

THE JAMAICAN BAR ASSOCIATION

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STATEMENT OF THE JAMAICAN BAR ASSOCIATION

The Jamaican Bar Association adopts the comments of Lord Justice Clerk in the case of *Re Petition of McMahon and Others* that "*membership of the legal profession is a privilege*". He said, in the exercise of that privilege, we "*undertake a duty throughout our professional lives to conduct [our] clients' affairs to [our] utmost ability and with complete honesty and integrity*". We are absolutely clear that this is the gold standard to which all Attorneys-at-Law in Jamaica should be held. We encourage all members of the public to demand and expect those qualities of Attorneys-at-Law, without exception, and to rely upon the justice system administered by the courts as well as the disciplinary system administered by the General Legal Council for redress whenever Attorneys-at-Law fail in their duties to the public or their fellow professionals.

A number of Attorneys-at-law have been arrested recently on fraud-related charges since the start of the year. As the Jamaican system of justice accords due process to all accused persons, including Attorneys-at-Law who are alleged to have run afoul of the law, it is important to resist the inclination to condemn and convict before the evidence is heard in all cases. In those cases in which Attorneys-at-Law have been charged and have denied the charges, the presumption of innocence until proof of guilt applies, as it does to all persons who face the criminal courts in this country.

All Attorneys-at-Law are required to abide by the provisions of the Legal Profession Act and the Canons of Professional Ethics that govern the practice of law in this country, and the Jamaican Bar Association understands and accepts the enormity of the professional obligations each Attorney-at-Law must meet.

As at February 2015, there were approximately 2,900 Attorneys-at-Law licensed to practise in Jamaica, and the Jamaican Bar Association is confident that the majority of Attorneys-at-Law, many of whom are its members, remain accountable, honest and responsible in discharging their professional obligations.

A cornerstone objective of the Jamaican Bar Association is promoting the integrity and good name of the legal profession in Jamaica. For that reason, even before Attorneys-at-Law were mandated by statute to attend continuing legal education courses, the Jamaican Bar Association conducted seminars with Attorneys-at-Law on various issues including ethical behaviour. The re-launch of our mentorship programme in 2014 was another initiative to nurture and guide newly admitted Attorneys-at-Law.

We continue to exhort all Attorneys-at-law, whether or not they are our members, to uphold the dignity and respect of the legal profession. The public must continue to hold us accountable to the high standards of probity of conduct, respect and trust which is expected of all members of the legal profession.

**DONOVAN C. WALKER
PRESIDENT – THE JAMAICAN BAR ASSOCIATION**