

IN THE BARRISTERS DISCIPLINARY TRIBUNAL

BETWEEN

THE BAR COUNCIL

Applicant

and

RODERICK GRAHAM MURRAY

Respondent

**BEFORE MR. ANTHONY CHAN, S.C., CHAIRMAN OF THE TRIBUNAL,
MR. MARTIN LIAO AND PROFESSOR KENNETH YOUNG,
MEMBERS OF THE TRIBUNAL, IN CHAMBERS**

O R D E R

UPON hearing Senior Counsel for the Bar Council and the Respondent appearing in person.

UPON the Respondent admitting the Complaints (A) and (B) of the Amended Particulars of Misconduct as set out in a document entitled "Amended Complaint" dated 26th April 2005,

UPON the Respondent admitting the matters set out in a document entitled "Summary of Facts" dated 26th April 2005, AND

UPON this Tribunal finding the Complaints (A) and (B) of the Amended Particulars of Misconduct as set out in the document entitled "Amended Complaint" dated 26th April 2005, proved,

IT IS HEREBY ORDERED THAT

- (1) Pursuant to Section 37(a) of the Legal Practitioners Ordinance, Cap.159, the Respondent be censured in respect of Complaint (A)(1);
- (2) Pursuant to Section 37(b) of the Legal Practitioners Ordinance, Cap.159, the Respondent be suspended from practising as a barrister for a period of 3 months in respect of Complaint (A)(2);
- (3) Pursuant to Section 37(b) of the Legal Practitioners Ordinance, Cap.159, the Respondent be suspended from practising as a barrister for a period of 6 months in respect of Complaint (A)(3);
- (4) Pursuant to Section 37(b) of the Legal Practitioners Ordinance, Cap.159, the Respondent be suspended from practising as a barrister for a period of 6 months in respect of Complaint (B);

- (5) The suspensions mentioned in (2), (3) and (4) above are to run concurrently;
- (6) This Order is to take effect from the date of expiration of the appeal period. If there is an appeal, this Order will be suspended pending the outcome of the appeal.
- (7) Pursuant to Section 37A(2) of the Legal Practitioners Ordinance, Cap.159, the Registrar of High Court be directed to publish this Order for the suspension of the Respondent in the Gazette;
- (8) The Bar Council do publish the Statement of Findings (including the Annexures) delivered on 13th May 2005 and this Order by sending a copy of the same to the following bodies and persons :
- (a) H.H. Judge Chua;
 - (b) The Registrar of the District Court;
 - (c) The Chief Judge of the High Court;
 - (d) The Registrar of the High Court;
 - (e) The Secretary for Justice;
 - (f) The Director of Public Prosecutions;
 - (g) The Director of Legal Aid;
 - (h) The President of the Law Society of Hong Kong;
 - (i) The Chairman and members of the Bar Council.

- (9) The Bar Council be at liberty in its discretion to decide whether and by what method the members of the Bar Association should be notified of this Order;
- (10) A copy of this Order together with the Amended Particulars of Misconduct be published on the website of the Bar Association; and
- (11) Pursuant to Section 37(f) of the Legal Practitioners Ordinance, Cap.159, the costs of and incidental to these proceedings be paid by the Respondent on a full indemnity basis to be taxed if not agreed.

Dated this 13th day of May 2005.



Mr. Anthony Chan, S.C.,
Chairman of the Tribunal



Mr. Martin Liao,
Member of the Tribunal



Professor Kenneth Young,
Member of the Tribunal

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O R D E R

T. S. TONG & CO.,
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OUR REF: IC-ITK/M48348/TWT/2004

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