

CHAPTER VI

CONCLUSION

In this piece of work the writer had dealt with the various categories of misconducts committed within the legal profession. In this respect, the role of the disciplinary body plays an important part in the maintenance of a high standard of professional discipline and the writer has also recommended some suggestions as how the public ought to be protected.

In improving the general standard of professional discipline, positive steps need to be taken. It is noted that the most effective means of checking undesired practices among legal practitioners is by legislation. Cases of misappropriation of client's money have been reduced with the enforcement of the Solicitors' Accounts Rules, 1974 and the Accountant Certificate Rules, 1974. However, such legislative measures would be easily defied if the body concerned with professional discipline lacks the necessary power to enforce the statute or rules made under it.

This leads to the question of the power of the Bar Council and the Disciplinary Committee. How far had such bodies been able to carry out its functions for the purposes of managing its affairs under the Act? In the discussion of the Legal Profession Bill, 1975, too much had been said about the impotence of the Bar Council. It is worth a thought whether such allegations are justifiable. The Bar Council was often reminded that it had taken them almost six years to draft the Bill.

Harping on this point does not prove that the Bar Council is lying idle. After all, of what good does it do to produce a Bill overnight if it is full of loopholes and discrepancies?

The maintenance of a high standard of professional discipline is of paramount importance and steps taken of enforcing it against all members of the legal profession is highly recommendable. The Disciplinary bodies concerned with the maintenance of professional discipline should have no hesitation in exposing the deviants. Such publicity would adversely affect the general reputation of the profession as a whole but, on the other hand, it would be of the ultimate benefit to the public, who would therefore cooperate with the disciplinary bodies in bringing the culprits to book.