

**DECISION ON SANCTION  
DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL  
COMPLAINT NO. 73/2013**

**BETWEEN                      ADOLPH FOWLER                      COMPLAINANT  
A N D                              ARLEAN BECKFORD                      RESPONDENT**

**PANEL:**

**WALTER H. SCOTT, Q.C.  
CHARLES E. PIPER, Q.C.  
MICHAEL THOMAS**

**HEARING DATES:  
18 DECEMBER 2019, & 23 JANUARY 2020**

**BACKGROUND**

1. By its Decision dated 29<sup>th</sup> day of November 2019, the Disciplinary Committee made the following Order

“Having heard the evidence of the Complainant and the Attorney having not appeared to challenge same we find that the following facts have been proven.

- (a) The Attorney borrowed \$4,000,000.00 from the Complainant. This sum was made by two payments one for \$2,600,000.00 which was evidenced by the Promissory Note and the sum of \$1,400,000.00. Of this sum, the Attorney repaid \$1,400,000.00 to the Complainant about six months after he lent her the money.
- (b) The Promissory Note signed by the Attorney on 8 February 2011 speaks to a sum of \$2,600,000.00 to be repaid on or before 18<sup>th</sup> February 2011. We find that of the sum of \$4,000,000.00 borrowed from the Complainant, \$2600,000.00 remains unpaid.
- (c) We also find that the Attorney failed to advise the Complainant to seek independent legal advice either in respect of him lending her the money or the effect of the Promissory Note.

## SANCTION HEARING

2. The Sanction Hearing was fixed for the 18<sup>th</sup> day of December, 2019. The Complainant was present. The Respondent was absent.
3. The Panel satisfied itself that the Respondent was properly served. The Panel noted the Affidavit of Service of Juliana Findlay dated 16 December 2019, to which was exhibited (i) Notice of Hearing dated 02 December 2019(ii) Registered Slip No.0996728-76.
4. The Panel noted that there was neither an Attorney-at-Law representing the Respondent nor any excuses for her absence. The Panel was satisfied that the Notice of Hearing was properly served.
5. In the circumstances, the Panel concluded the Sanction Hearing without the benefit of either evidence from the Respondent nor Submissions in mitigation

## DISCUSSIONS AND ANALYSIS

6. Once again the Respondent has demonstrated her callous disdain for the Profession and the General Legal Council.
7. The Panel finds that there are no mitigating factors in this matter.
8. The Panel is reminded of the judgement in Bolton v Law Society (1994) 2 All ER 486. **“It is required of Lawyers practicing in this country that they should discharge their professional duties with integrity, probity and complete trustworthiness. That requirement applies as much to barristers as it does to solicitors. If I make no further reference to barristers it is because this appeal concerns a solicitor, and where a client’s moneys have been misappropriated the complaint is inevitably made against a solicitor, since solicitors receive and handle clients’ moneys and barristers do not. Any Solicitor who is shown to have discharged his professional duties with anything less than complete integrity, probity and trustworthiness must expect severe sanctions to be imposed upon him by the Solicitors Disciplinary Tribunal. Lapses from the required high standard may, of course, take different forms and be of varying degrees. The most serious involves proven dishonesty, whether or not leading to criminal proceedings and criminal penalties. In such cases the tribunal has almost invariably, no matter how strong the mitigation advanced for the solicitor, ordered that he be of the reasons why the tribunal makes orders which might otherwise seem harsh. There is, in some of these orders, a punitive element; a penalty may be visited on a solicitor who has fallen below the standards required of his profession in order**

(3) The Respondent Arlean Beckford is struck from the Roll of Attorneys-at-Law entitled to practice in the several Courts of the Island.

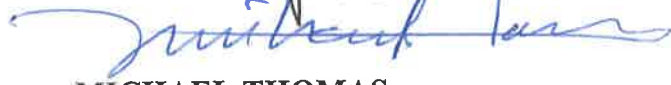
DATED THE 15<sup>TH</sup> DAY OF FEBRUARY 2020.



WALTER H. SCOTT, Q.C.



CHARLES E. PIPER, Q.C.



MICHAEL THOMAS