

AND UPON DUE CONSIDERATION of the sworn evidence of Miss Pearletta Douglas and the documentary evidence presented by her

THE COMMITTEE FINDS that the attorney Mr. Derrick Darby is guilty of conduct which constitutes misconduct in a professional respect, in that he has failed to account for money paid over to him by his client.

PURSUANT TO THE FOREGOING FINDINGS THE COMMITTEE UNANIMOUSLY HEREBY ORDERED THAT:-

1. Mr. Derrick Darby be struck from the roll of Attorneys-at-law entitled to practise law in the several courts of the island of Jamaica pursuant to Section 12(4)(a) of the Legal Profession Act
2. Mr. Derrick Darby Pursuant to Section 12(4)(c) of the Legal Profession Act to pay to Miss Pearletta Douglas by way of restitution the sum of \$3,361,600 plus interest of 12% per annum from 29th November, 2003.
3. Mr. Derrick Darby to pay costs of \$20,000.00 to the General Legal Council and costs of \$5,000.00 to the complainant.

These orders are made under the provisions of sections 12(4)(a)(b) and(c) of the Legal Profession Act.

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CHAIRMAN OF PANEL

Dated 16th day of January, 2004