

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

COMPLAINT No. 6/2021

In the Matter of Byron St. Michael
Hylton, O.J., K.C. and HANNAH HARRIS-
BARRINGTON, an Attorney-at-law

AND

In the Matter of the Legal Profession Act
1971

PANEL: Peter Champagne, K.C. - Chairman
Gloria Langrin
Katherine Francis

Appearances: The Complainant, Mr. Byron St. Michael Hylton, O.J., K.C.
represented by Mrs. Symone Mayhew, K.C. (on Zoom)

Hearing date: 1st February 2023

On the 17th January 2023, this panel found the respondent Hannah Harris-Barrington, guilty of professional misconduct in this matter.

Specifically, the respondent was found to have breached Cannons 1B, 5B, 5A, 5C and 8B.

In keeping with the decision of **Owen Clunie against the General Legal Council**, the panel adjourned this matter for sanction hearing today, February 1, 2023. The panel having satisfied itself that due notice was given to the respondent to present mitigating arguments and not having any response from the respondent, now proceeds.

In determining the appropriate sanction to be applied, an examination of the aggravating and mitigating factors in this matter must be considered.

In so far as the aggravating factors are concerned, the panel notes the following:

1. As alluded in the judgement, the respondent through her cross examination exacerbated the case against her. The respondent not only stuck to her guns in bolstering the complainant's complaint but arguably by the line of cross examination drew for more artillery.
2. The offending publications of the respondent in the first instance was not only by way of a letter but also was presented in Court through an Affidavit filed by her.
3. The Affidavit of Michael Record spoke to information that he said that he had obtained from the respondent.
4. By the very cross examination of the complainant, the panel got an insight as to the high professional standing of the complainant. It was revealed that he was an Attorney practising for some 45 years and was associated with a number of reputable committees. For the respondent in these circumstances to have launched a character assassination on the complainant must be regarded as an aggravated feature.
5. The respondent in seeking to soil the good reputation of the complainant, had as a deliberate casualty of this a judicial officer. The integrity of this judicial officer was called into question without any foundation or merit whatsoever.

6. The respondent in her quest to cause damage to persons of high professional standing, utilised as a vehicle a member of the public and at first to cowardly hide behind that member of the public before being open about her actions. In this regard, reference is made of the Affidavit of Mr. Michael Reckord.
7. The respondent was given an extensive period of time to participate in this matter and by her non-appearance has shown scant regard for these proceedings which are designed to uphold the integrity of the legal profession.
8. As it relates to mitigating factors the panel is hard-pressed to identify any. We note that the actions of the respondent in seeking to be critical of the complainant, and what may appear to her to have transpired or not transpired with a court matter involving herself and the complainant went beyond the boundaries of the dictor of ***Lord Atkin in Ambard v. The Attorney General for Trinidad and Tobago 1936 appeal case page 332.*** In that case, Lord Atkin noted that ***"justice is not a cloistered virtue; she must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of the ordinary men."*** (page 335 paragraph 3). What the respondent did was certainly not respectful. Outspoken it was, and it came not from a lay person but Counsel no less who ought to know better. This kind of behaviour on the part of the respondent cannot be condoned. It strikes at the very integrity of the Justice system without any merit whatsoever.

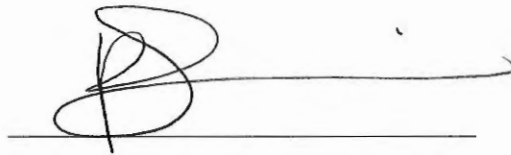
In determining what sanctions is appropriate in these circumstances, one is mindful of the case of the ***Bar Standard Board v. Timothy Crosland (Respondent) (2021) UKSC15*** decision in which an Attorney published a draft judgement in circumstances where he ought not to have done so. His actions were contemptuous. In that instance, the Attorney in question was disbarred.

The panel also took into account the authorities that were cited by Counsel for the complainant and paid keen attention to the sanctions that were applied in those instances. Sanction ranged from a fine to a nominal period of suspension. Accordingly, in appreciating all of the factors of this complaint, it is the unanimous view of the panel that the treatment of the sanction ought to be and is as follows:

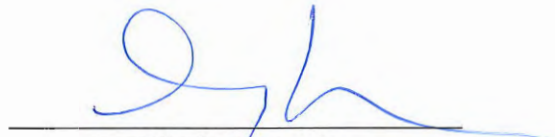
1. The respondent is suspended as an Attorney-at-Law for a period of one year. Effective, February 1, 2023.
2. Cost is ordered against the respondent to be paid to the General Legal Council of \$150,000.00.

3. The respondent Attorney is fined \$500,000.00 to be paid to the complainant.

Dated 1st day of February 2023



Peter C. Champagnie K.C.



Gloria Langrin



Katherine Francis

