

SU2020CW00968



**FORMAL ORDER  
OF THE DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL**

---

**COMPLAINT NO: 77/2013**

**IN THE MATTER OF ADOLPH FOWLER VS ARLEAN D  
MORETA BECKFORD**

**AND**

**IN THE MATTER OF THE LEGAL PROFESSION ACT 1971**

**PANEL: MR. WALTER SCOTT, Q.C.  
MR. CHARLES PIPER, Q.C.  
MR. MICHAEL THOMAS**

**DECISION DELIVERED 15<sup>TH</sup> FEBRUARY 2020**

**UPON THE APPLICATION** made under section 12 (1) (a) of the Legal Profession Act and dated the 4<sup>th</sup> April, 2013 and sworn to on the 4<sup>th</sup> April, 2013 and coming on for hearing before the Disciplinary Committee on the 7<sup>th</sup> December 2013, 17<sup>th</sup> May, 2014, 8<sup>th</sup> November 2014 and 14<sup>th</sup> January, 2015

**AND UPON** the Respondent Attorney-at-law Arlene D. Beckford not appearing

**AND UPON** the Complainant Adolph Fowler appearing and having given evidence on oath

**AND UPON DUE CONSIDERATION** of the sworn evidence of the Complainant

**AND UPON** the Committee having found the Attorney-at-law Arlean D. Beckford guilty of professional misconduct on the 27<sup>th</sup> November 2019

**AND UPON** the Attorney having been given the opportunity to make submissions in mitigation of sanction on the 18<sup>th</sup> December 2019 to no avail

**THE COMMITTEE FINDS THAT:**

The Attorney Arlean Beckford is guilty of professional misconduct in that, the Attorney borrowed \$4,000,000.00 from the Complainant.

The sum was made by two payments of \$2,600,000.00 which was evidenced by a Promissory Note and the sum of \$1,400,000.00. Of this sum, the Attorney repaid \$1,400,000.00 to the complainant six months after he lent her the money. The Promissory Note signed by the Attorney on the 8<sup>th</sup> February 2011 speaks to a sum of \$2,600,000.00 to be repaid on or before the 18<sup>th</sup> February 2011.

The Panel finds that of the sum of \$4,000,000.000 borrowed from the Complainant, \$2,600,000.00 remains unpaid. The Panel finds also 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.

In the circumstances the Panel finds that the Attorney acted in contravention of Canon 1(b) of the Legal Profession (Canons of Professional Ethics) Rules and in arriving at their decision they referred to and considered Canon VIII (b) which states that:

“Where in any particular matter explicit ethical guidance does not exist, an Attorney shall determine his conduct by acting in a manner that promotes public confidence in the integrity and efficiency of the legal system and the legal profession.”

The Attorney’s act of borrowing money from a client was an abuse of the Attorney client relationship. The panel relied on the decision of the Committee in Luneth Oram and Ransford Oram vs Lorraine Earle-187/2003

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

Pursuant to section 12 (4) (a) of the Legal Profession Act as amended:

1. The Attorney Arlean Beckford is fined the sum of \$2,600,000 which fine is to be paid to the Complainant within 30 days of the date hereof.
2. The Attorney is ordered to pay costs in the sum of \$400,000.00 of which \$200,000.00 is to be paid to the Complainant and \$200,000.00 is to be paid to the General Legal Council.
3. The Respondent Arlean Beckford is struck from the Roll of Attorneys-at-law entitled to practice in the several courts of the Island of Jamaica

  
.....  
CHAIRMAN OF PANEL

Dated 15<sup>th</sup> February 2020