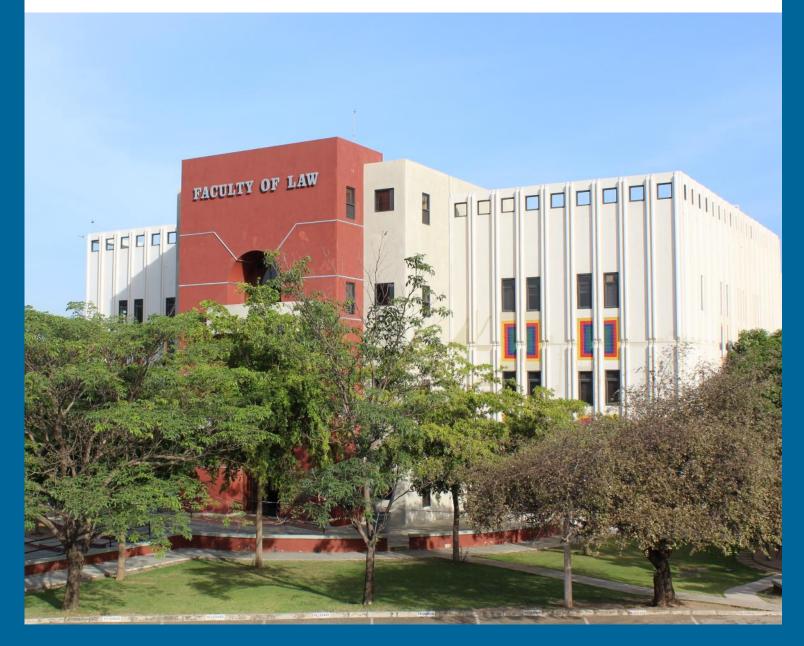


Volume 5 (2017)



MonaLaw Report Opinio Juris



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CONTENTS

Page 3
PUBLIC LECTURES,
SEMINARS AND
FORUMS

Page 8

JLGS LAUNCH

Page 11 MONALAW 3RD ANNUAL SYMPOSIUM

Page 21
NEW FACULTY

Page 23
MOOTING
COMPETITIONS

Page 25 UWI RESEARCH DAYS (URD) 2017

Page 27
CONGRATULATIONS

Page 30 FAREWELLS

Page 32
VISITING SCHOLARS

Page 33 MONA LAW RESEARCH

Page 40
STUDENT ACTIVITIES
Page 49
LIFE AT MONALAW

Page 52
MONALAW FACULTY

DEAN'S MESSAGE

In this the 5th volume of the MonaLaw Report, I am pleased to share with you the excellent work and achievements of MonaLaw, faculty and students, during the 2016-2017 Academic Year.

Our signature event during the period was the successful hosting of the 3rd Annual Symposium on Law, Governance and Society held June 9 to 11, 2017, at the Meliã Braco Village, Trelawny. We also hosted a student-organized seminar on Violence Against Women, three public lectures and the launch of the Journal of Law, Governance and Society. I wish to acknowledge the dedication and hard work of my colleagues in their contribution to teaching and learning, research and publication. We congratulate Mrs Natalie Corthésy who received the pres-



tigious International Trademark Association's Ladas Memorial Award in the student category for 2017. We also congratulate our first Dean, Dr Derrick Mckoy who received a National Award for distinguished service in the Legal Profession and Public Service in Jamaica; Mr Malike Kellier, one of our adjunct tutors, who received the Governor General's Achievement Award for excellence in leadership and academics; and also Dr Shazeeda Ali, Dr Celia Blake, Dr Derrick Mckoy, Professor Stephen Vasciannie and Professor Gilbert Kodilinye who received URD 2017 Research Days Awards.

Joining our teaching staff this year were Dr Emir Crowne, Ms Tenesha Myrie, Mr Andre Sheckleford and Mrs Kamille Adair Morgan. We also welcomed back Ms Gabrielle Elliott-Williams who was away furthering her studies

We use this opportunity to express our profound gratitude to Professor Gilbert Kodilinye and, our very first Dean, Dr Derrick McKoy who have retired from the University. We also recognise Professor Stephen Vasciannie who was seconded to the University of Technology in the capacity of President and Dr Jason Haynes who left us to start another phase of his career. We thank them all for their exceptional service and contribution to MonaLaw.

Our MonaLaw students represented the UWI and Jamaica with great distinction as they continue to shine at home and abroad, participating in three international mooting competitions, and our own First Year Student Debate on Contract Law.

We at MonaLaw are committed to continuing the tradition of excellence in legal education, cutting-edge legal scholarship, and contribute to the development of our jurisprudence in service to our local, regional and global community. These pages record our best endeavours. Happy reading!

Leighton M. Jackson, D.Jur Dean, Faculty of Law, Mona



PUBLIC LECTURES, SEMINARS AND FORUMS

CONTRACT LAW DEBATE



Back Row (L to R): Mr Allan Wood, QC; Mr Ian Wilkinson, QC; Justice C. Dennis Morrison, OJ; Dr Christopher Malcom FCIArb; Ms Ruth-Ann Benguche; Ms Andrea Linton; Ms Samantha Grant; Mr Michael Warenycia; and Mr Theodore Duncan

Front Row (L to R): Then Chief Justice Zaila McCalla, OJ; Ms Ceejaie Cummings; and Mrs Claudette Myers

On **April 6, 2017** MonaLaw Year 1 students held a Public Debate under the Moot: "Be it resolved that the Jamaican Courts should follow the Supreme Court of Canada's decision in Bhasin v Hrynew and adopt the doctrine of good faith as a fundamental organizing principle of contract law". Ms Ruth-Ann Benguche, Ms Andrea Linton and Mr Micheal Warenycia supported the proposition, while Ms Samantha Grant, Mr Theodore Duncan and Ms Ceejaie Cummings opposed it. This debate sought to lay the foundation as to whether there is a proper basis on

which the Jamaican courts could justify adoption of good faith as a fundamental organizing principle of contract law and whether contracting parties have a duty of honest performances in their dealings. The commitment of these students' and the quality of their output have been highly commended, including by then Chief Justice, The Hon. Mrs Justice Zailia McCalla; President of the Court of Appeal, The Hon. Mr Justice C. Dennis Morrison; and Chairman of the General Legal Council, Mr Allan Wood, QC.



Left: Dr Christopher Malcolm, lecturer for Contract Law, welcomes Mr John Bassie to the Debate.

Right: A section of the audience with commentators seated in the front row.



MONALAW SERIES DISCUSSION: COPYRIGHT - USE AND ABUSE



A MonaLaw Series Discussion entitled 'Copyright Use and Abuse' was held on Wednesday, February 22, 2017 in the Faculty of Law. The presenters were Professor John Cross, international World Intellectual Property Organisation (WIPO) expert in the MonaLaw LLM Intellectual Property in the Creative and Cultural Industries programme, and Mrs Natalie Corthésy, Lecturer at MonaLaw. They presented on issues surrounding copyright law and discussed the United States and Jamaican experiences with misuse, focusing particularly on how the doctrine of 'misuse' applies in copyright. The session was chired by Tracy Robinson, Senior Lecturer at MonaLaw.

Professor John Cross looks on while Mrs Corthésy responds to a question posed by a member of the audience.

ABOLITION OF THE DEATH PENALTY

MonaLaw in collaboration with the British High Commission Kingston, hosted a lecture on the 'Abolition of the Death Penalty' on Wednesday, April 5, 2017.

The presentations were delivered by Mr Mark Pritchard, MP, who is the Joint Chairman of the UK All Party Parliamentary Group on the Abolition of the Death Penalty and Vice Chairman of the All Party Parliamentary Group for the Caribbean and Madam Michèle Duvivier Pierre-Louis, who is a Haitian national, the Commissioner for the International Commission Against the Death Penalty, and most notably, a Former Prime Minister of Haiti.

They presented arguments on the abolition of the death penalty and called upon Jamaica to do away with capital punishment.



Madam Michèle Duvivier Pierre-Louis



Mr Mark Pritchard



LET'S TALK ABOUT VIOLENCE AGAINST WOMEN



'Let's Talk: A Seminar on Violence Against Women', was born out of a conversation I had with a friend. We were discussing the spate of violent attacks on females on the campus at the time, as well as in the country more generally. I have always wanted to do something that advances the welfare of females. In that conversation, I asked quite rhetorically, "Why doesn't the Principal do anything about it (violence against women on campus)". I then realized that action need not come from behind a desk, you just have to be willing to do something, anything.

The seminar was held on **February 24, 2017** and the presenters were Mr Terrence Williams, Commissioner of INDECOM; Mr Kevon Stephenson, Director of Evaluation and Standards at INDECOM; Ms Nadeen Spence, Student Services and Development Manager for Mary Seacole Hall, The UWI, Mona and a firm advocate for the empowerment of women and girls; and Dr Gillian

Mason, Lecturer in the Department of Sociology, Psychology and Social Work at The UWI, Mona and a board member of Woman Inc. The seminar focused on improving reporting mechanisms and the importance of treating women and girls who have experienced gender based violence with humanity and respect so that they do not suffer in silence because they are afraid of being ridiculed. Commissioner Williams, indicated that the research his office undertook in preparation for the seminar will form part of his Office's quarterly report to Parliament as well as his own recommendations. He admitted that until the seminar, he had not realized how much issues of gender based violence related to his Office.

I thank my mentors for giving me the courage and confidence to conduct the seminar, and the administrative staff for their unwavering support in staging the event.

- Alaina K. Reid, MonaLaw Alumnus

ADVOCATING FOR THE RIGHT TO THE TRUTH AND SOCIAL JUSTICE

Opinio Juris

In **May 2017**, MonaLaw hosted a conversation with two accomplished Jamaican sisters who live and work in the UK, civil rights lawyer, **Marcia Willis Stewart** and violence against women expert and advocate, **Marai Larasi**. Both spoke about their careers as advocates for social justice and their relationship with Jamaica.



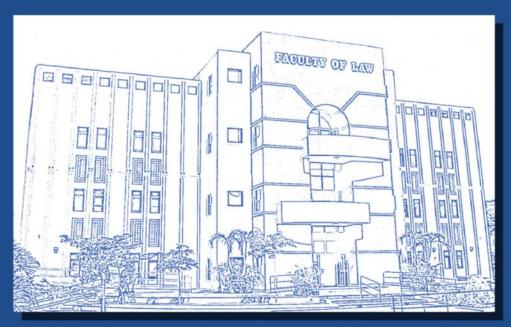
Marcia Willis Stewart, QC, the big sister, is an award-winning civil rights lawyer and a partner at the renowned Birnberg Peirce & Partners law firm. She was the lead lawyer for the legal team acting on behalf of 77 of the 96 families of the deceased at the Hillsborough Inquests, and helped to secure justice when it was ruled that the 96 victims were unlawfully killed. She was awarded Legal Aid Practitioners' Group Public Law Solicitor of the Year 2015. In 2016, the Black Solicitors Network named her Outstanding Lawyer of the Year 2016 in their UK Diversity Legal Awards. She was a joint winner of the prestigious Rule of Law Award at the Halsbury Awards 2017. She has also been given the Football Black List 2017 Commercial Award, listed in The Lawyer Hot 100 2017 and named Legal Personality of the Year at the Solicitors Journal Awards 2017. Willis Stewart was also made an honorary Queen's Counsel in 2017.



Marai Larasi is the Director of Imkaan which is an UK -based national organization dedicated to challenging violence against black, minorities and refugee women and girls. She led the development of the first service within a London-based VAWG organisation to develop provision aimed at responding to women affected by both VAWG and Serious Youth Violence. Larasi is also the Co-Chair of the country-wide End Violence against Women Coalition. She was also the Joint Chair of Women's Aid, England until September 2013. She is a member of the Mayor of London's VAWG Panel. She is a founding member and committee member of the board of the Global Network of Women's Shelters (GNWS) and a founding member of the International Network to End Violence Against Women. She was also a panel Member for the Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups. In 2011 she was voted 1 of the 50 most influential women in London in the last 100 years and in 2013 she was awarded the MBE Member of the Most Excellent Order of the British Empire.



JOURNAL OF LAW, GOVERNANCE AND SOCIETY



The official journal of the Faculty of Law Annual Symposium on Law, Governance and Society

PEER REVIEWED

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LAUNCH OF THE JOURNAL OF LAW, GOVERNANCE AND SOCIETY



Professor Barry Rider, member of the journal's editorial advisory board, looks through a copy of the first issue of the Journal along with the editor, Dr Shazeeda Ali.

The publication of the *Journal of Law, Governance and Society* (Vol. 1 & Vol. 2) had its debut on June 9, 2017 at the Meliá Braco Village in Trelawny. The theme "Law, Governance and Society" transcends all the symposia and is intended to represent the three pillars of any civilized community. The papers in the first publication, which is a double-issue, include the texts of papers presented in 2015 and 2016, as well as articles based on the presentations delivered by the authors. The *Journal of Law, Governance and Society* is intended to provide a wider audience with an opportunity to be sensitized to the eclectic range of issues raised during the annual symposium.

The contributors and their articles in Volume 1 are:

- The Separation of Powers and the Independence of Public Servants
 - B. St. Michael Hylton, OJ, QC
- The Neo-Liberal Pradigm in the Caribbean

 Janet Dine
- Regulatory Autonomy and Article XX of GATT:
 An Assessment of the Evolving Jurisprudence
 Delroy S. Beckford
- "Being Seen, but not heard?": The Principle of Children Participation Under CRC

Ramona Biholar

 The Status of CARICOM Law in CARICOM Member States

Mark Gillis

• IOSCO, Standard Setting and Securities Regulation in the Commonwealth Caribbean

Taneisha Brown

- Substantive Citizenship and Democratic Policing: The Jamaican Context Yonique Campbell
- Financial Services Regulation: In Search of the Right Recipe

 Amina Maknoon
- Financial Services Regulation in the Cayman Islands

Arnold J. Todd

 Dual Citizenship and Legislative Office: An Analysis of Jamaica's Foreign Allegiance Disqualification

Alecia Johns

The contributors and their articles in Volume 2 are:

- Safeguarding Ethics, Justice and Ideas Dennis Morrison
- Judicial Ethics in the Caribbean Adrian Saunders
- Judicial Ethics A Jamaican Perspective

Seymour Panton

contd. on page 9





continued from page 8:

Revisiting Patent Protection for Dosage Regimes Under the European Patent Convention

Eddy D. Ventose

"Political Ethics": Do Politicians Appreciate that Corruption Corrodes Society and the Professions?

Andrew Mitchell, QC

Technology & Copyright: Reconceiving Copyright In the Digital Era — The Jamaican Copyright Act

M. Georgia Gibson-Henlin, QC

- **Ethics in the Legal Profession** Ingrid Pusey
- The CRPD and Persons with Mental Disabilities in the Commonwealth Caribbean Afiua France
- An Analysis of the Property Rights of Spouses Act (PROSA): Rights Holders' Perspectives

Rose Cameron and Herbert Gayle

The contributors and their articles in Volume 3 are:

New and Not so New Strategies in Fighting **Economic Crime**

Barry Rider

The Rights of Victims in Criminal **Proceedings**

Terrence Williams

Citizen Insecurity, Dysfunctional Justice and the Risk of Terrorism in Jamaica

Anthony Clayton





Justice Seymour Panton, who contributed an article in Volume 2, receives his copy of the journal from Dr Ali.

The Legal Profession in the Fight Against Money Laundering and the Financing of **Terrorism - The Jamaican Context**

Calvin Wilson

FinTech

Amina Maknoon

Lessons Learnt - Sculpting a Mediator Certification System: The Trinidad and Tobago Experience

Giselle Yearwood Welch

PROSECUTING THE DEFENCE: Challenges With Prosecuting Attorneys-at-Law For Money Laundering

Caroline Hav

Cyber Law - Communication in Cyber Space and the Law

Andrea Martin-Swaby

- Balancing Rights: The Cyberspace Dilemma Dionne Jackson-Miller
- Real Change in the Justice System in Jamaica Sharon Ffolkes-Abrahams
- The Role of Governments in the Multistakeholder Internet Governance Setting

Tania Mott Tulloch-Reid

MIGRANTS' RIGHTS: To What Extent Do Social Movements, Cause Lawyering and Litigation Improve the Protection of the Rights of Migrants?

Elaine Campbell-Daenen



MONALAW 3RD ANNUAL SYMPOSIUM ON LAW, GOVERNANCE AND SOCIETY



On June 9 to 11, 2017, the Faculty of Law on the Mona Campus of The University of the West Indies hosted its 3rd Annual Weekend Symposium on Law, Governance and Society at Meliã Braco Village, Trelawny. The focus for this year was "Security and Justice: Global Priorities". The sub-themes for the Symposium included financial crime, money laundering and the legal profession, sports law, internet law, individual rights and alternative dispute resolution/restorative justice.

The Keynote Address was delivered by Professor Barry Rider OBE LLD, Professorial Fellow at the Centre for Development Studies at Jesus College, Cambridge, UK. The focus of this address was on strategies for fighting economic crime. The Panel Chairs comprised the following: Mr Allan Wood, Chairman of the General Legal Council of Jamaica; The Hon. Madame Justice Désirée Bernard, retired Judge of the Caribbean Court of Justice; Professor Trevor Munroe, Executive Director of the National Integrity Action (NIA); The Hon. Mr Justice Seymour Panton, Judge of the Mechanism for International Criminal Tribunals (MICT) and former President of the Court of Appeal of Jamaica; Mr Alexander Williams, Chairman of the Jamaica Anti-Doping Commission (JADCO) and The Hon. Mr. Justice C. Dennis Morrison, President of the Court of Appeal of Jamaica.



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Prof. Barry Rider and Mr Terrence Williams share a laugh during the reception.

Ms Threshia Griffiths talks with Mr Lenworth Burke.



LEFT to RIGHT: Mrs Georgia Gibson-Henlin, Mrs Shaun Lawson-Freeman and Ms Naudia Sinclair.

Prof. Rider in deep conversation with Mrs Giselle Yearwood-Welch and her husband, Dr Mark Gillis.





SATURDAY HIGHLIGHTS



Presenters for the Session, 'Clean Lawyer: Dirty Money': Mr Calvin Wilson, Mr Andrew Mitchell, Justice Bryan Sykes and Ms Caroline Hay. The session was chaired Mr Allan Wood, QC.



The 'Securing Individual Rights' presenters Ms Afiya France, lecturer in Law, at The UWI, St Augustine; Dr Mark Gillis, lecturer in Law at the UWI, Mona; and Ms Dionne Jackson-Miller. The Hon. Madam Justice Désirée Bernard, retired CCJ Judge, chaired the session.



The 'Security in a Changing World' panel: Prof. Trevor Munroe (Chair), Prof. Anthony Clayton, Mr Terrence Williams and Mrs Elaine Campbell-Daenen.

The consistent responses from participants indicate that the event featured very distinguished panellists, whose presentations were not only thought-provoking but enlightening and instructive. For example, the session entitled 'Clean Lawyer: Dirty Money' explored the circumstances in which attorneys may become embroiled in a money laundering transaction, as well as the international and local machinery for preventing and detecting money laundering through the legal profession. This was timely in light of current litigation in Jamaica concerning the application of certain provisions in the Proceeds of Crime Act (POCA) to lawyers.

This session featured Mr Calvin Wilson, Executive Director of the Caribbean Financial Action Task Force on Money Laundering (CFATF); Mr Andrew Mitchell QC, Barrister-at-Law in the United Kingdom; The Hon. Mr Justice Bryan Sykes, then Puisne Judge in the Supreme Court of Jamaica; and Mrs Caroline Hay, Attorney-at-Law and former Senior Deputy Director of Public Prosecutions, Jamaica. The session was chaired by Mr Allan Wood QC, Chairman of the General Legal Council of Jamaica.

The session on 'Securing Individual Rights' examined the issue of marriage rights from a secular and religious perspective, as well as the area of freedom of expression in the context of the internet. The latter topic was addressed by Ms Dionne Jackson-Miller, Attorney-at-Law, Host of All Angles on Television Jamaica (TVJ) and Adjunct Tutor at MonaLaw.

In **'Security in a Changing World'** Professor Anthony Clayton of the UWI Institute for Sustainable Development took an in-depth examination of the crime and terrorism threat in Jamaica and a comparative approach with Brazil on possible approaches to dealing with this menace.

Mr Terrence Williams, Commissioner of the Independent Commission of Investigations (INDECOM) looked at crime from the victim's perspective, specifically with regard to opportunities for private prosecution and obtaining a remedy for victims. In the Alternative' was a session that focused on the spectrum of mechanisms available to resolve contentious matters beyond the mainstream solutions, including mediation, arbitration and restorative justice. Mrs Campbell-Daenen, who is an MPhil student at MonaLaw, examined the rights of migrant persons.



SATURDAY HIGHLIGHTS



Dr Leighton Jackson, Dean, Faculty of Law welcomes delegates and presenters to the $3^{\rm rd}$ Annual Symposium

Session IV: 'In the Alternative' presenters, Mrs Giselle Yearwood Welch, Mrs Sharon Ffolkes-Abrahams, Dr Christopher Malcolm and Ms Inga Laurent present. Justice Seymour Panton chaired the session.





Mr Joerio Scott, 2nd Year MonaLaw student, presenting Prof Barry Rider with a token after the keynote address.



SATURDAY HIGHLIGHTS

From L—R: Mrs Amina Maknoon, Ms Taneisha Brown and Ms Ingrid Pusey during the morning coffee break.



SAY CHEESE! Mrs Peta-Gaye McEwan-Lewis and Ms Odesha Coates, MonaLaw administrative staff members.





Ms Donna Dodd and Ms Jebby Campbell of the National Land Agency strike a pose.



MonaLaw academic staff members Mrs Natalie Corthésy and Ms Coleen Lewis share a laugh.



SUNDAY HIGHLIGHTS

Winning All at Costs' explored an eclectic range of issues that may affect athlete. The final session 'Oh! What a Tangled Web' provided an insightful assessment of emerging legal issues that arise from the use and abuse of the internet, including FinTech and cybercrime.

The Symposium held with the generous support of the National Integrity Action Solutions and

(NIA), JN Bank, Stewart Motors, Coffee the University Bookshop. FROM LEFT: Ms Chantelle Biersay, Ms UWI Mona 2016 alongside mother/daughter duo, Rachel and Nadine Skyers. MIA Ms. Joanna Marzouca

The panel for the session 'Oh What A Tangled Web' (From Left): Justice C. Dennis Morrison (session chair), Ms Coleen Lewis, Mrs Amina Maknoon, Mrs Tania Mott Tulloch-Reid, and Mrs Andrea Martin-Swaby.

Session V, 'Winning at all Costs', presenters Dr Emir Crowne, Ms Joanna Marzouca, and Dr Jason Haynes. Mr Alexander Williams, the Jamaica Chairman of Anti-doping Commission (JADCO) was the session chair.











MONALAW STUDENTS AT THE SYMPOSIUM

LEFT (from Top)

- ♦ Ms Chiann Henry, 3rd year student, playing a classical violin piece.
- Mrs Elaine Campbell-Daenen, MPhil Student at MonaLaw, presenting on, 'Migrant's Rights' during Session III.
- ♦ Ms Chantelle Biersay, 3rd year student, performing a traditional Indian dance.
- ♦ Ms Joanna Marzouca, LLB Year III student, Faculty of Law, presenting in Session V, 'Winning at all Costs'.

BELOW:

MonaLaw students (from left to right): Najay Malcolm, Chiann Henry, Latoya Hall, Chantelle Biersay, and Joerio Scott. Najay was one of the designated photographers for the weekend.





MONALAW SYMPOSIUM SPONSORS





ABOVE: A section of the Stewarts Automotive Group display.

VOLUME 5 (2017)

LEFT: A JN representative presenting the raffle winner Ms Tressa West with her spa prize worth 20,000JMD.

BOTTOM LEFT: MonaLaw staff pose with sponsors from Jamaica National, Stewarts Automotive & UWI Bookshop.

BOTTOM RIGHT: A section of UWI Bookshop display.













4th Annual Symposium on Law, Governance & Society

"Development: As the World Turns, So Should the Law"

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- Faculty of Law, UWI Mona
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BOOK DONATIONS

The Canadian government-funded, Improved Access to Justice in the Caribbean (IMPACT Justice) Project donated £80,000 worth of books to The University of the West Indies, Mona Library. The Handing-Over Ceremony took place on Thursday, September 8, 2016.

Professor Velma Newton Officer-in-Charge of the Caribbean Law Institute Centre (CLIC) and Regional Director of the IMPACT Justice Project opened the programme, and His Excellency Sylvain Fabi, High Commissioner of Canada to Jamaica addressed the gathering on behalf of the Canadian Government. Also in attendance were representatives from the Canadian Government, the High Commission of Canada in Barbados, the Jamaican Ministry of Foreign Affairs, and the University community. Dr Paulette Kerr, Campus Librarian; Ms Myrna Douglas, Head, Law Branch Library; and Dr Leighton Jackson, Dean of the Faculty of Law, received the books on behalf of The UWI.

INCULTY OF LAW

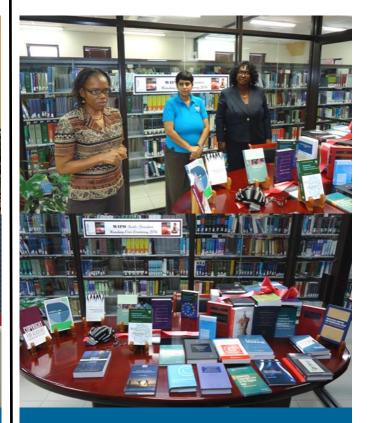
TOP LEFT: Professor Velma Newton delivers the welcome and opening remarks

TOP RIGHT: His Excellency Sylvain Fabi delivers his remarks

BOTTOM: The books donated by the Canadian Government

The World Intellectual Property Organisation (WIPO), with whom the Faculty is cooperating to offer the LLM Intellectual Property in the Creative and Cultural Industries, has donated Sixty-Nine (69) books with a declared value of over USD 10,337.27 (roughly over 1.3 million Jamaican dollars) to supplement the programme. They also generously covered the cost of shipping the material.

An official handing-over ceremony to the Law Branch Library was held on **Friday, November 18, 2016.** Representatives from the Main Library, Law Branch Library and Faculty were in attendance. Dr Paulette Kerr, Campus Librarian; Ms Myrna Douglas, Head, Law Branch Library; and Dr Shazeeda Ali, Deputy Dean for Graduate Studies, Research and Publications in the Faculty of Law received the books on behalf of The UWI.



TOP: Dr Paulette Kerr addresses the gathering while Dr Shazeeda Ali and Ms Myrna Douglas look on.

BOTTOM: Some of the books donated by WIPO



MONALAW WELCOMES NEW FACULTY MEMBERS



Mrs Kamille Adair Morgan joined the Faculty of Law, Mona as a lecturer in Public International Law for the 2017-2018 Academic Year.

Kamille graduated from the Faculty of Law, The University of the West Indies, Cave Hill in 2009 with a Bachelor of Laws (LLB) with First Class Honours. After completing studies at the Norman Manley Law School, she went on to the University of Oxford as a Rhodes Scholar in 2012. There, she attained the Bachelor of Civil Law and the Master of Philosophy in Law, both with Distinction. Kamille is currently pursuing doctoral studies in Public International Law with specific focus on the right of self-defence in the context of terrorist and other non-state actor attacks.

Dr Emir Crowne joined the Faculty of Law Mona as a senior lecturer for Law of Torts; Law, Technology & the Internet; Intellectual Property Law; Entertainment Law and International Mooting in the Bachelor of Laws (LLB) degree programme offered at the Mona Campus in January 2017.

Emir has been admitted to practice in Trinidad & Tobago and Ontario, Canada. With over 100 publications to date, he has published widely in the fields of intellectual property law, information technology law, gaming law, torts, contracts, legal education, constitutional law, human rights and banking. He is ranked in the top 1.1% of authors worldwide on the Social Science Research Network, and routinely provides expert reports and opinions on gambling, extradition, intellectual property infringement, and constitutional matters. He is also the founder of the Harold G. Fox Intellectual Property Moot and the Donald G. Bowman National Tax Moot (which he continues to co-chair). In June 2016, he was listed in Lexpert Guide to the Leading US/ Canada Cross-border Corporate Lawyers in Canada as a



"Corporate Lawyer to Watch". As the founder of Crowne Sports Law, an international sports litigation practice, he has appeared before tribunals based in Switzerland, Canada, Jamaica, Trinidad & Tobago, Malta and at the Rio 2016 Olympics in over forty (40) matters to date (including multiple appearances before the Court of Arbitration for Sport). He is currently developing an LLM in Sports Law to be jointly delivered by the Faculty of Law and the Faculty of Sport at The UWI, Mona Campus.







Ms Gabrielle Elliott-Williams rejoined the Faculty of Law, Mona as a lecturer of Public International Law, Law of Torts, International Courts and Tribunals, and International Mooting for the 2017-2018 Academic Year. Previously, she lectured Equitable Remedies, International Mooting; Legal Methods, Research and Writing; and Contract Law at MonaLaw from 2013 to 2015.

Gabrielle graduated from The UWI, Cave Hill where she earned an LLB with First Class Honours. She went on to pursue studies at the Norman Manley Law School, and the University of Cambridge where she earned a Masters of Laws (LLM) with First Class Honours.

Her love for advocacy has seen her participating in prominent mooting competitions as a student. She was a member of the Norman Manley Law School teams that ranked as an Octo-finalist in the Phillip C. Jessup International Law Moot Court Competition in 2012, the team that won the World Human Rights Moot Court Competition in 2010. She has coached several student teams while at MonaLaw.

Ms Tenesha Myrie joined the Faculty of Law, Mona as a lecturer in Law and Legal Systems and Administrative Law for the 2017-2018 Academic Year.

Ms Myrie, is a graduate of the University of the West Indies, Cave Hill where she earned a LLB with First Class Honours, the Norman Manley Law School and the University of Oxford in the United Kingdom where she earned an LLM.

As an attorney-at-law, Tenesha practised corporate, commercial, and property law. She has also spent the last 10 years engaging in human rights and public policy work with various intergovernmental agencies and NGOs. Prior to joining the Faculty of Law, Tenesha worked with the Inter-American Commission on Human Rights in Washington, D.C. She is the recipient of numerous scholarships and awards based on intellectual ability, leadership potential, and commitment to public service.



Mr Andre Sheckleford joined the Faculty of Law, Mona as a lecturer of Real Property Law and Caribbean Integration Law for the 2017/2018 Academic Year.

Andre holds an LLM from the University of Cambridge; an LLB with First Class Honours from The UWI, Cave Hill; and a Bachelor of Science (BSc) with First-Class Honours in Medical Physics and Bioengineering and Computing from The UWI, Mona. He is a Commonwealth Scholar and was on the Principal's Honour Roll while at the Norman Manley Law School. He was also vice-president of the Guild of Students at The UWI, Mona for the 2010-2011 Academic Year.





MOOTING



The MonaLaw 2017 CCJ
Moot Team (L—R):
Mr Tahir Thompson,
Mr Shajoe Lake, Dr Emir
Crowne (coach) and
Mr Benjamin Fraser.

On **Friday March 10, 2017**, MonaLaw competed in the Caribbean Court of Justice's Annual International Law Moot Competition in Port-of-Spain, Trinidad. Teams from every law school in the English-speaking Caribbean Commonwealth, both vocational and academic, competed: University of the West Indies (Mona), The University of the West Indies (St Augustine), The University of the West Indies (Cave Hill), University of Guyana, University of Technology (Jamaica), Hugh Wooding Law School (Trinidad & Tobago), Eugene Dupuch Law School (The Bahamas) and the Norman Manley Law School (Jamaica).

The Mona Law team comprised Mr Benjamin Fraser (advocate), Mr Tahir Thompson (advocate), and Mr Shajoe Lake (alternate/researcher). The team was coached by myself and Dr Jason Haynes. The advocates from MonaLaw were both in their first year of the LLB programme at the time, and grappled with extremely complex issues in public international law and Caribbean integration law. The selection was purposefully done, as to demonstrate the importance of advocacy as its own skill and art. In

honing that skill, the team endured several grueling practice rounds with coaches and on occasions, MonaLaw Dean, Dr Leighton Jackson. The team also faced a practice round before a panel of UK and Canadian barristers while in Trinidad (Mr Matthew Gayle, Mr Bryan McCutcheon and myself, at the offices of the prestigious J.D. Sellier & Co. in Port-of-Spain).

On the day of the competition, our team mooted first, against an all third year team from St. Augustine. The team mooted before a panel consisting exclusively of sitting judges of the Caribbean Court of Justice. Despite such tremendous pressure, and odds, the team emerged victorious (and set the tone for the day). Kudos to them! They are a shining example of the talent and potential that lies in all of our students here at Mona Law. The institutional and administrative support of Dean Jackson, Mrs Peta-Gaye McEwan-Lewis and Ms Marjorie Henry are also gratefully acknowledged.

- Emir Crowne, Senior Lecturer



FRANKFURT INVESTMENT MOOT COURT COMPETITION

From left to right are Mr Dexter Mears, Ms Ashley Innis and Mr Samuel Bailey. The trio made up the MonaLaw team which participated in the 10th edition of the Frankfurt Investment Arbitration Moot Court which took place from March 6 to 10, 2017 in Frankfurt am Main, Germany. The team advanced to the quarter finals and were placed fifth overall and were the top Non-OECD team. They were also the top team from the Caribbean and Latin Region. Mrs Caprice Morrison coached the team.



VOLUME 5 (2017)



The MonaLaw Inter-American Commission on Human Rights (IACHR) Moot Team: on the right Mr Jermaine Case (coach), Ms Alana Wanliss and Mr Johnathan Dwyer. Mr Shani Bennett joins Mr Case and Mr Dwyer in the picture on the left. The team increased The UWI's ranking over the previous year.



UWI RESEARCH DAYS 2017



The URD Signature Event presenters (L—R), Ms Inga Laurent, Mr Kevel Campbell and Mrs Kahilah Whyte.

The URD Moot Court competitors, coach and judges. From left to right are: Sherica Taylor, Mr Shaquille Douglas, Mrs Caprice Morrison (coach), Mr Shajoe Lake, Ms Shaniel May (judge and MonaLaw 2016 graduate), and Talia Dacosta. In the back row are Mr Luke Cook and Mr Jermaine Case (judge).

The Annual UWI Research Days Signature Event was held on Thursday, February 2, 2017 in the form of a Panel Discussion entitled: 'From Retributive to Restorative Justice and Practices'. Fulbright Scholar, Ms Inga Laurent, was the main presenter. Mrs Kahilah Whyte, Coordinator of Restorative Justice in the Ministry of Justice and Mr Kevel Campbell, Trainer, Coach and Supreme Court Mediator also gave presentations.

A Moot Court proceeding held on Friday, February 3, 2017 was attended by visiting students, members of the UWI community and members of the Judiciary. The Moot displayed students of the Faculty making submissions on the topic: "Citizenship by Investment in the CCJ Context". The students were coached by Mrs Caprice McFarlane Morrison. The award of Best Speaker was presented to Mr Shajoe Lake, final year student in the Faculty and the award of Second Best Speaker was presented to Mr Luke Cook, also a final year student.





UWI RESEARCH DAYS 2017 HIGHLIGHTS









MONALAW AT UWI RESEARCH DAYS (URD) 2017

LEFT (from top):

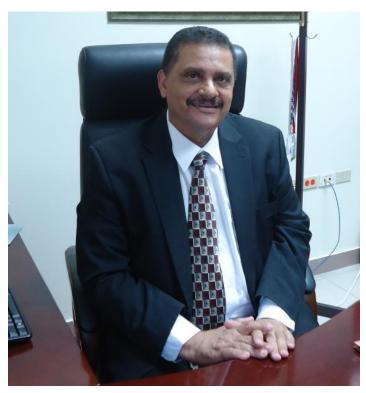
- A group of high school students playing Law Jeopardy
- Professor Gilbert Kodilinye (seated) listens keenly to the questions of a group of students visiting the MonaLaw Legal Corner.
- MonaLaw Dean, Dr Leighton
 Jackson (back right) with a group
 of LLB students at the booth.

TOP

URD host Mrs Paula-Ann Porter introduces Dr Emir Crowne before his talk. Dr Crowne presented on strategies for Nesta Carter's appeal to the Court of Arbitration for Sport on Thursday, February 2, 2017.



CONGRATULATIONS



Congratulations are extended to Former Dean of the Faculty of Law, UWI Mona, Dr Derrick McKoy who received the Order of Distinction in the Rank of Commander (CD) for outstanding contribution to the legal profession and the public service in Jamaica. Dr McKoy received his award on Heroes Day 2016.



INTA WELCOME YOU!



Mrs Natalie Corthésy (on the left in the picture above) MonaLaw lecturer in Intellectual Property Law received the prestigious Ladas Memorial Award for 2016-2017 for best student paper. The International Trademark **Association** (INTA); the law firm of Ladas & Parry LLP, the Ladas Award Judges; and the chair of the Ladas Award project team, Kevin McDevitt awarded Mrs Corthésy for her paper on "Trade Marks, Country Names and Misappropriation of National Identity", which has been published in The Trademark Reporter (TMR), INTA's legal journal; as well as the Oxford Journal of Intellectual Property Law & **Practice**

She accepted the award during INTA's 139th Annual Meeting held in Barcelona, Spain from May 20 to 24, 2017.



URD 2017 AWARDEES

MonaLaw congratulates the following faculty members who received the 2017 Principal's Research Award:

The Best Research Publication

• Dr Shazeeda Ali

Book Chapter: "Economic crime and terror: spinning a web of greed and fear" in *Research Handbook on International Financial Crime*

Dr Celia Blake

Book Chapter: "The Legal Matrix Governing Directors and Officers of Financial Supervisors: Understanding their Role in Governance" in Commonwealth Caribbean Corporate Governance

• Dr Derrick McKoy

Book Chapter: "Public Sector Governance: Change, Crisis and Dysfunction" in *Commonwealth Caribbean Corporate Governance*

The Most Outstanding Researcher

Professor Stephen Vasciannie

For producing three publications: "Arguments and Facts: Caribbean Public Law, Governance, Economy and Society" | "The Inter-American Commission on Human Rights: Reform and the Question of Universality" | "Constitutional Renewal in Jamaica: Republicanism?"

The Most Outstanding Research Activity

Professor Gilbert Kodilinye

For producing a book on Commonwealth Caribbean Civil Procedure







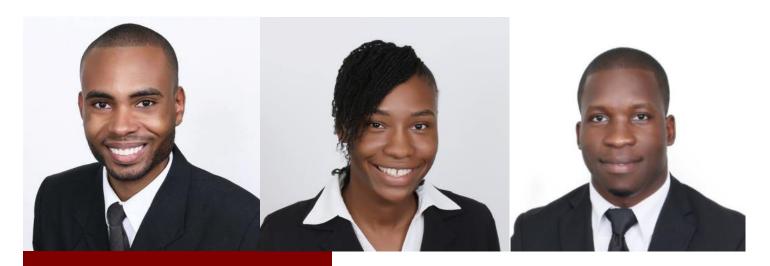


MONTEGO BAY Ironshore Industrial Estate 876 656 9327





CONGRATULATIONS



Congratulations are extended to adjunct tutors (above from left to right) Mr Francois McKnight, Ms Shantal English and Mr Litrow Hickson who graduated from the Norman Manley Law School in September 2017. Mr McKnight was the 2017 valedictorian. All three were subsequently called to The Jamaican Bar in December 2016.

Congratulations are also extended to adjunct lecturer Mr Malike Kellier who received The Governor General's Achievement Award for excellence in leadership and academics for the parish of St James in 2017.





FAREWELLS

Professor Emeritus Gilbert Kodilinye has been a Professor of Law at the University of the West Indies for 19 years. He taught Law of Real Property I & II, Law of Trusts, Administration of Trusts & Estates during his tenure at the Faculty of Law, UWI Mona. He is the author of numerous articles in international journals on aspects of tort law, real property and law of trusts; and has also authored a number of texts in the Routledge/Cavendish Commonwealth Caribbean Law Series including Commonwealth Caribbean Property Law. His books have been used in many undergraduate law degree programmes throughout the Caribbean region. The accessible writing style also render them as a popular resource for those reading for Caribbean Advanced Proficiency Examinations (CAPE), and various paralegal courses in the region.

During his time at The UWI, Mona Campus he received URD 2012 award for the Most Outstanding Researcher and in 2014 the award for Best Research Publication for his outstanding work in the area of Contract Law. In 2017 he also received The Most Outstanding Research Activity award.

Professor Kodilinye poses with his farewell gift and his signature cup of coffee.





Dr Derrick McKoy was a Lecturer in the Faculty of Law at The University of the West Indies, Mona, for 44 years. He joined the Faculty of Law in 1973. Dr McKoy has taught both undergraduate and graduate courses. At the undergraduate level he lectured Jurisprudence, Constitutional Law and Administrative Law. He also served as Dean for the Faculty of Law from August 2012 to July 2016.

During his tenure, Dr Mckoy published a number of scholarly articles, including contributing chapters to several books and authorship of the book *Corruption: Law, Governance and Ethics in the Commonwealth Caribbean.* He also edited Delroy Chuck's *Understanding Crime.*

He has been the recipient of numerous awards for his academic work, including Best Research Publication for UWI Mona Research Days (URD) 2012 and 2017.

Dr McKoy accepts his farewell gift from Dr Shazeeda Ali, Deputy Dean, Graduate Studies, Research & Publications.





In this August 2012 photo Dr Derrick McKoy (left) and Professor Emeritus Gilbert Kodilinye (2nd Right) pose with Mrs Natalie Corthésy, lecturer at MonaLaw (2nd left), Ms Paula Llewellyn, Director of Public Prosecutions (centre) and Mrs Suzanne Ffolkes-Goldson, Lecturer at MonaLaw and then Deputy Dean for Graduate Studies and Research (right).



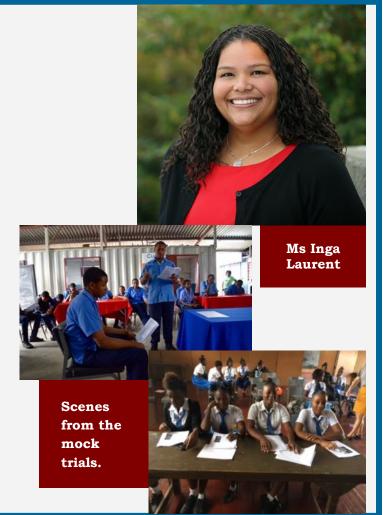


VISITING SCHOLARS

Ms Inga N. Laurent is an Associate Professor and Director of the Externship Program at Gonzaga University, School of Law in Spokane, Washington in the United States of America. She is an active member of the National Externship Community, serving as Co-President of the Externship Section of the AALS Section on Clinical Legal Education from 2013 to 2015 and as a member of Externship Committee of the Clinical Legal Education Association since 2011. She received her J.D. from Cleveland-Marshall College of Law and her B.A. from Westminster College.

Inga is engaged in advocating for racial equity with an emphasis on addressing racial disproportionality in the criminal justice system and diversifying the legal profession. She has worked as a staff attorney with Southeastern Ohio Legal Services (SEOLS) providing holistic civil legal services to victims of domestic violence.

As a 2016-2017 Fulbright Scholar she spent nine months at MonaLaw. While in Jamaica she worked on a project entitled: "Empowerment Over Imprisonment: Moving the Hearts and Minds of the People of Jamaica and the United States from Retributive to Restorative Justice". This involved facilitating restorative justice workshops with high school students who were introduced to essential aspects of the legal process and took part in mock trials.





His Honour Judge Michael Hopmeier sits as a Circuit Judge at the Southwark Crown Court, ruling mainly on fraud cases. He was appointed Visiting Professor in the Faculty of Law, The University of the West Indies, Mona in 2015.

He has been an advocacy trainer for some years and regularly marshalls students of the Inn. He lectures at the Judicial College and also abroad at international seminars on Confiscation and fighting economic crime. HHJ Hopemeier is co-Editor of the 4th Edition of Millington and Sutherland Williams on "The Proceeds of Crime.

Judge Hopmeier is pictured, at left, accepting a gift from Ms Chantelle Biersay after his presentation on **Judicial Ethics** at MonaLaw's 2nd Annual Symposium on Law, Governance and Society held from June 3 to 5, 2016 at the Half Moon, Rose Hall, Montego Bay.



MONALAW RESEARCH

RAMONA BIHOLAR

- "Deinstitutionalising gender stereotypes—An international human rights law perspective", paper presented at the Jamaican Bar Association (JAMBAR) Annual Conference: It Is "Just" That We Should, Montego Bay, Jamaica, November 18 to 20, 2016.
- "Cultural negotiation of Rights An essential tool for understanding the life of human rights in national contexts", paper presented at the Cross Cultural Human Rights Centre Seminar "Traditional Spiritual and Cultural Values as Sources of Human Rights", Nankai University, Tianjin, China, December 1 to 3, 2016.
- "Masculinities and the Practice of Dominica's National Gender Policy". In Negotiating Gender, Policy and Politics in the Caribbean. Feminist Strategies, Masculinist Resistance and Transformational Possibilities. Ed. By G. J. Hosein and J. Parpart: Rowman & Littlefield International, 2016.
- Cultural Negotiation as an Essential Component of Human Rights Implementation", conference paper presented at the Law, Culture and The Humanities Annual Conference, Stanford University Law School, California, USA, March 31 to April 2, 2017.
- "Being seen, but not heard?": The Principle of Children Participation under CRC" in *Journal of Law, Governance and Society* 2017, 1 & 2, 54 to 62.
- "NUTTIN NUH GWAAN FI WE": Challenges Faced by adult ex-inmates upon their release in Jamaica", paper presented at Stand Up for Jamaica, Kingston, 2017.



CELIA BLAKE

- "Language and credibility in the judicial process: A Jamaican case study", paper presented at the 13th Biennial Conference of the International Association of Forensic Linguists, University of Porto, Portugal, July 10 to 14, 2017.
- "Blind justice: Caribbean vernacular speakers in the legal system" paper presented at the Stanford University Department of Linguistics Seminar, February 8, 2017.
- "Disenfranchisement of Caribbean Vernacular Speakers in the Legal System" paper presented at the Stanford Humanities Center, Stanford University, 2017.



ROSE CAMERON

- "An analysis of the Property Rights of Spouses Act: Rights holders perspectives", in *Journal of Law Governance and Society* 2017, 1 & 2, 230 to 241.
- "Everything matters: Becoming a complete lawyer requires a professional approach", presentation at The UWI, Regional Headquarters, Kingston, Jamaica, June 4, 2017.
- "Good Faith Considerations in Employment & Labour Law", paper presented at The UWI, Regional Headquarters, Kingston, Jamaica, June 4, 2017.
- "Major Surgery for Probate Practice: The Administrator General's (Amendment) Act 2015", paper presented at the Mona Visitors' Lodge, UWI, Mona, May 9, 2017.
- Contingency Planning Health & Wellness Fair, at The University of the West Indies, Mona, April 30, 2017.





NATALIE CORTHÉSY

- "International intellectual property protection of country names A question of sovereignty or property?", paper presented at the Faculty of Law 2nd Annual Symposium on Law, Governance and Society, Half Moon Rose Hall, Montego Bay, Jamaica, June 3 to 5, 2016.
- Specially invited participant, National Consultations on Jamaica's 2003 Cultural Policy Revision, Devonshire, Devon House, Kingston, Jamaica, June 25, 2016.
- "Trade marks, country names and misappropriation of national identity" in *Oxford Journal of Intellectual Property Law and Practice* 2017, 12 (4), 297 to 306.
- Fried Green Plantains, Nasara Publishing, July 2017.

Opinio Juris

- "Copyright term Balancing exclusive rights and the public domain", paper presented at the Mona Law Series: Copyright Use and
- Abuse, Faculty of Law, The UWI, Mona, February 22, 2017.
- "The secret to success is secret: IP, confidential information, and value creation", paper presented at the National Workshop on Effective Management of Intellectual Property Assets for SMEs organized by the The World Intellectual Property Organisation, The Jamaica Intellectual Property Office and The Jamaica Business Development Cooperation.
- Facilitator, Legal Retreat of the Entertainment Policy & Monitoring Division, Ministry of Culture, Gender, Entertainment and Sports, Meliã Braco, Trelawny, Jamaica, June 21 to 23, 2017.
- Specially invited participant, National Consultations on the Introduction of Subsidiary Legislation to the Copyright Act of Jamaica to Regulate the Activities of Collective Management Societies, Jamaica Intellectual Property Office, 2017.



EMIR CROWNE

- "Sports Dispute Resolution in the Caribbean: The urgent need for reform", paper presented at the Faculty of Law 3rd Annual Symposium on Law, Governance and Society, Meliã Braco, Trelawny, Jamaica, June 9 to 11, 2017.
- "Supreme Court of Canada Upholds Worldwide Interlocutory Injunction against Google" in Oxford *Journal of Intellectual Property Law & Practice* 2017, Forthcoming.
- "Facebook's Forum Selection Clause Not "Liked" By Supreme Court of Canada" in Oxford *Journal of Intellectual Property Law & Practice* 2017, Forthcoming.
- "NAFTA Tribunal upholds "promise utility doctrine" under Canadian Law", in Oxford Journal of Intellectual Property Law & Practice 2017, Forthcoming.
- "'Mice Ate My Licence Agreement': Claims applicant before Federal Court of Canada" in Oxford Journal of Intellectual Property Law & Practice, Vol. 12, 2017.
- "Federal Court Interprets Canada's Technological Protection Measures For The First Time", in Oxford Journal of Intellectual Property Law & Practice 2017, Forthcoming.
- "Trinidad High Court allows defendant to Win(e) With No Worries" in *Oxford Journal of Intellectual Property Law & Practice* 2017, Forthcoming.
- "No need to consider all potential uses of a mark in opposition proceedings: Canadian Federal Court of Appeal" in Oxford Journal of Intellectual Property Law & Practice 2017, Forthcoming.



SUZANNE FFOLKES-GOLDSON

- Chair of IMPACT Justice Project, Caribbean Law Institute, "Status Report on Company Law in the Region", The University of the West Indies, Cave Hill Campus, Barbados, July 4, 2017.
- "Corporate Governance: Emerging Trends", Mayberry Investments Ltd. Board of Directors, March 2017
- Member, Ministry of Finance and Planning Implementation Oversight Committee to Monitor Implementation of Strategic Priorities of the Corporate Governance Framework for Public Bodies.
- Member, Private Sector Organization of Jamaica (PSOJ) Corporate Governance Committee
- Chair, Private Sector Organization of Jamaica (PSOJ) Corporate Governance Code Sub-Committee





JASON K. HAYNES

- "Northern Ireland's Human Trafficking and Exploitation Act (2015): A preliminary assessment" in *Commonwealth Law Bulletin* 2016, 42(2), 181 to 211.
- "Legislative approaches to combating Revenge Porn" in *Statute Law Review* 2017, https://doi.org/10.1093/slr/hmx008.
- "The right to Free Movement of Persons in Caribbean Community (CARICOM) Law: Towards Juridification?" in *Journal of Human Rights in the Commonwealth* 2016, 2(2), http://dx.doi.org/10.14296/jhrc.v2i2.2259.
- "Contested developments in Sports Law: Ambush marketing and ticket touting", paper presented at the Faculty of Law, Mona 3rd Annual Symposium on Law, Governance and Society, Meliã Braco, Trelawny,

Jamaica, June 9 to 11, 2017.

- "Revenge Porn: A Caribbean perspective", paper presented at the Jamaica Bar Association Mid-Year Conference, The UWI Regional Headquarters, Kingston, Jamaica, 2017.
- Panellist at the Annual Norman Manley Lecture, Norman Manley Law School, Jamaica: "Sports and the Law: Implications for the Economic Landscape of Jamaica" 2017.
- "Combatting 'Revenge Porn: A Comparative Approach", paper presented at the CPE British Pacific Conference, London, United Kingdom, 2017.

COLEEN B. LEWIS

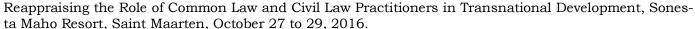
- Facilitator, Conduct Proceeds of Crime, Terrorism Prevention and Due Diligence Training of the Volunteers and Staff, Educom Cooperative Credit Union Limited, November & December 2016.
- Panellist, Jamaica Women in Theatre Festival, Kingston, Jamaica, March 13 to 19, 2017.
- "Criminal defamation and malicious communications compared", paper presented at the Faculty of Law, Mona 3rd Annual Symposium on Law, Governance & Society, Meliã Braco, Trelawny, Jamaica, June 9 to 11, 2017.

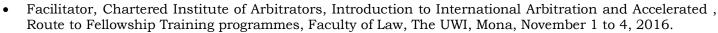




CHRISTOPHER MALCOLM

- Facilitator, Supreme Court of Belize, The UWI Open Campus and Charted Institute of Arbitrators, Court-Connected Arbitration Training, Belize City, Belize, October 2 to 6, 2016.
- "The Compliance Implication of the Jamaican Banking Services Act: Is there a Conduct of Business Regulation Agenda Being Ushered In?", paper presented at the 5th Annual Money Laundering/ Counter-Financing of Terrorism Conference Understanding our Obligations ... Safeguarding our Future, organized by the Jamaica Bankers Association in partnership with the Jamaica Institute of Financial Services (JIFS), Jamaica Pegasus Hotel, Kingston, October 10 to 11, 2016.
- Plenary Session Chair, 4th Biennial Conference of the Caribbean Academy for Law and Court Administration (CALCA) in partner-ship with the General Legal Council: Law at the Crossroads –





- Keynote Speaker "Chaos The New Normal, And the US is now a Known Tax Haven: So What?", Caribbean Regional Compliance Association Conference, Santa Barbara Beach and Golf Resort, Curacao, November 10 to 11, 2016.
- Facilitator, Chartered Institute of Arbitrators Accelerated Route to Membership Training programme, Port of Spain, Trinidad and Tobago, December 1 to 3, 2016.
- Presenter, Jamaica Chamber of Commerce Sensitization for Arbitration Meeting with the Board of Directors, Richmond Park Great House, Kingston, May 18, 2017.
- Technical Advisory Team Member (Jamaica), Advised the Minster of Justice and assisted the drafting, carriage in Parliament and implementation of the Arbitration Act 2017.
- Presenter, Caribbean Tech Entrepreneurship Programme, Caribbean Climate Innovation Centre, Your Business and the Law A Primer for Success, Kingston, Jamaica, May 4, 2017.
- Presenter "Your Business and the Law A Primer for Success", Caribbean Tech Entrepreneurship Programme, Caribbean Climate Innovation Centre, Kingston, Jamaica, May 4, 2017.
- Presenter "De-Risking to a Fault: After Oblivion then what?", Conference in Honour of Professor Joseph J. Norton, Part II, Karcher Auditorium SMU Dedman School of Law Dallas, Texas, USA, May 4-5, 2017.
- Observer, Forty-Seventh (2017) Annual Meeting of the Caribbean Development Bank's (CDB's) Board of Governors, Turks and Caicos Islands, May 24 to 25, 2017.
- Panellist "Alternative Dispute Resolution", Faculty of Law, Mona 3rd Annual Symposium on Law, Governance and Society, Meliã Braco Village, Trelawny, Jamaica, June 9 to 11, 2017.
- Presenter "Termination of Bank Accounts Fast Forward from Olint v NCB", General Legal Council Seminar, , Harbour Street, Kingston, Jamaica, June 14, 2017.
- Facilitator, Jamaica Business Development Corporation, Second Mobile Business Clinic, Hibiscus Lodge, Ocho Rios, Jamaica, July 12, 2017.
- Panellist, International Chamber of Commerce (ICC) Conference in Jamaica, Boosting the Use of Arbitration in the Caribbean, Round Table Discussion, The New Arbitration Law in Jamaica, Kingston Jamaica, August 28, 2017.
- Guest Lecturer at the University of Miami, School of Law 2017/18 LL.M. Class, *The Model Law In Jamaica: Justifying he Implementation in the Context of an Economic Development Agenda*, Miami, November 7, 2017.





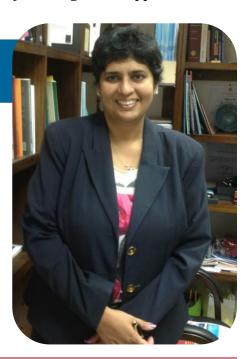


JANEILLE MATTHEWS

- "Why Pro Bono and Social Justice Lawyering/Legal Services Matter in the Caribbean." Moderator of Roundtable and Small-Table Discussion held at "Caribbean Social Justice & Pro Bono Lawyering Meeting: Everybody is Somebody," Sponsored by Faculty of Law The University of the West Indies Rights Advocacy Project, Port-of-Spain, Trinidad, December 1 to 2, 2016.
- "What's Past is Prologue: Crime and Gender in Post-Colonial Antigua and Barbuda, paper presented at "Gender Equality in Antigua and Barbuda," Sponsored by The University of the West Indies, Open Campus Antigua and Barbuda, The Antigua and Barbuda Studies Association and the Antigua and Barbuda Youth Enlightenment Academy, St. John's, Antigua, August 11 to 12, 2016
- Faculty of Law University of the West Indies Rights Advocacy Project Research Coordinator and Team Member responsible for direction and oversight of objective research that generates independent, high quality and reproducible results. Responsible for management and integrity of research design.
- U-RAP launched ground-breaking litigation in Belize and Guyana to uphold the human rights of those who face discrimination based on sexual orientation and gender identity working closely with public law attorneys in the region and regional LGBT organizations.
- U-RAP Work in Belize Caleb Orozco successfully challenged the constitutionality of Belize's 'unnatural crime'. The legal team coordinated by U-RAP continues to act on behalf of Orozco and UNIBAM, which is the main LGBT organization in Belize and an interested party in the litigation. This case has attracted wide spread international attention and there are six other interested parties to the litigation.
- U-RAP Work in Guyana U-RAP coordinates litigation in Guyana brought on behalf of four transgendered persons convicted of cross-dressing and an LGBT organization SASOD. The litigation challenges the constitutionality of the vagrancy crime of cross-dressing. U-RAP is currently working on the appeal.

SHAZEEDA ALI

- Panellist "Countering Cybercrime through Money Laundering Regimes", 4th International Association of Prosecutors (IAP) North American and Caribbean Regional Conference, Montego Bay, Jamaica, November 3, 2016.
- Member of the International Association of Prosecutors (IAP) since November 2016
- Editorial "Law, Governance and Society-the 'Holy Trinity' of Civilisation" in Journal of Law, Governance and Society 2017, 1-2, iv to vi.
- Editorial "Security and Justice: Global Priorities or Universal Dreams?" in Journal of Law, Governance and Society 2017, iv to v.







TRACY ROBINSON

- "Committee Jurisprudence and General Comments 32 and 35 on Fair Trial, Liberty and Security of the Person", paper presented at the International Human Rights Seminar for the Judiciary, convened by the Office of the Chief Justice and supported by the UN in Jamaica, Kingston, 2016.
- "Without Fear or Favour: Judicial Independence, Separation of Powers and the Power of the Purse in Small States in the 21st Century", feature address presented at the OECS Bar Association's 13th Regional Law Conference, St. Lucia, 2016.
- "Universality, the Caribbean and the Inter-American Human Rights System", paper presented at 1er Encuentro International de Especialistas y Redes del SIDH, "Retos del Sistema Interamericano de Derechos Humanos", organised by the Instituto de Investigaciones Juridicas de la UNAM, Mexico City, 2016.
- "Saving Law: Crime, Constitutions and Decolonisation in the Anglophone Caribbean", paper presented at the British Academy Research Network's Conference on "Crime and its Representation in the Anglophone Caribbean, 1834-2018", UWI Regional Headquarters, Mona, Jamaica, 2017.
- "Legalizing Norms Related to Sexual, Gender and Bodily Diversity in the Inter-American Human Rights System", paper presented at the Yale Law School, Seminario en Latinoamérica de Teoría Constitucional y Polítical/Seminar in Latin America on Constitutional and Political Theory, (SELA) 2017, "The Constitutional Dilemmas of Social Democracy" Quito, Ecuador, 2017.
- "New-old Law in the Postcolony: Regulating Sex in the Anglophone Caribbean", paper presented at The Penn Program on Democracy, Constitutionalism, And Citizenship (DCC), The Tenth Annual Conference, "Citizenship on the Edge: Sex/Gender/Race", University of Pennsylvania, Philadelphia, 2017.
- "Soft legalising in a polarized world: LGBTI persons, human rights and the inter-American human rights system", paper presented at the Transnational Law Seminar, Rutgers Law School, Newark, New Jersey, 2017.
- "Criminalized Sex in the Anglo-Caribbean: Loved Law", lecture presented at the Rutgers Center for Gender, Sexuality, Law and Policy (CGSLP), Newark, New Jersey, 2017.
- T Robinson, Arif Bulkan, 'Constitutional Comparisons by a Supranational Court in Flux: The Privy Council and Caribbean Bills of Rights" article published in the 80 Modern Law Review 379-411, 2017.
- Member, "Committee on Judicial Appointments in Trinidad and Tobago", chaired by Justice Desiree Bernard and established by the Law Association of Trinidad and Tobago to examine the constitutional and other arrangements pertaining to the selection and appointment of judges of the High Court and the Court of Appeal and to make recommendations.
- Commissioner, "Independent Review of Equity and Health inequalities in the Americas", a two-year review which is the first large-scale effort to gather evidence on health inequities in the Region of the Americas, is overseen by a panel of expert commissioners and chaired by Professor Sir Michael Marmot, UCL Institute of Health Equity, and commissioned by PAHO/WHO.



STUDENT ACTIVITIES

ORIENTATION 2017









- 1) Members of the MonaLaw Society pose with the Hon. Marlene Malahoo -Forte, QC, MP, Attorney General and Guest Speaker for Mona Orientation Day 1 on Monday ,August 28, 2017. They are (from left to right) Mr Syldon O'Gilvie, Mr Chad Wynter, and Mr Kyle Wynter.
- 2) New and returning students at Western Jamaica Campus (WJC) Orientation held on Friday, September 1, 2017.
- 3) MonaLaw Dean, Dr Leighton Jackson welcomes new students on Day 1 of Orientation at Mona.
- 4) LLB Coordinator at the WJC Campus, Mrs Sharon Ffolkes-Abrahams, greets new students.



Faculty of Law

Higher Degrees

Research Degrees

Master of Philosophy (MPhil)

USD 2,500 per year - Full Time USD 1,250 per year - Part Time

Doctor of Philosophy (PhD)

USD 2,000 per year - Full Time USD 1,000 per year - Part Time

Research Streams

- Human Rights Law
- International Law
- Law and Governance

Requirements

All applicants are required to submit the following documents to the Office of Graduate Studies and Research for the completion of their application:

- Birth Certificate
- Official Transcripts
- Two completed Referee Reports
 Applicants who wish to pursue the MPhil/PhD are required to submit a research proposal upon applying.

Taught Master's Programmes

1 Year (Full Time) | 2 - 3 years (Part Time) USD 10,000 per programme

The UWI Master of Laws (LLM) Public Law | Corporate & Commercial Law

The University of the West Indies Master of Laws (UWI LLM) programme provides advanced legal education leading to a graduate qualification. It is aimed at legal practitioners, academics, and students of law seeking higher qualifications. A primary objective of the LLM is to increase and elevate the legal expertise of practitioners of law and other professionals engaged in the discipline of law.

Master of Laws (LLM) Intellectual Property in Creative & Cultural Industries

The programme offers students the unique opportunity for specialized study of intellectual property law applied to creative and cultural industries. Creative industries include a wide range of activities, including, for example: music, film and television, broadcasting, animation, video games etc.

This programme is targeted towards marketing professionals, event coordinators, attorneys in the entertainment industry, broadcast and media consultants and more!

Application Status: Open www.mona.uwi.edu/postgrad

For all programmes, applicants may enter in either Semester 1 which starts in September or in Semester 2 which starts in late January.

Tel: 876.927.1855; 876.702.4392 | Email: monalaw@uwimona.edu.jm

WWW.MONA.UWI.EDU/LAW



POSTGRADUATE NEWS



LLM students of the Introductory Intellectual Property Law class on a visit to Tuff Gong International studio. They were joined by Professor John Cross and Mrs Cross (far left) and course lecturer Mrs Natalie Corthésy (far right).



Members of the Introductory Intellectual Property Law class with lecturer Mrs Corthésy (far left) on a visit to the Jamaica Intellectual Property Law Office (JIPO).

MONALAW POSTGRADUATE STUDENTS ASSOCIATION (MLPS)

The MonaLaw Postgraduate Students Association was constituted on October 27, 2016 with Mrs Elaine Campbell-Daenen as the president and Mark Adlam, the vice-president.

The objectives of the group are:

- To provide support for post-graduate law students
- To contribute to present and develop new areas of legal research
- To plan activities around individual and group research projects
- To provide a platform for the publication of individual papers and projects
- To find alternative routes to engage the wider UWI community and the general public with legal research interests
- To develop an international moot competition
- To implement fund-raising activities for post-graduate law students



MONALAW CONSTITUTIONAL LAW TUTORS' FORUM









VOLUME 5 (2017)

From left to right are Constitutional Law lecturer Tracy Robinson, and adjunct tutors Mr Jeffrey Foreman, Ms Dionne Jackson-Miller and Mr Glenroy Murray.

On Monday, February 27, 2017 Mona Law hosted a Tutor's Forum on five topics in the area of Constitutional law namely: 1. The restrictions on the death penalty 2. Savings law clauses 3. Crime prevention, restrictions on bail and separation of powers 4. The ad hominem principle, the big shot cases and separation of powers 5. The value (or not) of referenda as an entrenchment mechanism. These five topics were used as a starting point, all taking current constitutional law debates. Starting with the death penalty meant it was heated to begin but heard a range of views and the tutors all demonstrated their expertise and mastery. In attendance were Ms Dionne Jackson Miller, Mr Jeffrey Foreman and Mr Glenroy Murray. It was a successful and enjoyable session. All the participating tutors concurred.



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STUDENT TALKS: THE PATHWAY TO GRADUATE STUDIES AND SCHOLARSHIPS

On the 19th of January 2017, Mrs Kamille Adair Morgan shared her insights on how students can successfully access, fund, and excel in graduate law programmes. She also discussed how students could distinguish themselves in their applications, identify and secure funding, and prepare themselves today for success in graduate studies.

Mrs Adair Morgan graduated from the Faculty of Law, The UWI Cave Hill in 2009 with First Class Honours. After completing studies at the Norman Manley Law School, she went on to the University of Oxford as a Rhodes Scholar in 2012. There, she earned a Bachelor of Civil Law and a Master of Philosophy in Law, both with Distinction. Kamille is currently pursuing doctoral studies in Public International Law with specific focus on the right of self-defence in the context of terrorist and other non-State actor attacks. She is married to Attorney-at-Law Yushaine Morgan, and has one son, Phillip-Alexander.





On Thursday, January 26, 2017, **Ms Melissa Simms** shared her insights on how students can pursue a career in International Law. Her presentation also provided guidance as to pathways to working in international organizations, focusing on how students can build their candidate profiles from the undergraduate level through to internship. She also had discussions on how to get to international organizations with experience gained locally and regionally.

Ms Simms holds an LLB from The University of the West Indies, Faculty of Law, Cave Hill, and a Masters in Public International Law from the London School of Economics. She was a prosecutor in Jamaica and now a trial lawyer at the International Court (ICC) which is based in the Hague. She specialises in procedural matters before mixed Chambers that rely on Civil and Common Law. Additionally, she conducts investigations and effects prosecution of sexual and gender-based violence in conflict zones.

APPRECIATION FUNCTIONS



The MonaLaw students bade farewell to beloved lecturers, Dr Jason Haynes and Professor Stephen Vasciannie with two parties and citations. Students shared how much they appreciated each lecturer's guidance and how it had contributed to their growth.



STUDENT LIFE







- 1 & 2: MonaLaw students at the 2017 UWI, Mona Homecoming Parade.
- 3: First Year students based on the Western Jamaica Campus (WJC), after a visit to Parliament.
- 4: Members of the Mona Law Society pose with students on a visit to Kingston High School.
- 5: Students from Glenmuir High School pose with their teachers and members of the Mona Law society who accompanied them on their visit to the Faculty.







SPORTS











- 1 to 4: Representatives from the houses show up for the Interfaculty Football Competition during Law Week 2017. Representatives of Barnett House are in red, Carneigi in green, Vasciannie in yellow and Kodilinye in blue.
- 5 to 7: Winners at the 2017 Sports Day Medal Ceremony.



LAW WEEK 2018





- 1: MonaLaw Society President Mr Carl Simpson (right) poses with Judge Patrick Robinson (centre) and Prof. Stephen Vasciannie (left). Judge Robinson delivered a special lecture to the Law Society on "The Existence of a Dispute: A Theory Jurisdiction Issue".
- 2: Coronation night for Mr and Miss Law 2017. The winners were Mr John-Mark Reid and Ms Danielle Watson.
- 3: Law Week 2017 commenced with a church service at Pure in Heart Ministries. Memebrs of the Society are pictured here with Pastor Ryan Mark.
- 4—5:Throwback Thursday. MonaLAw students don their high school uniforms for Law Week.









GRADUATION 2017



LIFE AT MONALAW: CB GROUP/ UWI 5K

Team MonaLaw participated in the Inaugural CB Group/UWI 5K on November 11, 2016. The top male runners were Adriel Williams (3rd Year student), Laron Malcolm, and Jeffrey Foreman (adjunct tutor). The top female runners were Analiese Minott (2nd student), Simone Gardner (3rd student) and Odesha Coates (administration). Ashley Clarke (1st year student), Gilbert Kodilinye (Law Professor) and Yasheka Walters Ellis (aministration) were the top walkers.





CHRISTMAS AT MONALAW

TREE LIGHTING



The bible readings were done by (left to right) Mrs Peta-Gaye McEwan Lewis, Ms Terry-Joe Downer, Ms Christine Broadbelt and Ms Odesha Coates.



LEFT: Ms Afryea Cox & Mr Shajoe Lake doing a rendition of a popular Christmas carol.

BELOW: The tree is finally lit!





STAFF CHRISTMAS LUNCHEON



SAY CHEESE: (L- R): Ms Christine Broadbelt, Mr Andrew Hutchinson and Ms Coleen Lewis are all decked out.



The Gift Wrap Challenge and the challengers: Mrs Natalie Corthésy, Dr Mark Gillis and Ms Odesha Coates.



Let the wrapping begin!



And the winner is...



Ms Rose Cameron collects her prize for winning the "Name the Carol" game.





MONALAW FACULTY 2017 — 2018 ACADEMIC YEAR

FULL TIME FACULTY:

Leighton Jackson (Dean)

LLB Hons (UWI), LLM (Sydney), D Jur (Osgoode)

Shazeeda Ali (Deputy Dean for Graduate Studies, Research & Publications)

LLB Hons (UWI), LLM (Cantab.), PhD (Lond.)

Coleen Lewis (Deputy Dean for Undergraduate Affairs, Teaching & Learning)

BA Hons (UWI), PGDip in Law (Exeter), LLM (Strathclyde)

Celia Brown-Blake (Senior Lecturer)

BA & LLB (UWI), LLM (Lond.), MA & PhD (UWI)

Emir Crowne (Senior Lecturer)

BA (Western), LLB (London), LLM (Strathclyde), LLM (Osgoode Hall), PhD (Anglia Ruskin)

Suzanne Ffolkes Goldson (Senior Lecturer)

BA (Econ.) (York), LLB Hons (UWI), BCL (Oxon)

Christopher Malcolm (Senior Lecturer, Director - Mona Law Institutes Unit)

LLB Hons (UWI), LLM & PhD (Lond.), FCIArb

Tracy Robinson (Senior Lecturer)

LLB Hons (UWI), BCL (Oxon), LLM (Yale)

Kamille Adair-Morgan (Lecturer)

LLB Hons (UWI), BCL (Oxon), MPHIL (Oxon)

Ramona Biholar (Lecturer)

LLB Hons (UBB, UNIZAR), LLM (UUTR), PhD (UUTR)

Rose Cameron (Lecturer)

BA (UWI), MA (Andrews), LLB & LLM (UWI)

Natalie Corthésy (Lecturer)

LLB Hons (UWI), LLM (Lond.)

Gabrielle Elliott-Williams (Lecturer)

LLB Hons (UWI), LLM (Cantab.)

Sharon Ffolkes-Abrahams (Lecturer, LLB Coordinator — Western Jamaica Campus)

LLB Hons (UWI), LLM (Osgoode)

Mark Gillis (Lecturer)

BA (Stanford), JD (UC), LLD (CAUP)

Janeille Matthews (Lecturer)

BA (Villanova), MPA (Harvard), JD (Harvard), PhD (Lond.)

Tenesha Myrie (Lecturer)

BA (UWI); LLB Hons (UWI); MPP (Oxon)

Andre Sheckleford (Lecturer)

BSc (UWI), LLB Hons (UWI), LLM (Cantab.)

ADJUNCT FACULTY:

Justice Roy Anderson, Retired Supreme Court Judge

Carole Barnaby, Parish Judge

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

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

Andre Coore, BSc (Utech), LLB (UWI), LLM (UCL)

Malike Kellier, LLB Hons (UWI), LEC (Norman Manley)

Caprice Morrison, LLM (Lond.), LEC (Norman Manley)



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