

SU2020CW03839



FORMAL ORDER

OF THE DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL

COMPLAINT NO: 200/2017

IN THE MATTER OF HILARY BEVERLY REID (GENERAL  
LEGAL COUNCIL) VS RUDOLPH EMANUEL ALPHONSO  
MUIR

AND

IN THE MATTER OF THE LEGAL PROFESSION ACT 1971

PANEL: Mrs. Daniella Gentles-Silvera (Chairman)  
Ms. Althea Jarrett  
Ms. Marjorie Shaw

DECISION DELIVERED 30<sup>th</sup> SEPTEMBER 2020

**UPON THE APPLICATION** made under section 12 (1) (a) of the Legal Profession Act and dated the 1<sup>st</sup> November 2017 with supporting Affidavit sworn to on the 1<sup>st</sup> November 2017 and coming on for hearing before the Disciplinary Committee on the 6<sup>th</sup> June 2020, 4<sup>th</sup> July 2020 and 30<sup>th</sup> September 2020

**AND UPON** the Respondent Attorney-at-law Rudolph Emanuel Alphonso Muir not appearing

**AND UPON** the Complainant Hilary Beverly Reid appearing and having given evidence

**AND UPON** the Panel exercising its discretion pursuant to Rule 10 of the Legal Profession (Disciplinary Proceeding) Rules as amended and admitting into evidence the Form of Application dated 1<sup>st</sup> November 2017 and Affidavit of the Complainant, Ms. Hilary Beverly Reid, sworn to on 1<sup>st</sup> November 2017 together with Affidavit of Ms. Althea Richards sworn to on 22<sup>nd</sup> November 2017 and Affidavit of General Counsel, Shauna Kay Shirley sworn to on 12<sup>th</sup> December 2019 and considering same.

**AND UPON** the Respondent Attorney having failed to deliver to the Secretary of the General Legal Council Accountant's Reports or Declarations for the financial years 2013, 2014, 2015 and 2016 contrary to Regulation 16(1) of the Legal Profession (Accounts and Records) Regulations, 1999

**AND UPON** the Committee having found that such failure amounted to the Respondent having committed breaches of the said Regulations and that such breaches by the Attorney Rudolph Muir amounted to misconduct in a professional respect having regard


to the provision of Rule 17 of the Legal Profession (Accounts and Records) Regulation 1999

**AND UPON** the Respondent Attorney-at-law having been given the opportunity to make submissions in mitigation of sanction but failing to avail himself of this opportunity

**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, Rudolph Emanuel Alphonso Muir shall pay a fine of \$50,000.00 for each year of default specifically for the years 2013, 2014, 2015 and 2016 totalling \$200,000.00.
- 2 The Attorney, Rudolph Emanuel Alphonso Muir, is hereby immediately suspended from practice in the Courts of Jamaica for one (1) year or until he files Accountant's Report for the year 2013 (satisfactory to the General Legal Council) whichever is sooner.
- 3 Costs in the amount of \$50,000.00 shall be paid by the Attorney to the General Legal Council.
- 4 The payment of the sums in paragraphs 1 and 3 herein shall be made on or before 31<sup>st</sup> October 2020.



CHAIRMAN OF PANEL

Dated 30<sup>th</sup> September 2020