



AMENDED
FORMAL ORDER OF THE DISCIPLINARY COMMITTEE OF
THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT
NO. 105/2022

SU 2024 CV 00568

IN THE MATTER OF THE CHURCH OF GOD
(SEVENTH DAY) (EDWIN SCOTT) v SEAN GARVIN
MOSES OSBOURNE, AN ATTORNEY-AT-LAW

AND

IN THE MATTER OF THE LEGAL PROFESSION
ACT 1971

PANEL: MR. PETER CHAMPAGNIE, KC – CHAIRMAN
MR. PIERRE ROGERS
MR. JEFFREY DALEY

DECISION DELIVERED ON THE 26TH JANUARY 2024

UPON THE APPLICATION made under section 12 (1) (a) of the Legal Profession Act and dated the 15th June 2022 along with supporting Affidavit sworn to on the 15th June 2022 and coming on for hearing before the Disciplinary Committee on the 10th December 2022, 13th January 2023, 19th January 2023, 24th February 2023, 21st April 2023, 26th May 2023, 13th June 2023, 6th July 2023, 24th July 2023, 3rd November 2023 and 24th November 2023,

AND UPON the Complainant's representative Mr. Edwin Scott appearing and having given evidence on oath,

AND UPON the Attorney-at-law Mr. Sean Osbourne appearing with Counsel Mr. Aston Spencer and having given evidence on oath,

AND UPON DUE CONSIDERATION of the sworn evidence of the Complainant and the Attorney, along with 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 3rd November 2023,

AND UPON Counsel for the Attorney having made submissions in mitigation of sanction,

THE COMMITTEE FINDS THAT:

- a. The Complainant Church through Mr. Edwin Scott retained the Attorney to act on its behalf in the purchase of lands at Newtown, Braeton.

- b. In pursuance of this retainer, the Complainant Church through Mr. Scott transmitted the sum of Seven Hundred and Twenty Thousand Dollars (\$720,000.00) to the Attorney.
- c. This said sum of Seven Hundred and Twenty Thousand Dollars (\$720,000.00) was received by the Attorney into his account.
- d. The Attorney thereafter failed to put this sum to the use for which it had been entrusted to him.
- e. The Attorney has failed to account to the Complainant Church for monies to their credit.
- f. The Attorney thereafter failed to complete the purchase on the Complainant's behalf.
- g. The Attorney failed to communicate with the Complainant when he was reasonably required to do so.
- h. The Attorney through his actions has failed to uphold the honour and dignity of the profession.

THE COMMITTEE UNANIMOUSLY HEREBY ORDERS THAT: -

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

- 1. The Attorney Sean Osbourne is struck from the roll of Attorneys-at-Law entitled to practise in Jamaica.
- 2. The Attorney Sean Osbourne is to pay restitution in the sum of \$720,000.00 to the Complainant on or before 26th February 2024.
- 3. The Attorney is to pay costs of \$150,000.00 to the General Legal Council on or before 26th March 2024
- 4. The Attorney is to pay costs of \$150,000.00 to the Complainant on or before 26th March 2024.



CHAIRMAN OF PANEL

Dated the 26 January 2024