

PRESS RELEASE - FOR IMMEDIATE RELEASE

The Bar Council has read and considered the widely discussed ruling of Honourable Mr. Justice Ventose issued on 27th February 2020 in the High Court case of *Tanzania Tobing Tanzil v. Lindsay Grant and Jonel Powell*, the Defendants being members of the legal profession.

As the matter is before the Court and it is possible that the St. Kitts and Nevis Bar Association may become an interested party in the disciplinary proceedings ordered by the Honourable Judge, it would not be appropriate for the Council to make any comments at this stage on the nature of the ruling or any other aspects of the case concerning any findings of fact by the Court with respect to the alleged conduct of the Defendants.

The Bar Council takes very seriously the adherence by members of the profession to our oath as Officers of the Court and to the Code of Ethics which governs the practice of law as set out in 87 paragraphs of Schedule. IV of the Legal Profession Act. That Code includes the fundamental obligation to separate clients' funds from personal monies of the Attorney-at-Law and to deal with clients' monies strictly in accordance with the Code and any conditions on which the monies are held. Our clients place immense trust and confidence in us and for members of the legal profession, our duty to deal with client funds honorably is sacrosanct.

We also take this opportunity to remind the general public that, in addition to the disciplinary powers of the court, the Bar Association has limited disciplinary powers through its Disciplinary Committee. The procedure for commencing disciplinary proceedings against any member of the Bar is set out in the Legal Profession Act 2008, as amended (the "Act"). A copy of the Act and the requisite form and template Affidavit for a client of an Attorney-at-law or other person with legal standing in that regard to lodge a complaint to the Disciplinary Committee against the Attorney-at Law are available on the St. Kitts and Nevis Bar Association website at www.sknbar.org.

The Council also notes the comments of the Honourable Judge on the conduct of the Registrar of the High Court, including excessive delays in carrying out her duties and in overstepping her powers as Registrar.

We share the views of the Honourable Judge that "*public confidence in the administration of justice in Saint Christopher and Nevis will be seriously and*

perhaps irreparably eroded if the public perceives that the court office “picks sides” in disputes coming before the court particularly where that dispute involves public figures, politicians or governmental officials.”

The Bar Council expects that the Registrar will take heed of the very specific rulings and warnings of the Honourable Judge. Undeniably, the Court is a fundamental pillar of our democratic society and we all depend on a fair, impartial, efficient and effective judicial system to protect and assert our legal rights. The Bar Council will monitor the Registrar’s performance and will not hesitate, if necessary, to take such action as considered appropriate to protect the legal profession, the rule of law and the administration of justice in the Federation of St. Christopher and Nevis.

Dated the 6th day of March 2020.

Dahlia Joseph Rowe
President
St. Kitts and Nevis Bar Association