

**FORMAL ORDER OF THE DISCIPLINARY COMMITTEE  
OF THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT  
NO. 210 OF 2002**

**IN THE MATTER OF JUNE ELLIOTT  
VS DERRICK DARBY**

**AND IN THE MATTER OF THE  
LEGAL PROFESSION ACT**

**PANEL: MRS. JEANNE ROBINSON-FOSTER  
MRS. MERLIN BASSIE  
MR. DAVID BATTS**

**DECISION DELIVERED 19<sup>TH</sup> FEBRUARY, 2005**

**UPON THE APPLICATION** dated 24<sup>th</sup> January, 2003 made under section 12 (1)(a) of the Legal Profession Act and coming on for hearing before the Disciplinary Committee on the 19<sup>th</sup> February, 2005

**AND UPON** the attorney-at-law Mr. Derrick Darby not appearing nor having been represented by Counsel

**AND UPON** the complainant Ms. June Elliott appearing and having given evidence on oath

**AND UPON DUE CONSIDERATION** of the sworn evidence of Ms. June Elliott

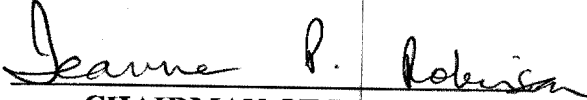
**THE COMMITTEE FINDS** that the complainant has proved her case. In the circumstance the Committee found that the attorney Derrick Darby is guilty of professional misconduct and has acted in breach of S. 12 (1) of the Legal Profession Act.

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

Pursuant to s 12(4) of the Legal Profession Act:

1. The name of Derrick Darby be struck from the roll of attorneys-at-law entitled to practise in the several courts of the island of Jamaica
2. That the attorney Derrick Darby make restitution to the complainant Ms. June Elliott Pursuant to section 12 4 (c) in the sum of \$1,300, 000.00 with interest there on at the rate of 12% from the 27<sup>th</sup> August, 2001 until date of payment
3. The Respondent Derrick Darby pay costs in the sum of \$10,000.00 to the complainant .

Dated the 19<sup>th</sup> day of March, 2005

  
**CHAIRMAN OF THE PANEL**