DECISION ON SANCTION DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL

COMPLAINT NO. 10/OF 2016

BETWEEN THE VICTORIA MUTUAL BUILDING SOCIETY

COMPLAINANT

(RICHARD POWELL)

AND

WILLIAM ANTHONY PEARSON

RESPONDENT

Panel

Walter H. Scott, Q.C., Charles Piper, Q.C. and Michael Thomas

Hearing Dates

27 November 2019
5 December 2019 (postponed)
18 December 2019
23 January 2020
7 March 2020
June 18, 2020 (By Video Link – Zoom)

Representation

The Complainant was represented by Mr. Jonathan Morgan instructed by DunnCox. The Respondent was represented by Mr. Garth McBean QC.

Ruling on Application for Suspension of Order

We delivered our decision on sanction in this matter on June 18, 2020. At the conclusion Counsel for the Respondent, Mr. Garth McBean QC, applied to the panel

for an order that we suspend the filing of our order for a period of 30 to 45 days on the grounds that:

- 1. This would permit him and/or the Respondent time to determine whether there is to be an appeal; and
- 2. The additional time would permit the Respondent to wind up his affairs.

Counsel relied on Regulation 19(d) of the Fourth Schedule to the Legal Profession Act.

We took time to consider the application and, upon resuming, Counsel was advised by the panel that Regulation 19(d) had been repealed by section 8 of the Legal Profession Amendment Act 2007. Thereafter, Mr. McBean withdrew the application.

However, by letter dated June 18, 2020 to the Secretary, Mr. McBean QC recorded his conversation with the Secretary by which he drew attention to Section 12A (1) of the Amendment Act which empowers the panel to suspend its order.

As a result, we have revisited the matter and hereby refuse the application that we suspend the order made herein on June 18, 2020, on the ground that no sufficient reason has been shown as to why we should do so.

Dated the 22rd

June, 2020

WALTER H. SCOTT, Q.C.

CHARLES PIPER Q.C.

MICHAEL THOMAS