



THE UNIVERSITY
OF THE
WEST INDIES
MONA CAMPUS
JAMAICA, WEST INDIES

(2015) Volume 3



MonaLaw Report *Opinio Juris*

DEAN'S MESSAGE



In this third volume of the MonaLaw Report, we will share news of the exciting occurrences in the Faculty in the 2014/2015 Academic Year. MonaLaw continues to be part of innovative research initiatives and crosscutting partnerships.

Dr. Leighton Jackson (Deputy Dean for Undergraduate Affairs) continued with his work on the impact of the

Caribbean Court of Justice and delivered a Public Lecture entitled, "The CCJ and Modern Democratic Constitutional Governance in the Commonwealth Caribbean", on February 10, 2015. Dr. Shazeeda Ali (Deputy Dean for Graduate Studies and External Affairs) partnered with the National Integrity Action as author for the 2015 Proceeds of Crime Act Manual. Tracy Robinson, who completed her tenure as Chair of the Inter-American Commission on Human Rights in 2015, continues to maintain her interests in human rights issues in the American region.

MonaLaw, along with our colleagues in the Faculty of Law on the other Campuses, continue to support the work of the UN Rights Advocacy Project (URAP). We expect such interaction with the broader community to translate into the academic development of our students, who continue to maintain high academic standards. With our mission of promoting scholarly excellence, we encourage our students' participation and leadership in a broad range of extra-curricular and co-curricular activities. This year, MonaLaw participated in two Regional and International Mooting Competitions, with notable achievements.

MonaLaw remains committed to continuing legal professional development and, as such, this academic year we hosted several public lectures and seminars including, for the first time, an international symposium. The Inaugural MonaLaw Weekend Symposium on Law, Governance and Society, was held on April 24 to 26, 2015 at the Hyatt Ziva Rose Hall. In addition, we introduced the MonaLaw Distinguished Lecture Series. The Inaugural Lecture was delivered by Professor Eilís Ferran, Chair of the Faculty of Law and Pro-Vice Chancellor Designate, Cambridge University, on June 24, 2015.

We hope that you will find these pages informative and interesting, and that you will be excited, as we are, by the developing legal scholarship in the MonaLaw community.

Derrick McKoy

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MONALAW FACULTY

PUBLIC LECTURES, SEMINARS AND FORUMS

LAW, MEDIA AND SOCIAL JUSTICE



The Panel from L-R: Senator Marlene Malahoo Forte, Senator Tom Tavares-Finson and Ms. Jasmine Rand



A member of the audience poses a question to the panel.



Ms. Jasmine Rand addressing the gathering.

The Faculty of Law convened a Public Lecture and Panel Discussion on November 21, 2014 entitled “**Law, Media and Social Justice**”. This was aimed at exploring a dynamic and multidimensional approach to legal advocacy and the practice of law. *Is it unethical for an attorney to intentionally use the media to further litigation, the legislative process, or social justice movements?*, was one of the questions explored by the panel which sought to examine specific cases. The panel also looked at the social justice movements that often accompany litigation and the use of media tempered by ethical and professional obligations.

Ms. Jasmine Rand, founding attorney of Rand Law, LLC in Miami, Florida was the main speaker. She has been recognized by the National Bar Association as one of the Top 40 Lawyers under 40 in The United States. This was her second visit to MonaLaw.

In her presentation, Ms. Rand noted that the creation and the practice of law can reflect aspirational goals for society. She examined the role of litigation, media and social justice movements surrounding the Civil Rights Movement in the United States and the Anti-Apartheid Movement in South Africa. She drew several parallels between these two movements and aspects of the Trayvon Martin case, and considered the wider implications of these for society. The discussion following the presentations highlighted several Jamaican cases such as the death of Mario Deane, and the circumstances surrounding them, that are similar to the Trayvon Martin killing. The overwhelming sentiment from attendees was that legal practitioners must take seriously their role as advocates, and should use all forms of media responsibly to defend the rights of Jamaicans.

The distinguished panel also included Senator Tom Tavares-Finson, an acclaimed criminal defence attorney, and Senator Marlene Malahoo Forte.

THE MAGNA CARTA LECTURES

The Magna Carta 800th Anniversary Committee in the United Kingdom awarded a grant to The UWI St. Augustine Campus in October, 2014. This was used to finance a project called **“The Impact and Influence of Magna Carta on the Commonwealth Caribbean”**. The project was led by Dr. Hamid Ghany and aims to promote the understanding of the Magna Carta in the Commonwealth Caribbean. A “fruit” of this project were the two lectures delivered by Ms. Coleen Lewis on February 2, 2015 at the Western Jamaica Campus (WJC), and by Dr. Derrick Mckoy, on February 4, 2015, at the Mona Campus. The lectures were entitled, *“The Influence of the Magna Carta on Human Rights in Jamaica.”*



Ms. Coleen Lewis

In her presentation, Ms. Lewis expressed her delight that the commemoration activities targeted the youth. She noted that with a greater understanding of human rights youths can serve as catalysts for change among their peers and the nation at large. Additionally, the anniversary of the sealing of the Magna Carta is an opportunity to reflect on the state of human rights in individual countries and the extent to which the Rule of Law is preserved and upheld.

With an audience of students from high schools in Montego Bay and WJC, Miss Lewis shared that Jamaica's commitment to upholding and preservation of the human rights of its citizens is evidenced by the fact that Jamaican Constitution includes a Charter of Rights which seeks to guarantee a number of fundamental rights and freedoms. Furthermore, the nation is signatory to the major regional and international human rights conventions. Jamaica also has a number of agencies in place to assist in the protection of these rights and investigate violations of these fundamental human rights.

In his presentation, Dr. McKoy noted that the Magna Carta's greatest contribution to Jamaican constitutionality has more to do with what it implies than what it says. Some persons consider the Magna Carta as the basis of our modern system of fundamental rights and freedoms in Jamaica and the bedrock of our modern constitutional system. This serves to emphasize the symbolic power of the document. However, the Magna Carta contains discriminatory provisions and only recognized the privileges of certain groups of persons. These aspects of the document are often overlooked and persons tend to focus on its higher contributions.

He went on to note that by the time Jamaica was conquered by the English the Magna Carta was widely used to oppose the authoritarian rule of English Kings. Dissenters often argued that the document protected the right of ‘ordinary Englishmen’, as well as the right of *habeas corpus* and trial by jury. Some of these assumptions, specifically trial by jury, pre-date the writing of the Magna Carta. He further emphasized the fact that the broader expressions of fundamental rights and freedoms as enshrined in the Constitution, which are derived from the European Convention on Human Rights, are based largely on the ideas of European Enlightenment rather than on the Magna Carta. Despite the inconsistencies between what the Magna Carta represents and what it actually says, there are several principles in the Jamaican constitutional system that are directly attributable to the Magna Carta. These include the limitations on executive power, rule of law, and due process.



Dr. Derrick McKoy

The *Magna Carta Libertatum*, or the Great Charter of the Liberties, is a written agreement between King John of England and a group of rebel barons intended to limit his powers by law and protect their rights. It is believed that it was drafted by the Archbishop of Canterbury and agreed upon around June 15, 1215. It was confirmed as the statute law of England in 1297.

MONALAW INAUGURAL SYMPOSIUM



Delegates, MonaLaw faculty, staff and students at the Inaugural Symposium

From April 24 to 26, 2015, The Faculty of Law on the Mona Campus of the University of the West Indies hosted its Inaugural Weekend Symposium on *Law, Governance and Society* at the Hyatt Ziva Rose Hall, Montego Bay. The focus for this year was “**Law and Governance in the 21st Century**”. A significant number of delegates attended the Symposium. Notably in attendance was the Chief Justice, The Honourable Mrs. Zaila McCalla, who delivered the Keynote Address. Also in attendance were the Director of Public Prosecutions of Jamaica, Ms. Paula Llewellyn, the Solicitor General, Mrs. Nicole Foster-Pusey, and the Contractor General, Mr. Dirk Harrison. The consistent responses from participants indicate that the event featured very distinguished panels whose presentations were not only thought-provoking but enlightening and instructive.

SYMPOSIUM HIGHLIGHTS



THE COCKTAIL RECEPTION

Photo 1 (R-L): Ms. Amina Maknoon, FSC Jamaica, Mrs. Tonya Bastian Galanis, Securities Commission of the Bahamas; and Ms. Carla Allen, FSC Jamaica, enjoy the welcome reception with some friends from the Bahamas

Photo 2 (L-R): Mr. Donovan Walker, President of JamBar; Dr. Derrick McKoy, Dean of the Faculty of Law at Mona and Dr. Lloyd Barnett, attorney-at-law, share lens time

Photo 3 (L-R): MonaLaw faculty: Ms. Rose Cameron, Dr. Ramona Biholar and Ms. Gabrielle Elliott-Williams

SYMPOSIUM SESSIONS

Photo 4 (L-R): Ms. Ingrida Kerusauskite, Dr. Shazeeda Ali, Mr. Dirk Harrison and Prof. Trevor Munroe who comprised the panel which addressed issues of corruption.

Photo 5 (L-R): A section of the audience

Photo 6: Mr. Krishna Desai (R) presents a gift to Prof. Dale Webber, then Director of the Centre for Marine Sciences, UWI.

The Symposium was held with the support of the National Integrity Action (NIA), which was a deluxe sponsor of the event. Other sponsors included Kingston Bookshop and Corpus Iuris, a legal technology company. The themes for the Symposium included institutional, corporate and social governance, delivered by local, regional and international speakers. Among the international presenters were Professor Janet Dine, University of London; Professor Fletcher Baldwin, the University of Florida; Mr. Arnold Todd, former Legal Counsel at the Cayman Islands Monetary Authority; Ms. Ingrida Kerusauskaitė, PhD candidate at Cambridge University; and Mr. Ryan Koslosky who is an Associate General Counsel at the Office of Contracting and Procurement in Washington, DC.

The panels addressed topics relating to constitutional law, public and private sector governance, financial services regulation, international trade, international cooperation, corruption, as well as law the relationship between law, language and culture.

Overall, the speakers expounded upon the following points that they believe would help to strengthen and/or improve the corresponding laws and allay citizen concern in these areas:

- an identification/understanding of the risks and challenges facing financial regulations which include a global financial crisis, innovation and complexity of financial products as well as reputational and political risks
- a need for continued relevance in the area of constitutional reform
- the connection between democracies and active, informed and responsible citizens: citizens who are willing and able to take responsibility for themselves and their communities and contribute to the political process
- climate change as the primary environmental and regulatory concern
- the language of the court (English) versus the vernacular language of many accused persons is a metaphor for the disconnect between the legal system and vernacular – dominant speakers

There were also a number of issues that delegates indicated that they would like future symposia to address. These include:

- Professional ethics
- Housing development and squatter policies in Jamaica and the Caribbean
- Financial services and business process outsourcing
- Securitization
- Structured financing
- Repeal of the buggery law
- The Charter of Rights

The weekend Symposium on Law, Governance, and Society is expected to become an annual event.

SYMPOSIUM HIGHLIGHTS

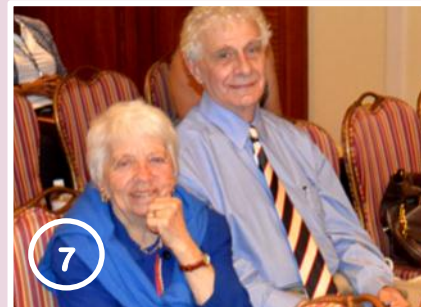
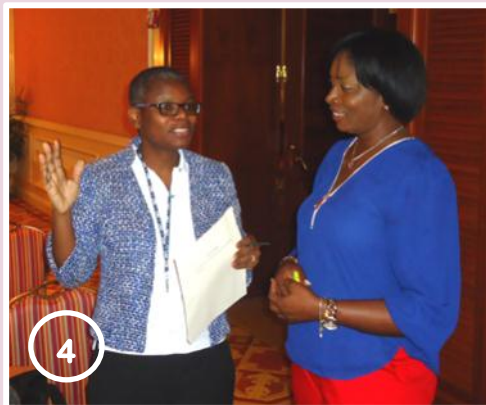


Photo 1: Mr. Ryan Koslosky pauses for the cameras before heading into a session.

Photo 2 (L-R): Ms. Christine Broadbelt, Symposium Committee member; Mrs. Donna Parchment Brown, then custos rotulorum for the parish of St Andrew; Dr. Derrick McKoy, Dean - Faculty of Law and Ms. Jaavonne Taylor, Mona Law Society President

Photo 3: A delegate enjoying some refreshing coconut water during an afternoon tea break.

Photo 4: Mrs. Nicole Foster-Pusey, Solicitor General and Ms. Tasha Manley, Senior Manager at JNBS, in deep conversation during a break

Photo 5 (L-R): Chief Justice Mrs. Zaila McCalla; Mrs. Diahann Gordon Harrison, Children's Advocate; and Ms. Paula Llewellyn, Director of Public Prosecution share lens time after the keynote address.

Photo 6 (L-R): Professor Trevor Munroe, Mr. Daniel Thwaites and Mrs. Paula Kerr-Jarrett pause for the camera during a coffee break.

Photo 7: Mrs. Nancy Baldwin and Professor Fletcher Baldwin are all smiles for the camera!

Photo 8: Members of the Mona Law Society who formed a part of the Symposium Secretariat: (L-R) Mr. Matthew Royal, Mr. Mikael Lorne, Ms. Jaavonne Taylor (President), Ms. Chantelle Biersay, Mr. Daniel Lattery, Ms. Shanice Nesbeth and Mr. Jovan Bowes.

Photo 9: Dr. Stacey Ann Wilson, lecturer in the Department of Government, The UWI, Mona, relaxing in the Delegates' Lounge.



THE UNIVERSITY
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FACULTY OF LAW

2nd Annual Symposium on Law, Governance and Society

Safeguarding Ethics, Justice and Ideas

Half Moon, Rose Hall, Montego Bay

JUNE 3 - 5, 2016

Registration Fee (Per Person):

	JM	Registration Fee includes:			
		Coffee Break	Lunch	Afternoon Tea	Sunday Brunch
Weekend	\$20,000	✓	✓	✓	✓
Saturday Only	\$15,000	✓	✓	✓	
Sunday Only	\$10,000				✓

10% Early Bird Discount on Registration Fee before March 18, 2016.

50% Discount on Registration Fee for all UWI Students and Council of Legal Education Law School students.

Special Group Hotel Room Rates Available*

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Room Category	SINGLE & DOUBLE	3rd PERSON (13 YRS. & UP)
Royal Villa Rooms	USD 155	USD 60
Run-of-Suites	USD 240	USD 60

*Subject to 10% tax & 15% service charge.

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Email us at: monalaw@uwimona.edu.jm or

visit our website: <http://www.mona.uwi.edu/law/>

INTRODUCING THE MONA LAW INSTITUTES UNIT (MLIU)



Dr. Christopher Malcolm



Mrs. Arlene Supersad

The Mona Law Institutes Unit (MLIU) was formally established on 1 January, 2015, within the Faculty of Law at Mona, after having been approved by the Finance and General Purposes Committee of the Mona Campus, The University of the West Indies on November 26, 2014.

The broad objectives of the Unit include: providing opportunities for expanding exchange of knowledge and research; consulting and advocacy; supporting the development of inter-disciplinary teaching and research, including in areas of comparative law and socio-legal studies; providing administrative, academic and technical support for postgraduate and on-going legal professional development; promoting and supporting the activities of specialist interest groups for practitioners and academics as well as community outreach; and establishing a services centre, and best practice supporting arrangements.

The MLIU is geared towards implementing or working towards the implementation of several initiatives including new or existing cooperation arrangements with assistance from academic institutions, governmental and non-governmental entities, regional and international organizations, as well as corporate entities and representative associations through activities in the field of law and related disciplines. The Mona Law Institutes Unit (MLIU) have entered into Cooperation Agreements with the Organization of American State (OAS), Street Law South Africa (NPC), and Street Law Caribbean Limited.

Dr. Christopher Malcolm is Director of the Unit while Mrs. Arlene Supersad is the Administrative Officer.

2015 EVENTS

- **Public Lecture on Disability Law with Professor Arlene S. Kanter**
- **Open Public Forum on the Caribbean Court of Justice as the final Court of Appeal**
- **Public Lecture on Arbitration with Datuk Professor Sundra Rajoo**
- **Public Lecture on Medical Law with Professor David McQuoid-Mason of Street Law, South Africa**
- **Distinguished Guest Lecture by H.E. Almagro Lemes, Secretary General of the OAS**
- **Public Lecture on the WTO by H.E. Ambassador Roberto Azevêdo, Director-General of the World Trade Organisation (WTO)**

More on these in our next Report...

THE INAUGURAL LECTURE IN THE DISTINGUISHED LECTURES SERIES

The Inaugural Lecture in the Distinguished Lecture Series was delivered by Professor Eilís Ferran, Chair of the Faculty of Law and Pro-Vice Chancellor Designate at Cambridge University, on Wednesday June 24, 2015. Professor Ferran presented on the topic: **“Company Law and Contractual Freedom”**.

Globalization has given commercial entities the freedom to choose the system of company law that best suits their private needs. In her presentation, Professor Ferran noted that where to incorporate is now a factor in many strategic decisions about the desired focus of a business’s future operations. The growing appreciation

within global commercial practice of the potential advantages to be gained by exploiting the availability of choice between systems of company law has implications for debates on the balance between facilitation and constraint within domestic company law systems. She went on to explore the impact of commodification of company law, which is occurring globally, on the development of company law at local levels by drawing on examples from the UK and other jurisdictions. In particular, she focused on the possibility that companies may choose to adopt national laws when it suits their interests to do so.

The attendees included members of the Faculty of Law, students, attorneys, other legal professionals and members of several public and private sector organizations. The lecture was followed by a cocktail

reception which saw the continuance of a lively discussion on many of the points Professor Ferran raised.

Eilís Ferran is Professor of Company and Securities Law at the University of Cambridge, a University JM Keynes Fellow in Financial Economics, and a Fellow of The British Academy. She has written extensively on UK, EU and international financial regulation, company law and corporate finance law. Her recent publications include contributions to Ferran, Moloney, Hill and Coffee, *The Regulatory Aftermath of the Global Financial Crisis* (CUP 2012) and the second edition of her textbook, *Principles of Corporate Finance Law* (OUP, 2014). *The Oxford Handbook of Financial Regulation*, which she edited with Niamh Moloney, and Jennifer Payne, was published in October, 2015. She is also the founding editor of *Journal of Corporate Law Studies* and is a member of the European Banking Authority’s Stakeholder Group.



*From L-R: Professor Eilís Ferran,
Dr. Shazeeda Ali and Dr. Derrick McKoy*



A section of the audience.



*Professor Ferran talks with Mr. Christopher
Bovell, attorney-at-law.*

BOOK LAUNCHES

COMMONWEALTH CARIBBEAN EMPLOYMENT AND LABOUR LAW



Co-authors: Mrs. Natalie Corthésy (R) and Mrs. Carla-Anne Harris Roper

On Tuesday, July 1, 2014 MonaLaw, in association with Routledge Cavendish and the Ministry of Labour and Social Security, hosted the launch of the book **“Commonwealth Caribbean Employment and Labour Law”**, authored by Mrs. Natalie Corthésy and Mrs. Carla-Anne Harris Roper. The proceedings were chaired by Professor Neville Ying, Executive Director of the Jamaica Diaspora Institute, while the Honourable Justice C. Dennis Morrison, Judge of the Appeal Courts of Jamaica and Belize, delivered the keynote speech. The event was adjudged a tremendous success, with more than 200 persons in attendance, including Ministers of Government, members of the academic community and human resource professionals.

All speakers underscored the importance of the book to scholarship in the region. Justice Morrison lauded the authors for being able to provide a comprehensive analysis of labour and employment laws in one text. He singled out for special mention the

chapter on emerging issues in employment law. He further noted that it would serve as the impetus for many discussions and debate on these developing areas of law. In a similar vein, the Honourable Derrick Kellier, then Minister of Labour and Social Security, noted the importance of the text to discourse on laws and standards applicable in the Caribbean labour market. This is in light of the increased ability of Caribbean nationals to travel in the region for employment purposes with lessened constraints. He further emphasised the urgency for an orientation to discourse that acknowledges “the collective responsibilities and objectives of the states within CARICOM”. Dr. Noel Cowell, Senior Lecturer at the Mona school of Business and Management, also endorsed the text, noting its importance for academics, students, human resource professionals and members of the legal profession.

Following the speeches, Mrs. Corthésy read from sections of the book. Both authors also extended their thanks to the many individuals and groups who supported them unwaveringly in their first authorship exercise. The formal proceedings were followed by signing of books by both authors. The evening culminated with a cocktail reception.

Natalie Corthésy lectures Industrial Relations Law, Tort Law, and Intellectual Property Law at the Faculty of Law, The UWI, Mona. She holds a LLM in Intellectual Property Law from the University College of London. Carla-Anne Harris Roper is an Adjunct Lecturer at the Mona School of Business and Management, The University of the West Indies, Mona, where she lectures in Labour and Employment Law. She holds a LLM in Employment Law (East Anglia).



Mrs. Harris Roper and Mrs. Corthésy presents a copy of their book to the Hon. Derrick Kellier, then Minister of Labour and Social Security.

TRANSFORMING DISCRIMINATORY SEX ROLES AND GENDER STEREOTYPING. THE IMPLEMENTATION OF ARTICLE 5(A) CEDAW FOR THE REALISATION OF WOMEN'S RIGHT TO BE FREE FROM GENDER-BASED VIOLENCE IN JAMAICA

Dr. Ramona Biholar, Lecturer in International Human Rights Law at the Faculty of Law, Mona, launched her book entitled: **“Transforming Discriminatory Sex Roles and Gender Stereotyping. The Implementation of Article 5(a) CEDAW for the realization of women’s right to be free from gender-based violence in Jamaica”** on September 11, 2014. The proceedings were chaired by Ms. Tracy Robinson, Lecturer at the Faculty of Law, Mona and then Chair of the Inter-American Commission on Human Rights (IACHR). Professor Barbara Bailey, Jamaica’s Representative to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), gave a response to the book, while Mrs. Judith Wedderburn reviewed the Jamaica Sexual Offences Act (2009). Mrs. Wedderburn is the Director of the Friedrich Ebert Stiftung (FES) in Jamaica.

It was Dr. Biholar’s research periods spent at the Institute of Gender and Development Studies (IGDS) UWI and extensive qualitative data collection in Jamaica that culminated in the recent book. The book explores the transformation of sex roles and gender stereotyping for the elimination of gender-based violence against women (GBVAW) and the realization of women’s rights in Jamaica.

With the book being set against the background of Article 5(a) of the CEDAW, the Public Lecture brought to the fore the disparity between the lived realities of women worldwide and this international agenda. The author stated that in the Caribbean, regional case law indicates that entrenched social and cultural beliefs about the construction and reproduction of gender encourage a normalisation of gender-based violence against women.



From L - R: Mrs. Judith Wedderburn, Professor Barbara Bailey, Dr. Ramona Biholar and Ms. Tracy Robinson.



Members of the audience queue to pose questions to the panel.



Dr. Biholar (C) converses with Ms. Annie Paul, Senior Publications Officer at SALISES (L), and Senator Kamina Johnson-Smith.

Similar sentiments were echoed by Professor Barbara Bailey, who explained that the high levels of GBVAW in Jamaica are a strong expression of a cultural climate founded on entrenched dichotomous sex roles, stereotypes and resultant unequal relations of power between women and men.

Dr. Bailey, who served as Research Supervisor for Dr Biholar, lauded the author for her work, indicating that it contributes to theory and to a general furtherance of the practice of women’s human rights, at both the international and local levels. As a contribution to practice, the research study provides a prescriptive tool for action. It targets national implementing actors and aims to support the work of practitioners, including government officials, representatives of civil society organizations, women’s NGOs and activists who are involved in the day-to-day struggle of implementing women’s human rights in general, and CEDAW in particular. Attendees were allowed to address the panellists following the main presentations.



The advertisement features a dark blue background with yellow 3D text. It reads: "Less CORRUPTION = More INVESTMENTS = More JOBS". To the right, it says "Join team NIA, help build integrity in Jamaica". Contact information includes phone numbers 1876-906-4371 and 1888-429-5562, and website/social media links. The NIA logo is at the bottom right.

Join team NIA,
help build integrity in Jamaica

Phone: 1876-906-4371 | Tollfree: 1888-429-5562
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www.facebook.com/NIAJamaica

NIA
National Integrity Action
Build Integrity

Deluxe sponsor of the Faculty of Law Inaugural Symposium on Law, Governance and Society held from April 24-26, 2015, Hyatt Ziva, Rose Hall, Jamaica.

PROCEEDS OF CRIME ACT MANUAL

MonaLaw, in collaboration with the National Integrity Action (NIA), hosted a two day event on December 3 and 4, 2014. Day One was the launch of the Proceeds of Crime Act Manual, entitled **“The Proceeds of Crime Act: Taking the Profit out of Crime”**, authored by Deputy Dean for Graduate Studies and External Affairs, Dr. Shazeeda Ali. Mr. Ivan Krolick, foremost British Barrister on Financial Crime, delivered the main address. Among the attendees were Chief Justice Zaila McCalla; Ms. Paula Llewellyn, the Director of Public Prosecutions; and Senator Mark Golding, then Minister of Justice.

The mandate of the NIA is to lend assistance to officers in the judicial and security systems, as well as to support key government bodies through strengthening professional capacity. In this regard, the agency has trained



An attendee poses a question to the panel.

approximately 400 members of the public sector including clerks of courts, financial investigators, and prosecutors in the Office of the Director of Public Prosecution. One such training session was used as a medium to sensitize Supreme Court judges on corruption. There have been requests for additional sessions like this one, particularly on how to effectively use the Proceeds of Crime Act (POCA) in criminal proceedings. As a part of its response to these calls, the NIA commissioned the drafting of the POCA Manual . This is the third manual commissioned by the NIA. The first two also addressed issues prosecutors face in dealing with cases of corruption. They are entitled **“Strengthening Jamaica’s Conflict of Interest Rule”** by Mrs. Carol Madden, attorney-at-law, and **“Prosecuting the Corrupt: Best Practices”** by

Mr. Kent Pantry, former Director of Public Prosecution.

In her remarks, Dr. Ali noted that prison is often viewed by criminals as a “mere sabbatical”, as they often carry out illegal activities from behind bars. She underscored the need for legislation to make criminal activity less attractive by separating criminals from their ill-gotten gains. For her, the main objective of preparing the manual was to make it easier to navigate POCA, which is “a lengthy and complicated Act, divided into 7 parts and nearly 140 sections.”. The author also extended her thanks to the many individuals and organizations that were integral in the preparation of the text and facilitating its launch.

Day Two followed with a round-table discussion led by Dr. Ali, Mr. Krolick, and Mr. Pantry. In attendance were representatives of 11 government agencies including Tax Administration Jamaica, the Office of the Contractor General and the Jamaica Customs Department.



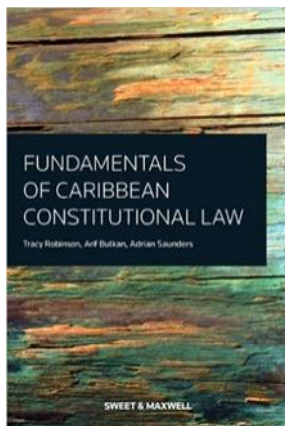
From L-R: Dr. Shazeeda Ali, Professor Trevor Munroe, Chief Justice Zaila McCalla and Mr. Ivan Krolick examining the Manual.



Dr. Derrick McKoy (L) greets Ms. Paula Llewellyn, Director of Public Prosecutions, while Professor Trevor Munroe, Executive Director of the NIA, looks on.

NEW PUBLICATIONS

FUNDAMENTALS OF CARIBBEAN CONSTITUTIONAL LAW



In “**Fundamentals of Caribbean Constitutional Law**”, the three authors, Tracy Robinson (Mona), Arif Bulkan (St. Augustine) and Adrian Saunders (Judge, Caribbean Court of Justice), trace the development of constitutional law in this region and discuss the foundational concepts associated with Caribbean constitutional law. Caribbean Constitutional Fundamentals aims to be an authoritative text that articulates, discusses, and clarifies fundamental principles of constitutional law in the Anglophone Caribbean.

‘Fundamentals’, published in March, 2015, identifies the key features of the constitutions in the now twelve independent states and six overseas territories in the Caribbean and examines the core principles associated with constitutional law in this region. This book describes the history of Caribbean constitutions and the different systems of governance they establish and organises the constitutional law jurisprudence that has developed over five decades in each. It also addresses the core principles of constitutional law through analysis of contemporary debates and cases in the Caribbean. Further to that, it clarifies contradictory and inconsistent approaches to constitutional interpretation while providing an authoritative source of what the law is that can be used and cited by both students and practitioners. Finally, the book examines with contemporary questions such as judicial independence in small developing countries, how the supremacy of national constitutions impacts the Caribbean Community (CARICOM) and the impact of globalisation and internationalisation on constitutional reform in the Caribbean

Tracy Robinson is a Senior Lecturer in the Faculty of Law, The University of the West Indies, Mona. She has just completed a four-year term, in December 2015, as a member of the Inter-American Commission on Human Rights (IACHR) and she served as the Commission’s Chair from March 2014 to March 2015 and was its First Vice President between 2012 and 2014. She joined Mona Law in 2011 after a decade and a half at the Faculty of Law, The UWI, Cave Hill where she was the editor of the Caribbean Law Bulletin (1997–2005) and a founder and co-coordinator Faculty of Law Faculty Workshop Series which ran from 2006 to 2011. She is also a co-founder of the Faculty of Law UWI Rights Advocacy Project (U-RAP), which works to promote human rights and social justice in the Caribbean through strategic litigation and research.

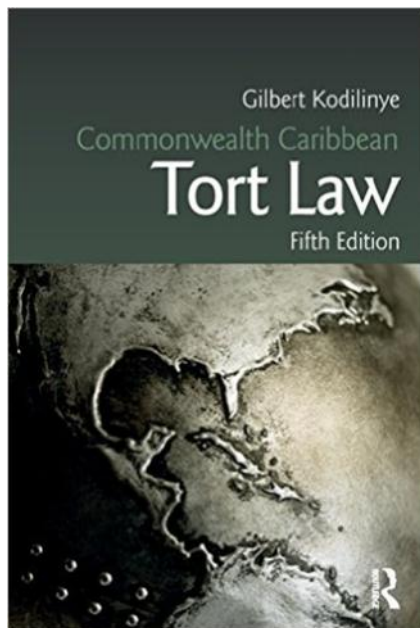
Dr. Arif Bulkan is a Senior Lecturer in the Faculty of Law at the University of the West Indies, St Augustine. He is a co-founder of the URAP and he lectures in Constitutional Law and Commonwealth Caribbean Human Rights Law, among other courses. He is author of the book, “The Land Rights of Guyana’s Indigenous Peoples” and many articles on Caribbean constitutional law, human rights law and HIV and the law.

The Honourable Mr. Justice Adrian Saunders is a Judge of the Caribbean Court of Justice. He is the Chair of the Caribbean Association of Judicial Officers and a consulting editor of the Caribbean Civil Court Practice (LexisNexis Butterworths).



Tracy Robinson

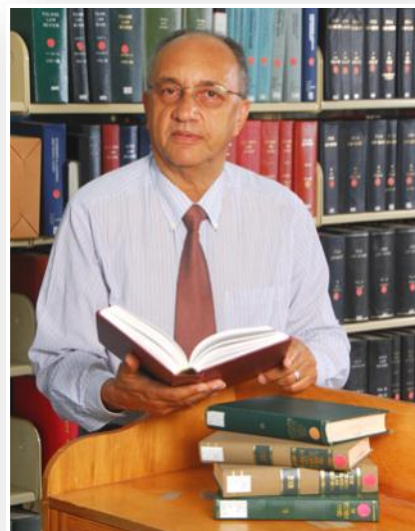
REVISED EDITIONS



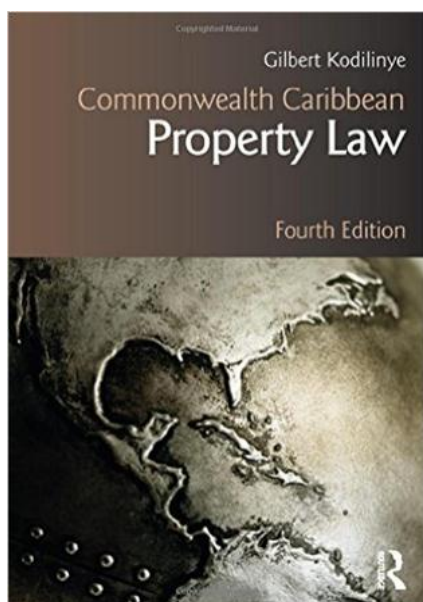
The fifth edition of “**Commonwealth Caribbean Tort Law**”, written by Professor Gilbert Kodilinye, was published in 2015. The text is used in many undergraduate law degree programmes throughout the Caribbean region. The accessible writing style also renders it a popular resource for those reading for Caribbean Advanced Proficiency Examinations (CAPE), and various paralegal courses in the region. This new edition includes a chapter on “**Medical Negligence in the Commonwealth Caribbean**” by Justice Roy Anderson, Retired Supreme Court Justice and Adjunct Lecturer in the Faculty of Law, Mona. There is also a chapter on “**The Developing Tort of Misuse of Private Information**” by Dr. Vanessa Kodilinye, who is an attorney-at-law in Barbados.

2000. It offers a fulsome analysis of the aspects of property law most explored in undergraduate courses. This fourth edition, which was published in 2015, reflects recent developments in case law from different Caribbean territories. It also includes an expanded appendix of works in progress. The text covers topics such as land sale, easements, restrictive covenants, mortgages and leases.

Commonwealth Caribbean Property Law, also written by Professor Kodilinye, was first published in the year 2000. It offers a fulsome analysis of the aspects of property law most explored in undergraduate courses. This fourth edition, which was published in 2015, reflects recent developments in case law from different Caribbean territories. It also includes an expanded appendix of works in progress. The text covers topics such as land sale, easements, restrictive covenants, mortgages and leases.



Professor Gilbert Kodilinye



Professor Kodilinye is the Caribbean’s leading law textbook author with several of his books having been revised at least twice. He has also written many articles which have been published in leading law journals. He is Professor of Property Law at The University of the West Indies, Mona Campus. He earned his Bachelor of Arts and Master of Arts degrees at the University of Oxford, and a Master of Laws at the University of London. Professor Kodilinye is a Barrister of the Inner Temple and is also admitted to practice in the British Virgin Islands. He lectures in Real Property, Law of Trusts and Administration of Trusts and Estates.

MOOTING COMPETITIONS

INTER-AMERICAN HUMAN RIGHTS MOOT COURT COMPETITION

The University of the West Indies, Mona Campus participated this year, for the first time, in the Annual Inter-American Human Rights Moot Court Competition run by American University Washington College of Law. The Competition took place from May 17 to 22, 2015 in Washington, D.C.

It is a trilingual moot court (English, Spanish and Portuguese) and the largest multilingual mooting competition in the world. The Competition features hundreds of advocates from tertiary institutions all across the Americas and is judged by an illustrious group of diplomats, lawyers and academics. It is based on the y Inter-American system for the promotion and protection of human rights. One hundred schools entered the Competition this year, which saw some teams representing the victims of human rights

abuses while other teams represented the State. The case presented by the MonaLaw team focused on Transitional Justice, International Human Rights and Humanitarian Law.

The MonaLaw team consisted of Scott Mullings, Victor Brown and Sean-Christopher Castle. Scott and Victor were second year students while Sean-Christopher was in third year at the time. They were coached by Andre Coore and Gabrielle Elliott-Williams with assistance from Jermaine Case, Stephanie Forte and Andrei Bennett. The team did not progress beyond the preliminary rounds. However, they received the prize for the Best New Team and Scott earned the award for Best English-Speaking Oralist for the Victims. It must also be noted that the exposure which the students have had to the law, to students and practitioners from various parts of the world and to the rigors of researching, writing and presenting a case is invaluable.

The students were able to visit the Inter-American Commission, a number of the memorials in Washington D.C. and called upon Professor Stephen Vasciannie, who was then Jamaica's Ambassador to the United States. Professor Vasciannie graciously met with the team for an entire afternoon. They represented the Faculty very well. The former Ambassador has since said that he was very happy to meet them, and found them to be bright, engaging and intellectually curious.



Members of the MonaLaw team with Ambassador Stephen Vasciannie (2nd L), from L–R: Mr. Victor Brown, Mr. Scott Mullings, Ms. Gabrielle Elliott-Williams (Coach) and Mr. Sean-Christopher Castle.

THE PRICE MEDIA LAW MOOT COURT COMPETITION



Members of the team from, left to right, Ms. Tafina Hines, Mr. Jhade Lindsay and Ms. Kalisia Miller

The Price Media Law Moot Court Competition is hosted by the Programme in Comparative Media Law and Policy at the University of Oxford. The competition proceeds in two stages: first, the regional rounds (South Asia, Asia-Pacific, South East Europe, the Americas and the Middle East) and then second, the International Rounds. Teams which excel during their regional rounds qualify for participation in the International Rounds of the Competition. The UWI Mona's team for this year consisted of Tafina Hines, Jhade Lindsay and Kalisia Miller as advocates and Gabrielle Elliott-Williams as coach. The team qualified for the International Rounds with Kalisia being named Best Oralist for the Americas Rounds.

The International Rounds consists of preliminary rounds followed by knock-out rounds and featured several top universities and law schools from the various regions. Participating institutions included the New York University School of Law, Eugene Dupuch Law School, University of Oxford, London School of Economics and Queen Mary, University of London. Outstanding students from around the world argued a case before benches which featured top lawyers, academics and industry practitioners. The UWI Mona's team qualified for the Octo-Finals (top sixteen teams) of the International Rounds for the first time. Ms. Hines and Mr. Lindsay were named 9th and 11th best oralists at the International Rounds of the Competition which featured over 100 oralists.

The team was assisted in its preparation for the oral rounds by Dr. Ramona Biholar, Mr. Litrow Hickson, Ms. Rowana-Kay Campbell, Ms. Lanasia Nicholas, Mr. Andre Coore, Mr. Jermaine Case and Ms. Stephanie Forte.



Ms. Kalisia Miller posing with her award for Best Oralist in the Americas Region

RESEARCH DAYS 2015

URD SIGNATURE EVENT: THE CARIBBEAN COURT OF JUSTICE (CCJ) AND MODERN DEMOCRATIC CONSTITUTIONAL GOVERNANCE IN THE COMMONWEALTH CARIBBEAN



Dr. Leighton Jackson

On February 10, 2015, the Faculty hosted a Mona Law Public Lecture and Panel Discussion on the Caribbean Court of Justice (CCJ) and Modern Democratic Constitutional Governance in the Commonwealth Caribbean as a Signature Event in The UWI Research Days programme. The main speaker was Dr. Leighton Jackson, Deputy Dean with responsibility for Undergraduate Affairs in the Faculty of Law. The other member of the panel was the Most Honourable Edward Seaga, Distinguished Fellow of The UWI, Mona.

The presentation examined the constitutionality of the CCJ as the highest court for Commonwealth Caribbean States. Dr. Jackson argued that a high court is part of the democratic governance of a state and that the CCJ is a foreign institution which does not take us much further than the Judicial Committee of the Privy Council in achieving good governance. He further emphasized that the values underlying the law on which adjudication is made must be decided by Jamaicans for Jamaicans.



Mr. Edward Seaga

He also tackled the argument that the main function of the Privy Council is to establish a Caribbean jurisprudence. According to Dr. Jackson, this argument assumes without any proof that there is a “Caribbean identity” in terms of law and judicial decision-making which would render the establishment of a ‘Caribbean jurisprudence’ valid, advantageous or desirable. For him, it is possible to create an indigenous jurisprudence. For that to happen, the culture of legal decision-making would have to be one where the methodology of argumentation allows the culture of the society to influence the decision arrived at. The region, though

sharing a common history of British rule, is very diverse and in creating a ‘Caribbean jurisprudence’ there would need to be a set of very complex and intricate rules of deference in adjudication to permit the judges of the CCJ to be able to understand the sense of justice of each of these islands.

On the issue of referendum, Dr. Jackson noted that participation is the hallmark of good constitutional democratic governance. The debate on the CCJ is an opportunity for the people to be interested in their governance and not merely a bargaining tool for politicians.

In his response, Mr. Seaga used the opportunity to reiterate calls for a referendum on Jamaica’s decision to accede to the CCJ.



Participants in the Annual Research Days Mooting Competition (L-R:) Mr. Ja'wayne Jarrett, Mr. Victor Brown, Ms. Gabrielle Elliott-Williams, Ms. Nancy Anderson, Mr. Marc Ramsay, Scott Mullings and Oshane Vasciannia

ANNUAL RESEARCH DAYS MOOTING COMPETITION

The Second Annual Research Days Mooting Competition was held on Tuesday February 10, 2015.

This year's competition saw two teams of MonaLaw students examining the scope of the right to life, liberty and security of the person of detainees.

Ms. Gabrielle Elliott-Williams, MonaLaw lecturer and mooting coach, acted as

facilitator. Mr. Marc Ramsay, adjunct faculty member, and Ms. Nancy Anderson, lecturer at the Norman Manley Law School, were the judges. The members of the winning team were Victor Brown and Ja'wayne Jarrett, while Scott Mullings was awarded Best Speaker.

ANNUAL RESEARCH DAYS AWARDS CEREMONY

Every year, outstanding researchers and their research endeavours are recognized at the Principal's Annual Event with the presentation of awards in various categories. This year's ceremony was held on Wednesday February 11, 2015. MonaLaw had three awardees, namely Dr. Shazeeda Ali, Dr. Celia Brown Blake and Tracy Robinson.

All three faculty members received awards for Best Research Publication and Most Outstanding Researcher.

MONALAW ADMINISTRATIVE STAFF

Ms. Christine Broadbelt
Ms. Nadelle Clarke
Ms. Odesha Coates
Ms. Marjorie Henry
Mr. Andrew Hutchinson
Mrs. Peta-Gaye McEwan-Lewis
Mrs. Barbara Miller
Mrs. Arlene Supersad
Mrs. Yasheka Walters Ellis

- Student Assistant (Special Projects)
- Customer Service Representative
- Secretary III
- Senior Administrative Assistant I
- Administrative Assistant (Acting)
- Senior Administrative Assistant II
- Senior Assistant Registrar
- Administrative Officer (MLIU)
- Administrative Secretary

VISITORS TO THE FACULTY

DR. BIRGIT GERSTENBERG

Birgit Gerstenberg is the Senior Human Rights Advisor to the Nations Country Team in Jamaica and the United Nation's Resident Country Office. On September 25, 2014 she delivered a lecture to the International Human Rights class on the United Nations Charter-Based and Treaty-Based Mechanisms. Later that year she also met and discussed her experience working with the UN with members of the Law of International Organizations class. Her past assignments include serving as the Representative of the United Nations High Commissioner for Human Rights (OHCHR) in Uganda and as Human Rights Officer in two UN Peace Keeping Missions in Guatemala and El Salvador.



Dr. Gerstenberg studied Philosophy at the Friedrich Schiller University in Jena, Germany and holds a PhD in History of Latin American Philosophy from the Universitat Rostock; she also completed postgraduate studies in Law and Fundamental Rights at the Carlos III University in Madrid, Spain.

JUSTICE PATRICK ROBINSON



Judge Robinson accepts a gift from Ms. Jaavonne Taylor, President of the Mona Law Society, while Dean McKoy looks on.

The University of the West Indies, Mona honoured Justice Patrick Robinson as its Homecoming Nominee for 2015. The celebration of the learned judge's life and work began on Thursday, February 12, 2015 where he met with students and staff members of The UWI, Mona. Judge Robinson talked about his experience working in the local and international community. Attendees were also given an opportunity to ask questions. The celebrations culminated on Friday, February 13 when Justice Robinson delivered an address on **"A Triad of Identity Issues"**.

Justice Robinson was recently elected judge of the International Court of Justice, making him the first Jamaican to serve the court in its 70 years of existence. Judge Robinson has held several positions locally and internationally, including serving as Jamaica's representative on the Legal Committee of the United Nations General Assembly and a member of the Inter-American Commission on Human Rights (IACHR) from 1987 to 1995. He became chairman of the IACHR in 1991.

He graduated from King's College, London with a LL.M. in International Law. He also holds a LL.B. with honours from the University of London, and a B.A. in English, Latin, and Economics from The University College of the West Indies.



A section of the audience at the reception for Justice Robinson.



MR. REGINALD A. MCGAHEE

Reginald McGahee visited the Faculty on February 24, 2015 where he hosted an information session on Masters of Law and Juris Doctor programmes at Howard University.

Mr. McGahee is Associate Dean of Admissions, Student Affairs and Financial Aid at Howard. He studied at South Carolina State University (SCSU) where he earned dual degrees in English and Political Science. As a honour student at SCSU, Reginald served

as Student Director of the South Carolina Legislative Black Caucus. He also helped to organize and run two state senatorial campaigns. He went on to attend law school at Howard University where he studied contract negotiations and intellectual property. As an attorney, he represents clients in areas such as corporate structuring, entertainment and corporate negotiations. He is also a certified contract agent with the National Football Players Association. His civic engagements include serving on the boards of the National Bar Association, the National Pre-Law Association and the American Bar Association. The National Bar Association named him Young Lawyer of the Year for 2008 to 2009.



A section of the audience



HHJ MICHAEL HOPMEIER

On April 10, His Honour Judge Michael Hopmeier addressed the Offshore Law class on legislation and cases regarding proceeds of crime in the United Kingdom.

HHJ Hopmeier, a Circuit Judge in Kingston-on-Thames, England, is a Visiting Professor at City University, and co-author of the book "Proceeds of Crime". He also lectures at the Judicial College and gives numerous lectures on fighting economic crime across the world.

Judge Hopmeier was called to the Bar in 1974 and has served as a Barrister for over 30 years acting for the Prosecution and the Defence, later specialising in economic-crime related cases. He has provided advice and acted in civil commercial cases, including drafting agreements for financial institutions. He has also helped in training successive generations of practitioners of advocacy and in marshalling students of the Inns of Court School of Law. He was recently appointed to sit as a member of the International Committee of the Judicial College.

MONALAW WELCOMES NEW FACULTY MEMBERS

PROFESSOR STEPHEN VASCIANNIE



Stephen Vasciannie is Professor of International Law at The University of the West Indies, Mona. Between 2012 and 2015, he served as Jamaica's ambassador to the United States of America and as Jamaica's Permanent Representative to the Organization of American States. He has also been Principal of the Norman Manley Law School, and Head of the Department of Government at The UWI, Mona.

Between 2007 and 2012, Professor Vasciannie was a member of the United Nations International Law Commission, serving as Rapporteur to the Commission in 2010. He has also served as Jamaica's Deputy Solicitor General, Head of the International Division of the Attorney General's Chambers of Jamaica, and Chair of the Government of Jamaica's Air Policy Committee. In 2014 and 2015, Professor Vasciannie was Chair of Jamaica's National Committee on the Nomination of a Judge to the International Court of Justice.

Professor Vasciannie has been a member of legal teams in cases before the Judicial Committee of the Privy Council, and has been a consultant in litigation before the Caribbean Court of Justice. He has worked as a Research Fellow at St. Catharine's College, Cambridge, and was a Smuts Visiting Fellow at Wolfson College, Cambridge, in 2002 to 2003.

In 2015, Professor Vasciannie received the national award of the Order of Distinction in the rank of Commander for his contribution to Education, Law and International Relations. He has been the recipient of a number of scholarships, including the Jamaica Rhodes Scholarship, the Commonwealth Scholarship and The University of the West Indies Scholarship. He holds First Class Honours degrees from The University of the West Indies (Economics), Oxford (Jurisprudence) and Cambridge (International Law), as well as the Doctorate in International Law from the University of Oxford.

DR. JASON HAYNES



Jason Haynes is a native of St. Vincent and the Grenadines (SVG) and a UWI alumnus. He holds a doctorate in International and European Law from Durham University, UK. His thesis examined the law and practice on human trafficking from a comparative socio-legal perspective. He also holds a Postgraduate Certificate in Academic Practice from Durham University, as well as a Master of Laws degree from the University of Nottingham.

Dr. Haynes was awarded the Durham University Teaching and Learning Award (DULTA) for excellence in teaching at the undergraduate and postgraduate levels in 2014, and is a Fellow of the UK Higher Education Authority. While at Durham, apart from teaching at the LLB and LLM levels, he served as College Scholar and Co-Convenor of the Race, Crime and Justice Network for Ustinov College's Global Citizenship Program, where he successfully organised seminars on human trafficking and discrimination against persons of Chinese descent in England. He is also the Immediate past Captain of the Ustinov College Cricket Club at Durham University.

He has contributed to several journals, including the Journal of International Dispute Settlement, Statute Law Review, International and Comparative Law Quarterly, Journal of World Investment and Trade, European Human Rights Review, Common Law World Review, Oxford University Commonwealth Law Journal and the Commonwealth Law Bulletin, amongst others. He also served as editor for the Legal Issues Journal. He is a 2008 SVG National Scholarship recipient; a 2011 British Chevening Scholarship recipient; and a 2012 Commonwealth Scholarship recipient.

MONALAW RESEARCH PRESENTATIONS, PUBLICATIONS AND CONFERENCES

DR. SHAZEEDA ALI



- *“The Power of POCA”*, Opening Remarks at the National Integrity Action’s Anti-Corruption and Financial Crime Investigators’ Training Seminar, Kingston, JAMAICA, January 26, 2015.
- *“Money Laundering and the Funding of Terrorist Groups”*, presentation at the Model United Nations Club Forum, The University of the West Indies, Mona, Jamaica, April 2, 2015.
- *“Gateways to Money Laundering and AML Strategies”*, paper presented at the Office of the Contractor General’s Inaugural Fraud and Anti-Corruption Conference, Kingston, Jamaica, March 10, 2015.
- *“Money Laundering and Corruption: an Unholy Alliance”*, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.



DR. RAMONA BIHOLAR

- *“International Perspectives and the Jamaican Legal Framework”*, presentation at the Friedrich Ebert Stiftung (FES) Consultation on the review of the Jamaica Sexual Offences Act 2009, ‘She Who Feels it Knows it: Women’s Human Rights & The Sexual Offences Act (2009)’, Alhambra Inn, Kingston, Jamaica, August 23, 2014.
- *“Women’s Rights are Human Rights”*, presentation and discussion at the Women’s Rights Forum, UWI STAT Vice Chancellors’ Ambassadors Mona Corps, The University of the West Indies, Mona, September 25, 2014.
- *“Human Rights Considerations Related to the Mandate of the West Kingston Commission of Enquiry”*, presentation at the Media Workshop on Reporting on the West Kingston Commission of Enquiry, UNDP Jamaica, Kingston, October 2, 2014.
- *“Gendered Justice”*, guest lecture for the Institute for Gender and Development Studies (IGDS), the Regional Coordinating Unit, the Graduate Programme, The University of the West Indies, Mona, November 10, 2014.
- *“Rape, Grievous Sexual Assault & Marital Rape”*, guest lecture for the Course Criminal Law II, The University of the West Indies, Faculty of Law, Mona, March 11, 2015.
- *“Legal Reform in Jamaica”*, guest lecture for the Institute for Gender and Development Studies (IGDS), the Regional Coordinating Unit, the Graduate Programme, The University of the West Indies, Mona, March 30, 2015.
- *“Human Rights Standards to Safeguard Our Future. Children Participation in the Process of National Implementation and Realisation of Rights”*, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.

DR. CELIA BROWN-BLAKE

“Linguistic Disenfranchisement in the Legal System”, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.





DR. DELROY BECKFORD

“Regulatory Autonomy and GATT Article XX: An Assessment of the Evolving WTO Jurisprudence”, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.

MRS. NATALIE CORTHÉSY

- *“International Intellectual Property Protection of Country Names”*, paper presented at the International Trademark Association Inaugural Geographical Names Conference on Trade Marks, Towns and Territories, Westin Excelsior, Rome, Italy, December 2015.
- *“Geographic ‘Commons’ and IP Protection of Country Names – Two weights, Two measures”*, paper presented at the Centre for Commercial Law Studies PhD Research Seminar Series, Queen Mary University of London, Lincoln Inns Field, London, England, October 2015.
- *“Thinking Outside the Brand – From Nationalism to Competitiveness”*, paper presented at the Brand Jamaica Symposium 2015: Re-Imagine Jamaica, Unlimited Possibilities, The University of the West Indies, Kingston 7, Jamaica, July 2015.



MRS. LALETA DAVIS MATTIS

- *“Climate Change and Property Law”*, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.
- Worked with the Ministry of Health and the Ministry of Economic Growth and Job Creation, in developing a comprehensive Chemicals Legislation for Jamaica. This includes the harmonization of three main multi-Lateral Environmental Agreements: Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; the Basel Convention on the Control of Trans-boundary

Movements of Hazardous Wastes and Their Disposal; and the Stockholm Convention on Persistent Organic Pollutants.

- *“Jamaica’s Ocean and Coastal Policy”*, co-authored with Peter Edwards, in the Routledge Handbook of National and Regional Ocean Policies edited by Biliana Cicin-Sain, David L. VanderZwaag, Miriam C. Balgos, Routledge Taylor and Francis Group, 2015.
- Worked with the National Solid Waste Management Authority on the development of regulations pursuant to the NSWMA Act.

MRS. SUZANNE FFOLKES-GOLDSON

- *“Protecting the Sources of Information”*, paper presented at the Cambridge International Symposium on Economic Crimes, Jesus College, University of Cambridge, September 1 to 7, 2014.
- *“Board Accountability, Legal Redress- Challenges and Opportunities Under Jamaican Law.”*, paper presented at the Caribbean Corporate Governance Institute's Corporate Governance Workshop on Board Accountability, Disclosure, Audits, Evaluation, Kingston, Jamaica, February 12, 2015.



DR. MARK GILLIS



- Panellist - Public Lecture on “*Guilty Drug/Innocent Plant: A Symposium on the Legalization of Marijuana*”, Faculty of Law, Mona, The University of the West Indies, October 28, 2014.
- “*CARICOM: Problems Faced in terms of Member States Implementing their CARICOM Obligations*”, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.



DR. LEIGHTON JACKSON

“*Law, Language and Culture: An Institutional Framework for Good Governance*”, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.

DR. CHRISTOPHER MALCOLM



- Chair - The Chartered Institute of Arbitrators Caribbean Branch Centenary Conference: “*The Role of Arbitration in Promoting Regional Integration and Economic Development*”, Faculty of Law, The University of the West Indies, Mona, July 6 to 10, 2015.
- Presenter - Miami International Arbitration Society: “*Arbitration Development in the English Speaking Caribbean: Focus on British Virgin Islands and Jamaica*”, Miami, USA, May 14, 2015.
- Facilitator - Inaugural Caribbean Anti-Money Laundering and Financial Crimes Conference: “*The Dispute Management Conundrum: Where, How, and to What End Should Board Members Wade In*”, Miami, USA, April 16 to 17, 2015.
- Facilitator - Improved Access to Justice in the Caribbean Programme to Consider Devising a Model Arbitration Law for CARICOM Member States, Port of Spain, Trinidad, March 13 to 14, 2015
- Expert Panellist - Fourth High-Level Meeting on the Role of the Judiciary in International Commercial Arbitration, Dialogue on International Commercial Arbitration in the Caribbean and Recent Developments: “*Looking Ahead: Developing a Framework for Opportunities to Strengthen the International Commercial Arbitration in the Caribbean*”, Castries, Saint Lucia, October 23 to 24, 2014



MS. COLEEN LEWIS

- “*Social Media: Platform for Freedom of Expression or Trap Door*”, paper presented at the 12th International Cyberspace Conference 2014-2015, Faculty of Law, Masaryk University, Brno, Czech Republic November 28 to 29, 2014.
- “*The Internet: Its Implications On Defamation Laws Of Jamaica*”, paper presented at the University of Leicester Postgraduate Conference, Leicester University, UK, March 17 to 18, 2014.



DR. DERRICK MCKOY

- “*Corruption in the Western Hemisphere: Impediment to Citizen Security and Democratic Consolidation*”, lecture for the Caribbean Defense and Security Course organized by the William J. Perry Center for Hemispheric Defense Studies, Washington, DC, July 15, 2015.
- “*Public Sector Governance: Contesting the Widely Held Vision*”, presentation at the Faculty of Law Inaugural Symposium on Law, Governance and Society, Rose Hall, Jamaica, April 24 to 26, 2015.

TRACY ROBINSON

- “*The Washington D.C. Inter-American Human Rights System and the Role of Caribbean Attorneys and Civil Society Organisations*”, The Third IJCHR (1988) Ltd Charter Of Rights Lecture, Jamaica, December 10, 2014.
- “*An Overview of Child Rights: A Caribbean Perspective*” Trinidad and Tobago Family Court Continuing Education Seminar, Tobago, January 23 to 25, 2015.
- Keynote Address, “*Sexual Violence in the United States Military*” at the forum “**Sexual Assault in the United States Military: How Far Have We Come?**” organised by Cornell University Law School Avon Global Center for Women and Justice and New York City Bar, New York, February 19, 2015.
- “*The Irony of Equality and Non-discrimination in Anglophone Caribbean Constitutional Law*”, paper presented at the VIII Encuentro Internacional: “**Constitucion, Democracia Y Sistemas Politicos**”, Taller Regional sobre Derecho Constitucional en el Caribe: Género, Sexualidad y Raza organised by Inter-Mujeres Puerto Rico y el Instituto de Estudios sobre Mujeres, Género y Derecho de la Facultad de Derecho de la Universidad Interamericana de Puerto Rico, Cuba, February 25, 2015.
- Keynote Address, “*Eliminating a Culture of Violence against Women*”, First International Seminar on the Culture of Violence against Women, organized by the Instituto Vladimir Herzog and Instituto Patricia Galvao, Sao Paulo, Brazil, May 21, 2015.
- “*International Human Rights, Treaty Obligations and the Implications for the Trinidad and Tobago Judiciary*”, Annual Judges and Masters Continuing Education Seminar, Judicial Education Institute of Trinidad and Tobago, Tobago, May 23, 2015.
- “*Human Rights, Health and the Medical Profession in the Twenty-First Century: Human Rights as a Bedrock for Patient Care*”, Fourteenth William Dennis Memorial Lecture, Department of Surgery, Faculty of Medical Sciences, UWI Mona, Jamaica, July 16, 2015.



GRADUATE STUDY AT MONALAW

The graduate programmes offered in the Faculty of Law fulfil the mission of The University of the West Indies by advancing legal education and creating knowledge through excellence in teaching, intellectual leadership and outreach. It supports the social, economic, political, cultural and environmental development of the Caribbean region and beyond.

The Faculty offers the UWI Masters of Law (LLM) programme with specialisations in: Corporate & Commercial Law and Public Law. It serves The UWI's vision by providing innovative, internationally competitive legal education with a specific focus on West Indian law. By relying upon eLearning technologies, the UWI LLM caters to an international student base, including the wider Caribbean diaspora. The cost of the LLM programme is USD 10, 000.

The Faculty offers an MPhil/PhD programme which consists of the following components: coursework, seminar presentations and the submission of a thesis. The minimum period of registration for the MPhil and PhD in Law is two (2) and three (3) years respectively, and the maximum period registration is four (4) years and six (6) years respectively. The research streams in these programmes include Governance, International Law and Human Rights Law.

Information on these, as well as our application process, online application forms and the documentation required can be found at our website: <http://mona.uwi.edu/law/>

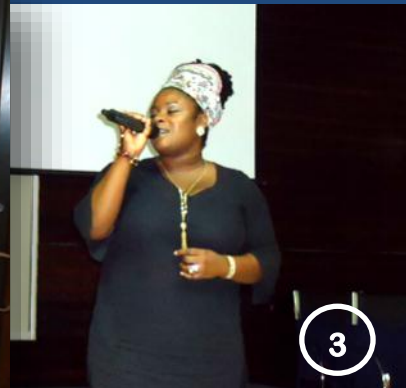
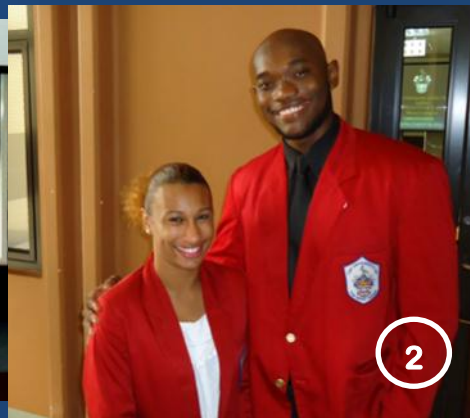
MonaLaw MPhil/PhD Research Streams are supported by renowned instructors with expertise in a wide array of disciplines:

- Dr. Derrick McKoy (PhD) - Constitutional Law, Governance in the Public Sector and Administrative Law
- Dr. Shazeeda Ali (PhD) - International Financial Crime, Money Laundering Control, Governance of Financial Institutions and Legal Professional Ethics
- Professor Stephen Vasciannie (DPhil) - Public International Law, International Organisations and Governance of International Institutions
- Dr. Celia Blake (PhD) – Corporate Governance
- Mrs. Suzanne Ffolkes-Goldson (BCL) - Corporate Governance and Directors' Responsibilities
- Dr. Christopher Malcolm (PhD) - Dispute Resolution and Governance of Financial Institutions
- Tracy Robinson (B.C.L, LL.M.) - Gender and the Law and International Human Rights Law
- Dr. Ramona Biholar (PhD) - International Organisations and Women's Rights
- Dr. Mark Gillis (PhD) - International Law and European Union Law
- Dr. Jason Haynes (PhD) - Caribbean Community Law
- Dr. Delroy Beckford (PhD) - International Trade Law and Global Affairs and International Economic Law
- Mrs. Laleta Davis-Mattis (MMM (Dal)) - Caribbean and International Environmental Law

STUDENT ACTIVITIES

ORIENTATION 2014

The Faculty welcomed approximately 182 new students to MonaLaw for the 2014-2015 Academic Year. This year's activities were held over two days from August 25 to 26, 2014. The Honourable Justice David Batts, captured here with Dean McKoy in Picture 4, was the guest speaker. He encouraged the aspiring lawyers to commit themselves to excellence in their academic pursuits. Students were also treated to performances by the band 'Black as Cole' which includes Ms. Cecile Black who is a MonaLaw past student (Picture 3). Ms. Chantelle Biersay, a new student, also performed an Indian dance (Picture 1). There were a number of companies that had booths on the second day advertising their products and services. Among the exhibitors were the UWI Bookshop, Kingston Bookshop, Scotiabank and Jamaica National (shown in Picture 5). Returning students were also on hand to assist staff in welcoming new students to MonaLaw. Picture 2 showcases two students, Ms. Shanice Nesbeth and Mr. Daniel Lattery, who acted as ushers.



MONA LAW SOCIETY



*Mr. & Miss Law 2015:
Chantelle Biersay and Mikael Lorne*

The 2014 — 2015 Academic Year was an eventful one for MonaLaw students. Led by the Mona Law Society, with its President Jaavonne Taylor, the students participated in a number of activities.

The Society hosted an Open Ear Concert on October 22, 2014 which featured recording artistes Kabaka Pyramid and Keznambi. Law Week 2015 was held from February 15 to 21 and began with a Church Service at Church on the Rock. Other activities involved students assisting with the distribution of meals at the Good Samaritan Inn and participating in the Law Sports Day at the UWI Bowl. The Week ended with the Grand Coronation Show for the Mr. & Miss Law Pageant. Mikael Lorne and Chantelle Biersay were crowned at the end of the night's activities.

Eight students from the Mona Law Society executive were nominated for the University's Student Awards ceremony.



*One of the teams in the Law Society
Six-a-Side football competition.*



*A group of students who participated
in Legal Snapshot Day.*



*Students who volunteered
at Good Samaritan Inn.*



*Participants in the female sack race at Sports
Day.*



MonaLaw students at Sigma Corporate Run.

WESTERN JAMAICA CAMPUS (WJC)



Ms. Coleen Lewis (6th from left) with students during Legal Attire Day at WJC.

The Faculty offers the first year of the Bachelors of Law (LLB) degree WJC in Montego Bay. Of the 182 students that began the Bachelors of Law (LLB) programme in the 2014-2015 Academic Year, 26 of them spent their first year at WJC. Academic activities are overseen by resident tutor, Ms. Coleen Lewis. Course content is delivered by way of face-to-face sessions and streaming of lectures from the Mona Campus.

During the Academic Year students at WJC participated in a range of activities which included a “Pool Lyme”, a trip to parliament, a beach *luau*, and lectures on the Sexual Offences Act. One of the lectures was hosted by the Faculty of Law and featured the work of Dr. Ramona Biholar.

THE GRADUATING CLASS OF 2015



The Graduating class of 2015 amounted to 116 students with eleven receiving First Class Honours

Degrees. Melissa Thomas (inset) was class valedictorian at the ceremony held on Friday, October 30, 2015. In her address she charged her colleagues to always strive to achieve excellence in whatever path they take while being agents of change.

At right, members of the graduating class celebrate in front of the Faculty building after the ceremony



MONALAW FACULTY

FULL TIME FACULTY:

Derrick McKoy (Dean) LLB Hons (UWI), LLM (Lond.), PhD (Leic.), MBA (Barry), DBA (NSU)

Courses: Jurisprudence, Constitutional Law, Administrative Law

Research: Public Sector Governance, Corruption Law, Administrative Law, Constitutional Law

Shazeeda Ali (Deputy Dean for Graduate Studies & External Affairs) LLB Hons (UWI), LLM (Cantab.), PhD (Lond.)

Courses: Caribbean Securities Regulation, Introduction to Offshore Law, Supervised Independent Research Paper

Research: Corporate Misconduct Law, Legal Professional Ethics, Financial Services Regulation

Leighton Jackson (Deputy Dean for Undergraduate Affairs) LLB Hons (UWI), LLM (Sydney), D. Jur. (Osgoode)

Courses: Legal Methods Research & Writing, Insurance Law, Criminal Law II

Research: Family Law, Employment Law, Legal Writing, Judicial Training

Gilbert Kodilinye (Professor of Property Law) BA (Oxon), MA (Oxon), LLM (Lond.)

Courses: Real Property I & II, Administration of Trusts & Estates

Research: Trusts Law, Property Law, Civil Procedure, Tort Law

Stephen Vasciannie (Professor of International Law) BSc (UWI), BA (Oxford), LLM (Cambridge), DPhil (Oxon)

Courses: Public International Law I & II, International Mooting

Research: International Law, Law of the Sea, Human Rights Law, Investment Law

Celia Brown-Blake (Senior Lecturer) BA & LLB (UWI), LLM (Lond.), MA & PhD (UWI)

Courses: Law of Contract II, Law of Trusts, Law of Corporate Insolvency, Law of Corporate Management

Research: Financial Regulation, Insolvency Law, Language and the Law, Corporate Law

Christopher Malcolm (Senior Lecturer) LLB Hons (UWI), LLM & PhD (Lond.), FCI Arb

Courses: Law of Contract I, Alternative Dispute Resolution

Research: Banking and Financial Law, Arbitration and ADR, Regional Integration and Economic Development, Regulation and Compliance

Tracy Robinson (Senior Lecturer) LLB Hons (UWI), BCL (Oxon), LLM (Yale)

Courses: On Leave

Research: Family Law, Constitutional Law, Gender and Citizenship, Human Rights Law

Ramona Biholar (Lecturer) LLB Hons (UBB, UNIZAR), LLM (UUTR), PhD (UUTR)

Courses: Gender & the Law in the Commonwealth Caribbean, International Human Rights Law, International Organizations, Supervised Independent Research Paper

Research: Gender and Citizenship, Human Rights Law, European Union Law

Rose Cameron (Lecturer) BA (UWI), MA (Andrews), LLB & LLM (UWI)

Courses: General Principles of Private International Law, Equitable Remedies, Family Law II *Research:* Family Law

Natalie Corthésy (Lecturer) LLB Hons (UWI) LLM (Lond.)

Courses: Law of Torts I & II, Industrial Relations Law, Intellectual Property Law *Research:* Intellectual Property Law, Employment Law

Suzanne Ffolkes Goldson (Lecturer) BA (Econ.) (York), LLB Hons (UWI), BCL (Oxon)

Courses: Company Law

Research: Company Law, Corporate Governance, Corporate Insolvency, Corporate Finance

Mark Gillis (Lecturer) BA (Stanford), JD (UC), LLD (CAUP)

Courses: Law & Legal Systems, European Union Law

Research: Constitutional Law, International Law, European Union Law

Jason Haynes (Lecturer) LLB Hons (UWI), LLM (Nottingham), PhD (Durham)

Courses: Commonwealth Caribbean Human Rights Law, Caribbean Integration Law, Family Law I

Research: International Law, European Law

Coleen B. Lewis (Lecturer) BA Hons (UWI), PGDip in Law (Exeter), LLM (Strathclyde)

Courses: Employment Law, Law, Technology & Internet

Research: Contract Law, Defamation Law, Media Ethics & Law, Information Technology, Telecommunications.

Janeille Zorina Matthews (Lecturer) BA (Villanova), MPA (Harvard), JD (Harvard), PhD (Lond.)

Courses: Criminal Law I & II *Research:* Criminology, Criminal law, Public Law

ADJUNCT FACULTY:

Justice Roy Anderson (Retired Supreme Court Judge)

Course(s): Revenue Law, Insurance Law

Laleta Davis-Mattis, BA & LLB (UWI), MMM (Dal)

Course(s): Int'l Environ. Law, Caribbean Environ. Law

Delroy Beckford, BA & LLB (UWI), LLM (Col), PhD(RU)

Course(s): International Trade Law

Justice Carole Barnaby (Resident Magistrate)

Course(s): Advanced Legal Writing



EDITORIAL COMMITTEE

Dr. Shazeeda Ali
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Mrs. Peta-Gaye McEwan-Lewis

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