

SU2022CNO2413



**FORMAL ORDER OF THE DISCIPLINARY COMMITTEE OF
THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT
NO. 32 OF 2021**

**IN THE MATTER OF SIMONE WILLIAMS VS PATRICK
DELANO BAILEY**

AND

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

**PANEL: MRS. DEBRA MCDONALD
MS. ANNALIESA LINDSAY
MR. KEVIN POWELL**

DECISION DELIVERED ON THE 28TH JULY 2022

UPON THE APPLICATION made under section 12 (1) (a) of the Legal Profession Act and dated the 25th March 2021 along with supporting Affidavit sworn to on the 25th March 2021 and coming on for hearing before the Disciplinary Committee on the 6th November 2021, 20th November 2021, 11th December 2021, 22nd January 2022, 19th March 2022 and 3rd May 2022,

AND UPON the Complainant Ms. Simone Williams (the "Complainant") attending with Counsel Ms. Olive Gardner and having given sworn evidence on oath,

AND UPON the Attorney-at-law Mr. Patrick Bailey (the "Attorney") appearing on 6th November 2021 and 11th December, 2021,

AND UPON Counsel Mr. Franklyn Halliburton appearing for the Attorney on 19th March, 2022, 3rd May 2022 and 28th July 2022,

AND UPON DUE CONSIDERATION of the sworn evidence of the Complainant coupled with her documentary evidence,

AND UPON the Committee finding the Attorney guilty of professional misconduct pursuant to Section 12(1)(a) of the Legal Profession Act on the 3rd May 2022,

AND UPON the Attorney having been given the opportunity to file written and make oral submissions in mitigation of sanction to no avail,

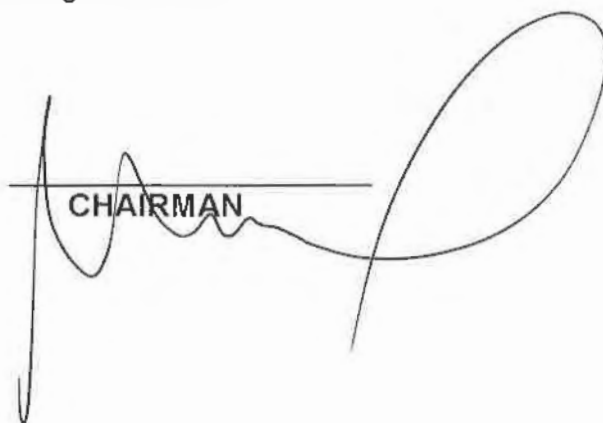
THE COMMITTEE FINDS THAT:

1. The Attorney was retained by the Complainant.
2. Pursuant to that retainer the Attorney received funds in the sum of US\$17,640.18 for and on behalf of the Complainant on 19th February 2021.
3. The receipt of the said funds by the Attorney was confirmed by documentation the Complainant provided and the Attorney admitted to it.
4. Despite the Complainant's many requests for the Attorney to pay or account to the Complainant for the funds he received he has failed to do so.

PURSUANT TO THE FOREGOING FINDINGS THE COMMITTEE UNANIMOUSLY HEREBY ORDERED THAT: -

Pursuant to Section 12 (4) of the Legal Profession Act:

1. The Attorney Mr Patrick Delano Bailey is struck off the roll of Attorneys-at-Law entitled to practise in the island of Jamaica.
2. The Attorney is to pay restitution in the sum of US\$17,640.18 with interest of 3% from the 19th February 2021 to the date of payment to the Complainant.
3. The Attorney is to pay costs of \$300,000.00 to the Complainant and costs of \$150,000.00 to the General Legal Council.


CHAIRMAN

28th July 2022