

LEGAL PRACTITIONERS ORDINANCE (Chapter 159)

ORDER THAT A BARRISTER BE SUSPENDED FROM PRACTISING
MARK RICHARD CHARLTON SUTHERLAND

In accordance with section 37A(2) of the Legal Practitioners Ordinance (Chapter 159), I hereby give notice that on the 2 April 2019 a Barristers Disciplinary Tribunal found five complaints against Mark Richard Charlton Sutherland ('the Respondent') proved. The complaints were that the Respondent acted in breach of paragraphs 6(b), 6(c), 6(d), 130, 131 and 133 of the Code of Conduct of the Hong Kong Bar Association.

The Tribunal on 18 July 2019 ordered that:—

- (1) The Respondent be suspended from practising as a barrister for a total of 36 months:—
 - (i) Complaint 1—The Respondent be suspended from practising as a barrister for a period of 6 months;
 - (ii) Complaint 2—The Respondent be suspended from practising as a barrister for a period of 6 months, to run concurrently with Complaint 1;
 - (iii) Complaint 3—The Respondent be suspended from practising as a barrister for a period of 24 months, consecutive to Complaints 1 to 2;
 - (iv) Complaint 4—The Respondent be suspended from practising as a barrister for a period of 6 months, consecutive to Complaints 1 to 3; and
 - (v) Complaint 5—The Respondent be suspended from practising as a barrister for a period of 36 months, concurrent to Complaints 1 to 4.
- (2) The Respondent do pay to the Applicant the costs of and incidental to the proceedings of the Tribunal and the costs of any prior inquiry or investigations in relation to matters before the Tribunal, to be taxed (if not agreed) by a Master of the High Court on a full indemnity basis.

The Tribunal on 19 July 2019 further ordered that the sanctions imposed should take effect from 9 August 2019.

The Statement of Findings of the Tribunal dated 2 April 2019, the Reasons For Sentence of the Tribunal dated 18 July 2019 and the further order dated 19 July 2019 were filed with the Registrar on 27 August 2019.

27 August 2019

Simon KWANG *Registrar, High Court*