

# DECISION ON SANCTION OF THE DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL

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In The Matter of Complaint No. 19/2013

Lydia Facey v Lorraine Ramson

AND

In the matter of the Legal Profession Act 1971

**Panel:** Mrs. Daniella Gentles-Silvera - Chairman

Mr. Jeffrey Daley

Mrs. Nadine Guy

Appearances: Ms. Lydia Facey and her Attorney, Mr. Patrick Bailey

Absent: Ms. Lorraine Ramson-Respondent Attorney

## **DECISION**

- 1) In its Decision on the Complaint delivered on 14<sup>th</sup> December, 2019 the Panel ruled that the Attorney was guilty of professional misconduct having breached **Canon iv(r)** of the **Legal Profession (Canons of Professional Ethics) Rules**:

*Canon IV (r) - An Attorney shall deal with his client's business with all due expedition and shall whenever reasonably so required by the client provide him with all information as to the progress of the client's business with due expedition.*

- 2) The Panel found that the Attorney's delay of over seven (7) years in completing the application to bring the land under the operation of the Registration of Titles Act and to complete its sale to the Complainant was inordinate and inexcusable and that the Attorney's conduct clearly fell below the required standard of professional conduct prescribed by the Canons of the Legal Profession and proof of professional misconduct had been made out beyond a reasonable doubt.

3) The Attorney did not attend the hearing on the 2nd March, 2019 or on the 14th December, 2019 when the Decision was handed down. Notices of the Sanction hearing were sent to both parties on the 11<sup>th</sup> and 12<sup>th</sup> June 2020 respectively for hearing on the 23<sup>rd</sup> June, 2020. The Attorney was absent when the matter was called and the Panel proceeded to deliver the sanction.

The Panel therefore orders:

- (i) That the Respondent Attorney be reprimanded;
- (ii) That by way of restitution the Respondent Attorney do pay to the Complainant, the sum of \$122,000.00 paid to the Attorney on account of the purchase price;
- (iii) That the Respondent Attorney be fined \$50,000.00 payable to the General Legal Council;
- (iv) That the Respondent Attorney do pay the Complainant's legal costs of \$100,000.00.

DATED THE 23 DAY OF June 2020

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Mrs. Daniella Gentles-Silvera - Chairman

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Mr. Jeffrey Daley

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Mrs. Nadine Guy