

ROYAL COURT  
(Superior Number) 185

19th October, 1992.

Before: The Bailiff, and Jurats  
Coutanche, Vint, Blampied, Myles,  
Bonn, Orchard, Hamon, Gruchy,  
Le Ruez, Herbert, and Vibert.

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Representation of the Attorney General pursuant to Article 8(3) of the  
Solicitors (Jersey) Law, 1971 re: Huelin.

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The Attorney General.  
Advocate M.H. Clapham for Mr. Huelin.

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**JUDGMENT**

**THE BAILIFF:** Let me say at once that it is never a pleasure for this Court to sit in censure over a member of the profession, particularly an officer of this Court, but we have a duty to do and we hope we have done that duty in coming to the conclusion that we have.

The Court is going to reprimand you, Mr. Huelin, because you have clearly failed to keep the undertaking which you gave to a professional colleague. But in doing so the Court is unanimously of the view that your failure was not due to a deliberate attempt

to mislead your professional colleague, but rather because you put the interests of your client before the interests of the professional undertaking which you had given, which is contrary to the guidelines laid down by the English Law Society (which of course are not binding on us here) relating to professional undertakings in the United Kingdom.

The Court notes that, although, at first, you rejected the interpretation of your Jersey colleagues when they were looking into the matter and later, in the "*chambre disciplinaire*", you have now accepted that you were wrong in the way in which you acted. The Court has also noted that this professional lapse has caused you and your family a great deal of pain and that you have indeed been subjected to speculation about what you had or had not done.

I want to make it clear that it was a lapse but we are satisfied that it was not motivated by any desire on your part to mislead your professional colleagues. It is true that the undertaking might have been worded a little less ambiguously and it is true that Messrs. Ogier and Le Cornu (if it was open to them) might have taken earlier steps to protect their client's interests.

Be that as it may, the Court is satisfied that it would be right that a reprimand only should be administered, and accordingly it has done so.

Authorities

The Law Society's "Guide to Professional Conduct of Solicitors":  
p.130: "Professional Undertakings".