

Ruling and Order
Complaint No 18\98

Before the Disciplinary Committee of the General Legal Council

Between	Doretha Jones	Complainant
And	Franklin Beckford	Respondent

**Panel : Christopher Bovell
Richard Donaldson
Allan Wood**

**Present : Doretha Jones
Leroy Equiano, Complainant's attorney**

No appearance by the Respondent

Hearings held on June 17, and July 1, 2000

This complaint was heard on June 17, 2000 when evidence was tendered by the Complainant and her attorney-at-law, Mr. Leroy Equiano, to the effect that Mr. Franklin Beckford, an attorney-at-law, had acted at all material times for one Mr. Oscar Brown with whom the Complainant, Miss Doretha Jones had a close relationship. The Complainant had contributed money to the improvement of the premises that she and Mr. Brown had occupied, and which were owned by Mr. Brown. At the end of their relationship, the Complainant made a claim through the Kingston Legal Aid Clinic for payment of the sums that she had expended on the property. In the month of May 1997, acting on behalf of Mr. Brown, the Respondent negotiated an agreement with the Kingston Legal Aid Clinic to settle the Complainant's claim for the sum of \$100,000.00 and in consideration of her agreeing to vacate his client's premises.

The Complainant's evidence was that on 2nd June 1997 Mr. Brown paid the sum of \$100,000.00 to the Respondent in order for him to pay over that sum to the Complainant, and in substantiation of this evidence, the Complainant tendered a copy of a receipt dated 2nd June 1997, issued by the Respondent, which was tendered in evidence as Exhibit 1, and which showed clearly that the amount of \$100,000.00 was paid to Mr. Beckford in respect of the settlement of the sum due to the Complainant. The Complainant's evidence was that she has received no portion of the sum paid to the Respondent. Since the date of the Respondent's receipt, several letters have been written to him by the Kingston Legal Aid Clinic demanding the money due to the Complainant and copies of these letters were tendered in evidence by Mr. Equiano, the attorney at the Clinic acting for the Complainant, and the Respondent failed to respond or to pay over the money.

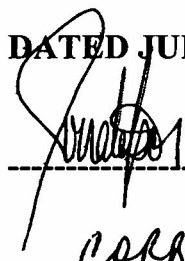
Further the Respondent failed to respond to the General Legal Council from the date when this complaint was issued and served in October 1998, and the Respondent failed to attend the hearing on June 17, 2000 when evidence in support of the complaint was tendered by the Complainant and Mr. Equiano. The hearing of the complaint was nonetheless adjourned to July 1, 2000 specifically to give Mr. Beckford the opportunity to respond to the evidence and/or to pay over the sum due to the Complainant or to the Kingston Legal Aid Clinic. The Respondent was duly served with the notice of the continuation of the hearing as well as with the notes of evidence and he failed to respond or to attend on July 1, 2000.

In the circumstances we have no other alternative but to find Mr. Franklin Beckford guilty of professional misconduct in failing to pay over the sum of \$100,000.00 to the Complainant or to the Kingston Legal aid Clinic which acted for her, and which sum Mr. Beckford received for payment over to the Complainant on June 2, 1997. We further find that the attorney, Mr. Franklin Beckford has failed to maintain the honour and dignity of the legal profession and that his behaviour, which gives rise to this complaint, has discredited the legal profession of which he is a member in breach of Canon 1(b) of the Legal Profession (Canon of Professional Ethics) Rules 1978.

Accordingly we hereby Order:

- a. That, pursuant to section 12 (4) (a) of the Legal Profession Act, the name of Franklin Beckford be struck off the Roll of Attorneys-At-Law; and
- b. That, pursuant to section 12 (4) (c) of the Legal Profession Act, Franklin Beckford pay to the Complainant, Doretha Jones, the sum of \$100,000.00 together with interest thereon computed at the rate of 12 per cent per annum from June 2, 1997.
- c. It is also ordered that Franklin Beckford pay costs in the sum of \$5,000.00 to the Complainant or her attorney Mr. Leroy Equiano.

DATED JULY 1, 2000



CORBNEY

