



FACULTY OF LAW

50th Anniversary

SPECIAL 50TH ANNIVERSARY EDITION

Volume 9 (2020)



MONALAW REPORT

OPINIO JURIS



Contents

1	Dean's Message	16	MonaLaw 7th Annual Symposium on Law Governance and Society
4	The Evolution of the Faculty		
5	The Beginning	22	JLGS
6	The Monalaw Expansion	23	Public Lectures, Seminars and Fora
9	Through the Years: The Annual Monalaw Symposium	33	Faculty Research & Work 2019-2021
11	MonaLaw 6th Annual Symposium on Law, Governance and Society	37	Student Life
		46	Credits and General Information

Dean's Message



In September 1970, The University of the West Indies (UWI) welcomed its first batch of students into the newly minted Faculty of Law. The faculty was based at the Cave Hill Campus in Barbados but Jamaican students were permitted to do Year One of the Bachelor of Laws (LLB) at the Mona Campus, Jamaica. The first LLB cohort comprised a modest 77 students, with 23 having done their first year at Mona including 3 Bahamians and 3 Belizeans. Today, there exist three law faculties of the UWI as, in 2012, a law faculty was established at the St. Augustine campus in Trinidad and another at the Mona campus, the latter affectionately called "Mona Law." Since that time, each of the three (3) faculties has graduated, annually, approximately 100 to 150 students with the LLB degree.

It was against this background that a high-level committee was established in 1963, under Sir Hugh Wooding's chairmanship, to consider proposals regarding the indigenous training of lawyers. A key recommendation of the Wooding Committee led to the establishment of the Faculty of Law at The UWI, whose principal role in legal education was to be the provision of academic legal training and the organisation of legal research.

The Committee also recommended the establishment of the Council of Legal Education (CLE), which was vested with the responsibility of providing professional legal training at the law schools for persons to qualify for admission to the Bar of participating countries. The CLE gave birth to the Norman Manley Law School in Jamaica and the Hugh Wooding Law School in Trinidad and Tobago, which grant the Certificate of Legal Education. It would be the UWI law faculty that would provide persons with the requisite law degree to segue into the law schools.

When the UWI law faculty was set up in 1970, it was in response to a demand for more lawyers in the region and, in particular, a need for home-grown legal practitioners. Until then, all lawyers had to be trained in the UK. This resulted in the legal profession being pursued only by the few who could afford to study abroad, exposing it to labels of elitism. Moreover, those lawyers were being schooled purely in English law and, thus, gained no special knowledge of the laws of the Caribbean until they returned home to practice.

As part of the effort to provide legal education beyond the scope of the degree programmes, MonaLaw has recently commenced certificate training in Tourism and the Law, for stakeholders in the tourism industry. Also, in 2020, MonaLaw was accredited by the General Legal Council (GLC) to provide programmes for legal practitioners to gain Continuing Legal Professional Development (CLPD) credits. These are awarded through attendance at seminars and symposia hosted by the faculty.

Dean's Message

In addition, the research output of faculty members is exemplary; manifested by numerous publications and conference presentations. Collectively, these initiatives contribute to the development of Caribbean law and jurisprudence.

Another outcome of the Wooding Committee was the amalgamation of the legal profession, which was characterized by a dichotomy between barristers and solicitors. This bifurcation had further diluted the profession's suitability, as several jurisdictions had too many of one branch and not enough of the others. By the mid-1970s, most Commonwealth Caribbean countries had prescribed the profession's fusion into a new species of lawyer- the attorney-at-law; the nomenclature in existence today.

There exists a co-relationship between the education and regulation of legal professionals. To maintain high standards and ensure its integrity, it is essential that great care is exercised when approving the entry of applicants to the profession. Consequently, the GLC retains the jurisdiction under the Legal Profession Act to determine whether, in addition to satisfactory completion of the academic and professional training, the graduate seeking admission to the profession as an attorney-at-law is of "good character."

As the regulator for attorneys-at-law, the GLC remains vigilant in monitoring lawyers during their practice and ensuring compliance with the governing Canons of professional ethics. This comprehensive regulatory system means that attorneys may be subjected to disciplinary proceedings for contravention of the ethical principles and sanctioned for professional misconduct. The process ensures that attorneys uphold the honour and dignity of the profession.

Although there are nearly 3000 attorneys-at-law in Jamaica, with about 2200 in active practice, on average, each year only a handful need to be either suspended or disbarred. Therefore, although the legal profession is often maligned, in reality it is a very small minority whose misconduct tends to bring it into disrepute. This data would indeed confirm that the vast majority of lawyers are, indeed, well-behaved or, at the very least, well educated and regulated.

All the above should be viewed amidst the original landscape of creating a "scheme of training in legal skills and techniques", whilst recognizing the impact of law as "an instrument of orderly social and economic change". In a society plagued by crime and violence, corruption and cries of injustice, who better to help right these wrongs than a cadre of well-qualified ethical lawyers who can relate to the plight of the citizens.

It is, therefore, noteworthy that The UWI law faculty has produced many stellar graduates, some of whom have held, or presently hold, high-ranking positions in all arms of government. Many have occupied key legal posts, such as Attorney General, Solicitor General, Director of Public Prosecutions, Chief Justice or President of the Court of Appeal. There are graduates in senior positions in regional and international bodies, including the Caribbean Court of Justice, CARICOM and the IMF. Needless to say, there are numerous UWI law graduates playing pivotal roles in the private sector, the financial services industry and academia.

Dean's Message

These achievements are worthy of celebration during the faculty's 50th year of evolution. When the Hong Kong University Law Faculty turned 50 in 2019, the event was marked by a Gala Dinner, complete with musical performances. Similarly, in 2018, the University of Windsor hosted a Champagne Breakfast to commemorate this milestone. Alas, in the midst of a pandemic, MonaLaw's celebratory appetite has to be subdued so, instead, we propose to prepare an intellectual feast, by way of virtual public seminars and special publications.

Half a century ago, we began our journey as one faculty. Even though we are now three faculties on three campuses, we remain united by our common heritage and our bond of being a part of the One UWI, One Caribbean destiny.

Here's to the next 50 years!

Professor Shazeeda Ali
Dean, Faculty of Law, Mona

**An Excerpt of this message
was featured in the Sunday
Observer, May 23, 2021.*





The Evolution of the Faculty of Law



THE BEGINNING

The University of the West Indies (UWI) welcomed its first batch of students to the Faculty of Law in September 1970. The then Faculty's programme would include a course in West Indian history and a course in the social sciences. These courses were intended to make students aware of the unique peculiarities of West Indian society. Fortified with what was then considered to be a broad education, the new professional would be equipped to go forth and forge a new West Indian jurisprudence, a mission which was heavily emphasized and encouraged in the early years of the Faculty.

Initially, the UWI Faculty of Law was wholly based at the Cave Hill Campus in Barbados. However, despite not offering the Bachelor of Laws (LLB) programme, there existed a small office in the Mona Faculty of Humanities and Education where MonaLaw can be said to have its genesis.

Soon thereafter, Jamaican students were permitted to do Year One of their LLB at the Mona Campus, Jamaica. At this point, the Faculty moved to inhabit a section of the Mona School of Business and Management. Here, MonaLaw expanded to occupy four offices as well as a photocopy and reception area. The only full-time academic staff at the time were Dr. Derrick Mckoy, Dr. Christopher Malcolm, Mrs. Suzanne Ffolkes-Goldson and later on, Dr. Natalie Corthésy. In addition to the academic staff, the Faculty had in its employ an administrative assistant and two office attendants.

From there, MonaLaw switched locations in 2009, moving into the Old Printery Building at the University of the West Indies, Mona. The Faculty now possessed a large lecture room, its own bathrooms, two small tutorial rooms, a few offices, a gazebo, a lunch area for students and vending machines, which were the source of much excitement amongst the cohort. Though humble, this upgrade was described as "a mansion compared to where the Faculty was coming from". It was MonaLaw's first time with its own space; the Old Printery Building wasn't large by any means, but it was their own.

Notably, MonaLaw had moved into the Old Printery Building with the intention of moving into the current building in time for September 2010. However, due to construction delays, the new building wasn't completed in the scheduled six months. Nevertheless, in January 2011, under the leadership of Dr. Derrick Mckoy, MonaLaw attained full faculty status and moved into the current state of the art building we call home today. The journey to get there was long and full of sacrifices but was concurrently characterized by growth and progress which continues today.

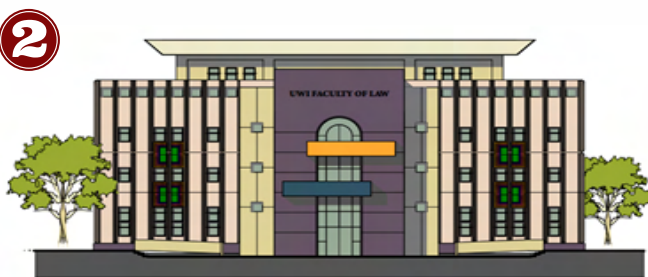


The Monalaw Expansion

The Faculty of Law has been present at the Mona Campus since 1970. Back then, the UWI intake from Jamaica was forty (40) students subsidized by Government subventions who would take their First Year at Mona and transfer to Cave Hill for the final two years of the Bachelor of Laws (LLB) programme.

However, effective September 2009, The University of the West Indies gave students the option of pursuing their undergraduate Law degree (LLB) at the Mona Campus. Under this arrangement, the Mona Campus admitted a further one hundred (100) students who would take the entire three years of the degree at Mona; approximately thirty (30) of those students would take their First Year at the Western Jamaica Campus of UWI Mona, transferring to the Mona Campus for the final two years.

Even with this, further expansion was in the works. By 2010, the construction of UWI Mona's Faculty of Law Building was underway.



PHOTOS: (1) Architect's Impression: Side elevation of the Faculty of Law to be established at the University of the West Indies, Mona Campus (2) Architect's Impression: Front elevation of the Faculty of Law to be established at The University of the West Indies, Mona Campus (3) Architect's Impression: Front elevation of the Faculty of Law to be established at The University of the West Indies, Mona Campus

The Grand Opening of the Faculty of Law

The new, state of the art Faculty of Law building was officially opened on Thursday, November 3, 2011 in fine style. The event featured a grand ribbon cutting ceremony which was followed by a tour of the premises and a cocktail party on the roof.



Pictured in Top Row: Distinguished guests cutting the ribbon and entering the new, state of the art Faculty of Law. The Second Row displays Dr. Derrick Mckoy giving a grand tour of the library and lecture theatre. Lastly, the third row features guests surveying one of the lecture theatres and the then Prince Harry making his entrance to the ceremony. The Prince later unveiled a plaque at the new Faculty building to mark the Queen's Jubilee year.



Event Highlights



Through the Years: The Annual MonaLaw Symposium



Monalaw hosted its Inaugural Symposium on Law, Governance and Society at the Hyatt Ziva Rose Hall, Montego Bay from April 24 to 26, 2015. The focus was “Law and Governance in the 21st Century”. Notably in attendance was the then 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 then Contractor General, Mr. Dirk Harrison. Participants noted that the event featured very distinguished panels whose presentations were not only thought-provoking but enlightening and instructive.

On June 3 to 5, 2016, MonaLaw hosted its 2nd Annual Weekend Symposium on Law, Governance and Society at Half Moon, Rose Hall, Montego Bay. The focus for the weekend was “Safeguarding Ethics, Justice and Ideas”. The themes for the Symposium included Professional and Judicial Ethics, Individual Rights and Intellectual Property. The Keynote Address was delivered by the President of the Court of Appeal of Jamaica, The Honourable Mr. Justice C. Dennis Morrison.



On June 9 to 11, 2017, MonaLaw 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 LL.D, 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.

Through the Years: The Annual MonaLaw Symposium



On June 15 to 17, 2018, MonaLaw, hosted its 4th Annual Weekend Symposium on Law, Governance and Society at Spanish Court Hotel in Kingston. The theme for this year was “Development: As the World Turns, So Must the Law”. Some of the sub-themes for the Symposium included International Investment Law, Cryptocurrency, the Right to Development, the Judiciary, Investor Protection, as well as Violence, Trauma and Development. The Keynote Address was delivered by Professor Trevor Munroe, Executive Director of the National Integrity Action and Honorary Visiting Professor, Sir Arthur Lewis Institute of Social and Economic Studies at the University of the West Indies, Mona.



On June 28 to 30, 2019, MonaLaw hosted its 5th Annual Weekend Symposium on Law, Governance and Society at the Melia Braco Village in Trelawny. It was held under the theme “The Triple “R” Strategy: Rights, Remedies and Reputation”. The Keynote address was delivered by Ms. Paula Llewe'lyn, QC, the Director of Public Prosecutions of Jamaica.

MonaLaw 6th Annual Symposium on Law, Governance and Society



In spite of the Covid-19 pandemic, MonaLaw hosted its 6th Annual Weekend Symposium on Law, Governance and Society on November 21 to 22, 2020 via Zoom Webinar.

The Faculty partnered with Gustazos to sell tickets on behalf of MonaLaw as the symposium made its debut on an online platform. As an accredited provider, CLPD credits were also offered for each session.

The theme for this year was **"Law and Justice in a Novel Era."** The sub-themes for this Symposium included Financial Regulation, Corporate Governance, Child Law, and Environ-

mental Law. The Keynote address was delivered by the Honourable Mr. Justice Adrian Saunders, President of the Caribbean Court of Justice (CCJ) in Trinidad and Tobago.

The Panel Chairs comprised of the following: Mrs. Marlene Aldred, Solicitor General of Jamaica; Dr. Celia Blake, Senior Lecturer of the Faculty of Law at the UWI, Mona; Ms. Carol Excell, Attorney-at-law and Director of the Environmental Democracy Index World Resources Institute, Washington DC, United States and Ms. Rose Cameron, the Deputy Dean of Undergraduate Studies and Lecturer of the Faculty of Law at the UWI.

Saturday Highlights



From left: The 'Financial Regulation' Panel - Top Row: Professor Oonagh McDonald, Ms. Ingrid Pusey, and Mr. Marc Morgan; Bottom Row: Mrs. Marlene Aldred chaired this session, aided by Professor Shazeeda Ali who did the welcome.

The session entitled '**Financial Regulation**' explored the issue of financial regulation in relation to protecting other people's money. The session also gave an overview of what occurs now and what will occur in a post-pandemic world.

The latter was explored by Professor Dennis Driscoll from the National University of Ireland Galway in Ireland, and was a timely discussion in light of the current pandemic, as the world attempts to adjust to this new normal.

This session also featured: Dr. Oonagh McDonald, CBE International Regulatory Consultant in the United Kingdom; Ms. Ingrid Pusey, General Counsel at the Financial Services Commission in Jamaica; and Mr. Marc Morgan, Senior Legal Officer at the Financial Services Commission in Jamaica. The session was chaired by Mrs. Marlene Aldred, The Solicitor-General of Jamaica.



From left: the 'Corporate Governance and Book Launch' Panel - Top Row: Professor Poonam Puri, the session's chair Dr. Celia Blake, Mrs. Suzanne Ffolkes Goldson; Bottom Row: Hon. Mr. Justice C. Dennis Morrison and Justice Andrew Burgess.

The session on '**Corporate Governance and Book Launch**' explored the evolving issues in Caribbean Corporate Law. Mrs. Suzanne Ffolkes Goldson, Senior Lecturer at the Faculty of Law, UWI, Mona Campus, in her presentation on "*The Jamaican Companies Act: How it Started...How it's Going*," explored Jamaica's experiment with the Canadian model of Company Law and the challenges it faced. In addition, Justice Andrew Burgess, Judge of the Caribbean Court of Justice of Trinidad and Tobago, examined the New Companies Legislation development in Commonwealth Caribbean Courts.

The session also featured presentations from the following: The Hon. Mr. Justice C. Dennis Morrison, President of the Court of Appeal of Jamaica; and Professor Poonam Puri, Professor of Law at Osgoode Hall Law School and York University in Canada. This session was chaired by Dr. Celia Blake, Senior Lecturer at the Faculty of Law, UWI, Mona Campus.

This session also doubled as a launch for the recently published book titled "**Business Principles: 'A Guide to the Jamaican Companies Act,'**" which was authored by Mrs. Suzanne Ffolkes Goldson. Mrs. Ffolkes Goldson described the publication as a survey of the Jamaican Companies Act when it was first introduced over fifteen years ago as well as a review of the current status of the provisions and how the jurisprudence is evolving.

Event Flyers



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



MONALAW 6TH ANNUAL SYMPOSIUM
ON
LAW, GOVERNANCE & SOCIETY

*Law and Justice
in a
'Novel' Era*

SAT. SUN.
NOVEMBER • 21-22 • 2020
(VIRTUAL)




CONTACT US:
(876) 927-1855/702-4392/856-9311
monalawsymposium@uwimona.edu.jm
www.mona.uwi.edu/law
CLPD Accredited

Environmental Law

Child Law

**Financial Regulation
Corporate and Commercial Law**

Sunday, November 22, 2020.

12:00pm-2:00pm
**CONVENTIONS AND THE LAW:
PROTECTING OUR CHILDREN**

Mr. Ignacio Goicoechea, Principal Legal Officer,
Permanent Bureau, Hague Conference on Private
International Law , The Netherlands

Mr. Rodje Malcolm, Executive Director of
Jamaicans for Justice, Jamaica

Mrs. Diahann Gordon Harrison, Children's
Advocate of Jamaica, Jamaica

Mrs. Sharon Milwood-Moore, Senior Deputy
Director of Public Prosecutions, Jamaica

Justice Sahai Maxwell-Whittingham, Parish Court
Judge, Jamaica

9:30am-11:30am
**THE DEVELOPMENT OF JURISPRUDENCE
IN ENVIRONMENTAL LAW**

Mr. Phillip Cross, Attorney-at-Law

Ms. Laleta Davis-Mattis, University Counsel &
Adjunct Lecturer, Faculty of Law, UWI Mona

Mr. Jeremy Taylor, QC, Senior Deputy
Director of Public Prosecutions

Professor Michael Taylor, Dean, Faculty of
Science and Technology, UWI Mona

Event Flyers

CORPORATE BUSINESS PRINCIPLES
A Guide to the Jamaica Companies Act
 SUZANNE FOLKES GOLDSON



The company law landscape is constantly changing and evolving. Since the introduction of the Companies Act 2004, some four decades in the making, law and practice continue to change to meet the needs of a rapidly developing arena; evidenced by the introduction of the Companies (Amendment) Acts of 2013 and 2017, the Security Interests in Personal Property Act 2013 and the Insolvency Act 2014.

In *Corporate Business Principles*, Suzanne Ffolkes Goldson breaks down the legislation and provides an accessible guide to Incorporation, Corporate Finance, Corporate Management, Remedies and Winding Up.

Buttressed by contemporary local and Commonwealth case law, commercial law practitioners, company directors and officers, and students will find *Corporate Business Principles* an ideal handbook on company law in Jamaica.


Suzanne Ffolkes Goldson is an Attorney-at-Law and Senior Lecturer in the Faculty of Law at The University of the West Indies, Mona.

Electronic version
 Includes the Full Text of
 • The Companies Act 2004
 • Amendments 2013 and 2017

Available on
 
 US\$30.00 JAS\$4,500.00

JAS\$6,000.00*
 978-976-9628-32-8 hbk
 6" x 9" / 150 pgs
 *Prices are subject to change without notice

AVAILABLE FOR DELIVERY IN NOVEMBER

 16 Herb McKenley Drive,
 Kingston 6, Jamaica, W.I.
 Telephone: (876) 978-4739; 978-4745
 www.iawandpublishers.com
 Email: info@iclawbooks.com

BOOK LAUNCH
 Sat. Nov. 21 12:00pm-2:00pm
 under the theme
'Evolving Issues in Caribbean Corporate Law'



SUZANNE FOLKES GOLDSON

BOOK LAUNCH
 Saturday, November 21, 2020.
 12:00pm (Jamaica), 1:00pm (EC)
<https://youtu.be/kicZmLrnP-0>



Suzanne Ffolkes Goldson
 (Senior Lecturer, Faculty of Law, UWI, Mona)

CORPORATE BUSINESS PRINCIPLES
A Guide to the Jamaica Companies Act

Includes the Full Text of
 • The Companies Act 2004
 • Amendments 2013 and 2017

'Evolving Issues in Caribbean Corporate Law'
Panellists


Hon. Mr. Justice Andrew Burgess
 (Judge of the Caribbean Court of Justice)


Hon. Mr. Justice C. Dennis Morrison
 (President of the Court of Appeal, Jamaica)


Professor Poonam Puri
 (Professor of Law, Osgoode Hall Law School, York University, Canada)

Sunday Highlights



Photo 1: Mr. Rodje Malcolm, Executive Director of Jamaicans for Justice, presenting on the issue of Children in Lockups during the Session on 'Conventions and the Law: Protecting Our Children.'

Photo 2: From Left - The other Panelists for the Session 'Conventions and the Law: Protecting our Children' - Top Row: Ms. Rose Cameron who chaired the session, Mr. Ignacio Goicoechea, and Mrs. Diahann Gordon-Harrison; Bottom Row: Justice Sahai Maxwell and Mrs. Sharon Millwood-Moore.

Photo 3: The Panelists for the session 'The Development of Jurisprudence in Environmental Law'. From left: Top Row: Mr. Phillip Cross, Ms. Carol Excell who chaired this session, and Professor Michael Taylor; Bottom Row: Mr. Jeremy Taylor and Mrs. Laleta Davis-Mattis.

The Session entitled '**The Development of Jurisprudence in Environmental Law,**' reflected on where Jamaica is on the Journey of developing a strong Jurisprudence in relation to Environmental Law. The session's chair, Ms. Carol Excell, Attorney-at-Law and Director of the Environmental Democracy Index World Resources Institute in Washington DC, stated that whilst there are very rare cases in Jamaica, there has been a lot of innovative, judicial treatment on the environment both through the use of the common law, and the constitutional right to a healthy environment, which was introduced in the new 2011 Charter of Rights.

The final Session '**Conventions and the Law: Protecting our Children,**' explored crimes against children such as child trafficking and sexual crimes, children in lockups, as well as the laws and conventions implemented to protect children. Mrs. Diahann Gordon-Harrison, Children's Advocate of Jamaica, in her presentation on Child trafficking, examined a 2016 Global Survey which reflected that 71% of the victims of Human Trafficking were women and children. She also highlighted that there are several Global Initiatives, such as the UN Transnational Organized Crime Convention, which were implemented to fight human trafficking.



MonaLaw 7th Annual Symposium on Law, Governance and Society

*'Celebrating and Surviving- UWI Law 50 Years and Beyond'
Zoom Webinar, June 25- June 27, 2021.*

MonaLaw hosted its 7th Annual Symposium on 'Law, Governance and Society,' on Friday, June 25 - Sunday, June 27, 2021 via Zoom Webinar. This Symposium was one of the several events used to commemorate the 50th Anniversary of UWI Law in the anniversary Academic Year 2020/2021. Accordingly, it was only fitting that the theme for this Symposium was **'Celebrating and Surviving - UWI Law 50 Years and Beyond.'** On June 25, the Symposium kicked off with a Virtual Reception commemorating the first graduating class of UWI Law, the Class of 1973!

This Reception was moderated by Mrs. Suzanne Ffolkes Goldson (top left), Senior Lecturer at the Faculty of Law, UWI Mona and featured several reflections by members of the class of '73, on their Contributions to Law, Governance and Society, Legal Education, Public Service, the Bar, and the Bench.

The keynote speaker was Dr. Derrick Mckoy (top right) CP, JP, First Dean of the UWI Faculty of Law, graduate of class of '73 and senior lecturer at the Faculty for many years.

Dr. Mckoy began by noting the great distinction of the events' participants and the great familiarity that united them all. He paid homage to friends from the Class of '73 that have passed away and stated that their passing has forced him to reflect on how the class has lived the last 50 years.

He dubbed the class of '73 the blessed generation. They were in the right place at the right time. Their education cost them very little and was for the most part paid by someone else. Dr. Mckoy explained that they were selected, funded then educated to socially engineer a new West Indian society, to forge that West Indian identity. He posed the question of whether the investment made in the class of '73 has stood the test of time.

It has. He pointed out that there is no role in the legal and political infrastructure of the Commonwealth Caribbean that members of the class of '73 have not filled with distinction. He paused to note that in the very midst of the virtual reception were two heads of state, the president of not one but two courts of appeal, former ministers and attorneys general.

He went on to highlight that the class of '73 has produced chief justices, prime ministers, ministers of justice and other dignitaries. Further, they have orchestrated institutions such as the CCJ. Dr. Mckoy boasted that their class counts among their numbers women who have led the bar in every Commonwealth Caribbean country.

He stated that the list of accomplishments is long and that the last 50 years have been the best of his life. In closing, he charged the next generation to carry the mantle. Ultimately, because so much was invested in himself and his colleagues, he hopes they can say that they have given back more.

Friday Highlights:

Reflecting with the Class of '73



His Excellency The Governor-General Sir S.W. Tapley Seaton GCMG, CVO, QC, JP, LL.D, Governor-General of Saint Kitts and Nevis, reflected on his Contribution to Law, Governance and Society.

He recalled that in 1980, aged 29, he was appointed Attorney General of a new government succeeding one that had been in office 28 years. His was the challenge to advice novice politicians as to the law. He was able to remain there becoming the longest serving Attorney General in the region. Further, Sir Seaton reminisced on his 10 years of private practice. During this time, he hosted "The Constitutional You" on the radio where he broke down every chapter and provision of the constitution.

Sir Seaton was invited to be Governor General in 2015. He feels that his public service must be given as a way to repay society for the investments made in him. He closed by inviting legal graduates to regain the spirit of public service and giving back to their communities so that the contribution of the faculty of law will be an enduring one.



Her Excellency The Governor-General Dame Sandra Mason, Governor-General of Barbados, recalled the journey from 1970 along with the collegiality and camaraderie enjoyed during the years at Cave Hill. She remembered how the establishment of the law faculty unearthed a plethora of doubting Thomases. There was general conjecture as to whether anything good would come out of the UWI Faculty of Law.

Despite this, she stated that the class of '73 had no such reservations. They were eager and full of confidence that they would make their mark on the region. And that they did. Dame Mason noted the number of Q.C.s, high court and court of appeal justices, chief justices, attorneys general, ministers of justice, governors general and presidents that came from the Faculty. She also highlighted the "jewel in their crown", the Caribbean Court of Justice, where 6 of the 7 judges are products of the UWI Faculty of Law.



The Hon. Mr. Justice C. Dennis Morrison OJ, President of the Court of Appeal of Turks and Caicos Islands and Former President of the Court of Appeal of Jamaica, reflected on his Contribution to the Bench. In 2004, he was asked to accept a judicial appointment on the court of appeal in Belize. This experience changed his life. It led him to realize that judicial work had its own rewards and was one simple way of fulfilling his need to give back.

He then went on to spend 12 years at the Court of Appeal in Jamaica where he saw first hand the contribution of the Faculty of Law to the transformation of the judiciary across the region. UWI Law Alumni accounted for several chief justices and leaders of the judiciary. He stated that one of the region's greatest achievements is the establishment of the CCJ and beamed that almost every judge there is a graduate of UWI. In closing, Justice Morrison expressed his pride seeing the celebration of the UWI Law legacy.



Friday Highlights Cont'd: Reflecting with the Class of '73

Mr. Stephen Shelton, QC and Attorney-at-Law at Myers, Fletcher & Gordon in Jamaica (picture 1), reflected on the Class' contribution to the Bar stating that they have distinguished themselves and have been leaders and exemplars in the many areas of the law in the region and in other jurisdictions. He noted the Class' significant leadership at the Bar with the appointment of numerous Judges, Senior and Queens Counsel as well as Directors of Public Prosecutions, Attorneys and Solicitors General Director of State Proceedings and Crown Counsels. He also reminisced on the fact that members of the class were featured in and responsible for several landmark cases that are now referred to and relied on in other Jurisdictions.

Mr. Clement Lashley, QC, Attorney-at-Law at Epworth Chambers in Barbados (picture 2), expressed that the class has come a long way in the last 50 years. He reminisced on his role in creating history when he appeared before the CCJ in its first case, 001 of 2005 Barbados Rediffusion Service Limited v Asha Mirchandani, Ram Mirchandani, McDonald Farms Ltd. Mr. Lashley noted that we are now in a position where we have an ever-increasing body of West Indian law and that it is the duty of the judiciary to preserve it, improve it and to make it even more vibrant. He went on to express his pleasure to be associated with his distinguished colleagues and wished his colleagues of the class of '73' good luck, good fortune and long life.

Mr. Langston Sibblies from the Judicial and Legal Services Commission in the Cayman Islands (picture 3) reflected on the skepticism in the 1970s as to whether the "home grown" lawyers would be as good as their English trained counterparts. He stated that by the early 1980's much of these doubts were dispelled as members of the class of '73 started to emerge as leaders at the bar, in Government and in all facets of professional social and political life in their respective jurisdictions. Mr. Sibblies went on to acknowledge the contribution and distinction of his colleagues in the areas of politics and government, the judiciary, legislative drafting, Law Reform, advocacy and academia. He paid homage to members of the class that have passed on and charged the Class of '73 to lead the way in further enhancing and enforcing high levels of professional standards for lawyers which have too often been found wanting in recent years.



Friday Highlights Cont'd: Reflecting with the Class of '73

Mr. Henry Dyer, Barrister-at-Law and Solicitor, and Former Attorney General of Dominica (picture 1), stated that the members of the Class of '73 are trailblazers and have made great progress in fulfilling their dreams for the region. However, in his reflections, he emphasized the need for persons to join the legal public service as well as the accompanying need for the government to adequately compensate members of the legal profession if they are to make public service their career. Mr. Dyer reminisced on his time in the legal civil service as DPP, AG and Chairman of the Appeal Planning Board. This experience allowed him to see how important it is for the governments legal departments to be filled with qualified people. He stated that the question of lay-magistrates should be something of the past. In closing, he noted that great strides have been made and must be kept up but that the road ahead is still difficult and there's lots of work to be done.

Rev. Deacon Maurice Saunders, Head of the Legal Aid Clinic at the Norman Manley Law School (picture 2) reflected on the Faculty's contribution to Legal Education. He saluted the Class of '73; a special class of pioneers who were bold enough to have taken the risk to present themselves at the starting line in 1970 and made the journey towards the finish line in 1973. Further, he stated that the contribution of the Faculty's graduates to legal education has been achieved through their participation in public life, in government, and governance generally. He noted that the alumni has also contributed to the life of the now very active Bar Associations as well as to the legal education and sensitization of our peoples about the legal framework in which we live and function. Rev. Saunders expressed that what began as an 'experiment' of sorts in West Indian legal education and training, has been a resounding and continuing success. However, he highlighted that amidst this success, there is more to be done. He recognized that the inclusion of those schools of thought grounded in Natural Law, the thinking of St. Thomas Aquinas, and other modern day philosophers is missing from our academic discourse. He urged the need for caution but expects that the success of Mona Law and the Faculty will continue in the years ahead.

This reception ended on a high note with a Toast to the Class of '73 from Professor Shazeedi Ali, Dean of UWI Law, Mona Campus (picture 3), and the Mona Law Team. In addition, all attendees were virtually serenaded with a beautiful song selection by Joshua Page, a talented third year student of the UWI Law, Mona Campus.



Session I: Legal Profession and Judicial Ethics - The Ethical Lawyer and Judge

Session I Panel pictured from left: Professor Shazeeda Ali, Dean, Faculty of Law, UWI Mona, Mrs. Jacqueline Samuels-Brown, QC, Commissioner, Regional Judicial and Legal Services Commission, Caribbean Court of Justice, Mrs. Daniella Gentles-Silvera, Chairman, Disciplinary Committee, General Legal Council; Partner, Livingston Alexander & Levy Jamaica, Hon. Mr. Justice Vasheist Kokoram, Judge, Court of Appeal, Trinidad and Tobago and the Hon. Mr. Justice C. Dennis Morrison OJ CD, President of the Court of Appeal, Turks and Caicos Islands; Former President of the Court of Appeal, Jamaica

The Session entitled '**Legal Profession and Judicial Ethics**,' explored the Canons of Professional Ethics that govern the legal profession, and the range of ethical issues that may arise. Mrs. Daniella Gentles, Chairman of the Disciplinary Committee of the General Legal Council and Partner at Livingston, Alexander & Levy, reflected on several ethical breaches that have been committed by Attorneys. In addition, The Hon. Mr. Justice C. Dennis Morrison, OJ. CD, President of the Court of Appeal of Turks and Caicos Island and the Former President of the Court of Appeal of Jamaica, presented on reconciling judicial ethics, accountability and independence.

This session also featured other distinguished members of the legal fraternity including Mrs. Jacqueline Samuels-Brown, QC, Commissioner of the Regional, Judicial and Legal Services Commission of the Caribbean Court of Justice; and The Hon. Mr. Justice Vasheist Kokoram, Judge at the Court of Appeal of Trinidad and Tobago. The session was chaired by Dr. Shazeeda Ali, the Dean of the Faculty of Law of UWI Mona Campus.

SATURDAY HIGHLIGHTS



Session II: Today's Law of the Sea

Session II Panel pictured from left: Judge Kathy-Ann Brown, International Tribunal for the Law of the Sea, Hamburg, Germany, Dr. Martins Paporinskis, Reader, University College London, London, United Kingdom, Dr. David Berry, Former Dean, Faculty of Law, Cave Hill Campus, Barbados, Professor Robert Volterra, Partner, Volterra Fietta, London, United Kingdom and Professor Stephen Vasciannie Faculty of Law, UWI, Mona

The Session on '**Today's Law of the Sea**,' explored the issues affecting today's law of the sea. This session also took a detailed look at Dispute Settlement under Part XV of the Law of the Sea Convention. The latter was explored by Judge Kathy-Ann Brown from the International Tribunal for the Law of the Sea in Hamburg, Germany. In addition, Dr. Martins Paporinskis from Reader, University College of London in London, United Kingdom, gave an in-depth examination of sea level rise issues in International Law.

This Session also featured Dr. David Berry, the Former Dean of the Faculty of Law, Cave Hill Campus in Barbados; and Professor Robert Volterra, Partner at Volterra Fietta in London, United Kingdom. The session was chaired by Professor Stephen Vasciannie from the Faculty of Law, UWI, Mona Campus.

SUNDAY HIGHLIGHTS



The session on **'Tourism and the Law, 2021 and Beyond,'** explored issues affecting tourism and the law on the area. Mr. Donovan White, the Director of Tourism at the Jamaica Tourist Board, gave a comprehensive examination of how Covid-19 has affected tourism, as well as tourism's response and the way forward. Additionally, Professor Gilbert Kodilinye, Professor Emeritus at the UWI, and Attorney-at-Law at KodLaw in Barbados, gave a detailed presentation on Personal Injury and Negligence in Caribbean Hospitality Law.

This session also featured presentations from Ms. Helen Liu, Attorney-at-Law, at Myers, Fletcher & Gordon in Jamaica; and Mrs. Carla-Anne Harris Roper, the Principal Consultant of Employment Matters Caribbean in Jamaica. The session was chaired by Mrs. Sharon Ffolkes Abrahams, Lecturer and Faculty of Law Programme Coordinator of UWI, Western Jamaica Campus.

Session III: Tourism and the Law 2021 and Beyond

From left: Mrs. Sharon Ffolkes Abrahams, Lecturer and Faculty of Law Programme Coordinator, UWI WJC, Mr. Donovan White, Director of Tourism, Jamaica Tourist Board, Professor Gilbert Kodilinye, Professor Emeritus, The UWI and Attorney-at-Law, Kodlaw, Barbados, Ms. Helen Liu, Attorney-at-Law, Myers, Fletcher & Gordon, Jamaica and Mrs. Carla-Anne Harris Roper, Principal Consultant, Employment Matters Caribbean, Jamaica.



The session entitled **'Sports Law: Lex Olympica - Leveling the Playing Field,'** explored an eclectic range of issues affecting sports law. Dr. Jason Haynes, Co-author of the book 'Commonwealth Caribbean Sports Law, and the Deputy Dean at the Faculty of Law, Cave Hill Campus in Barbados examined Controversial Clauses in Sports Contracts including the Force Majeure Clause and the No Disrepute Clause.

The session also featured presentations from Ms. Toni-Ann Smith, Attorney-at-Law of International Sports Law in Jamaica; Mr. Christopher Samuda, President of the Jamaica Olympic Association and the Jamaica Paralympic Association; and Justice Hugh Fraser, Canadian Olympian, Judge and Arbitrator of the Court of Arbitration for Sport in Switzerland. The session was chaired by Mr. J. Tyrone Marcus, Sports Law Consultant and co-author of the book 'Commonwealth Caribbean Sports Law.'

Session IV: Sports Law: Lex Olympica Leveling the Playing Field

From left: Mr. J. Tyrone Marcus, Sports Law Consultant and Co-author of the book 'Commonwealth Caribbean Sports Law, Ms. Toni Ann Smith, Attorney-at-Law, International Sports Law, Jamaica, Mr. Christopher Samuda, President of the Jamaica Olympic Association and the Jamaica Paralympic Association, Dr. Jason Haynes, Co-author of the book 'Commonwealth Caribbean Sports Law' and Deputy Dean, Faculty of Law, Cave Hill Campus, Barbados and Justice Hugh Fraser, Canadian Olympian, Judge and Arbitrator, Court of Arbitration for Sport, Switzerland.



JOURNAL OF LAW, GOVERNANCE AND SOCIETY



W W W . U W I P R E S S . C O M

Online access will be available through the following partner



The Journal of Law Governance and Society (JLGS) was established in 2017. It is a double-blind peer reviewed journal owned by The University of the West Indies Faculty of Law, UWI Mona campus. In August 2018, JLGS was included in The University of the West Indies Press' Journal of the Caribbean programme. The JLGS is published once per year and features articles developed from presentations at the annual symposiums on law, governance and society. The editors invite attorneys at law, judges and academics to submit cutting-edge articles of diverse areas of the law relevant to the Caribbean and globally, for publication. The current issue volume 4 is now available!

PRINT-ONLY SUBSCRIPTION RATES FOR 2021

SUBSCRIBER TYPE	TERRITORIES	RATES	SHIPPING & HANDLING
Institutions	North America/Canada	US \$50.00	US \$20.00
	Europe/United Kingdom	US \$60.00	US \$20.00
	Latin America & Caribbean	US \$50.00	US \$10.00
	Rest of the World	US \$70.00	US \$30.00
Corporate	Caribbean	US \$50.00	US \$15.00

Single digital copies for 2020 is available at:

All articles for publication should be submitted the editor's attention at:

- Dr Shazeeda Ali
Editor in Chief
- Dr Natalie Cortesey
Assistant Editor
Faculty of Law

The University of the West Indies
1-3 West Road, Kingston 7,
Jamaica, West Indies

Email: monalawsymposium@uwimona.edu.jm

All requests for permissions, journals reviews and subscriptions, back orders and claims should be directed to:

The University of the West Indies Press
Journals Officer

7A Gibraltar Hall Road, Mona, Kingston 7
Jamaica, West Indies

TEL: (876) 977-2659 / 702-4082

Email: uwipress.journals@uwimona.edu.jm

PUBLIC LECTURES SEMINARS AND FORA



HIS HONOUR, JUDGE MICHAEL
HOPMEIER

Public Law Lecture on Seizing and Confiscating the Assets of Criminals- Why, When and How?

On Thursday, February 25, 2021, MonaLaw hosted a Public Lecture on: **'Seizing and Confiscating the Assets of Criminals - Why, When and How'** via zoom webinar.

The presenter was His Honour, Judge Michael Hopmeier, a Circuit Judge sitting at the Southwark Crown Court of London in the United Kingdom. He specializes in serious crime and asset recovery (confiscating the proceeds of crime) cases. He is also an Honorary Visiting Professor of Law at the City University of London, an Honorary Professor of Law at MonaLaw, and a joint editor of Millington and Sutherland Williams on "The Proceeds of Crime" (5th edition), published by the UK Judicial College in 2021.

Additionally, Judge Hopmeier lectures both at the Judicial College and abroad at international seminars on confiscating and fighting economic crime, fraud, corruption, money laundering, and on asset recovery.

During these lectures, Judge Hopmeier reiterates the centrality of an effective and successful asset recovery (as it relates to confiscating proceeds of crime). On this basis, he explains that an effective asset recovery has the potential to protect the legitimate economy from corruption, to generate the assets that can be used for the public good, and to assist in upholding the rule of law. In this particular lecture, Judge Hopmeier explored why, when, and how the assets of criminals are seized and confiscated.

The lecture was hosted online and was attended by 90 persons from over 12 countries. It generated a significant amount of interest based on the questions posed. This lecture was moderated by Professor Shazeeda Ali.

Event Flyer



MONALAW PRESENTS A PUBLIC LECTURE ON

Seizing and confiscating the assets of criminals - why, when and how?



His Honour, Judge Michael Hopmeier

Circuit Judge, Southwark Crown Court, London

Honorary Visiting Professor of Law, City,
University of London

Honorary Professor of Law, MonaLaw, The
UWI (2016 - 2019)

Works Published :

- Co-Editor, *Millington and Sutherland Williams on The Proceeds of Crime* (5th edition), (Oxford University Press, 2018)
- Author, *Guide to Restraint and Confiscation*, (UK Judicial College, 2021)

Introduction By:
The Hon. Mr. Justice David Francis
Judge of the Court of Appeal, Jamaica

SAVE THE DATE

**THURSDAY, FEBRUARY 25, 2021 AT 4:00 PM
(A VIRTUAL EVENT)**

JOIN VIA

[HTTPS://UWI.ZOOM.US/MEETING/REGISTER/TJAVCEQVPJSOHNDYNZFIOSZ3D0Z3BDCBAPASB](https://UWI.ZOOM.US/MEETING/REGISTER/TJAVCEQVPJSOHNDYNZFIOSZ3D0Z3BDCBAPASB)



Mrs. Elaine Campbell-Daenen

MPHIL Seminar on 'Protection of the right to likelihood of individuals and communities under Jamaican Bauxite Mining Investment Law'

On June 17, 2021, MonaLaw hosted an MPhil seminar on the thesis **'Protection of the Right to Likelihood of Individuals and Communities under Jamaican Bauxite Mining Investment Law'** via zoom webinar. The presenter was Mrs. Elaine Campbell-Daenan (left), an MPhil-PhD student and an adjunct law lecturer at Mona Law. She is also a legal researcher who has done extensive research on International Investment Law and Sustainable Development Law.

MPHIL SEMINARS



Ms. Lauri Smikle

MPHIL Seminar on 'A Critical Analysis of the Laws on Cyberspace in Jamaica'

On July 1, 2021, MonaLaw hosted its second MPhil Seminar for the Academic Year 2020/2021 on the thesis **'A Critical Analysis of the Laws on Cyberspace in Jamaica.'** The presenter was Ms. Lauri Smikle, Attorney-at-Law and an MPhil Student at Mona Law. In her presentation, Ms. Smikle examined the effectiveness of cyberspace regulation in Jamaica and explored the issue of whether the laws are sufficient to protect citizens and punish offenders.

She defined cyberspace as a global network of computers that use the telecommunications infrastructure to transmit electronic messages. It was also noted that cyberspace is important to social media, tourism and the future of work education. However, cyberspace must be effectively regulated to prevent misuse and abuse and protect users such as children from online predators and cyberbullying.

Pictured Below: The members of the Career Forum Panel

Ms Gabrielle Grant



Attorney-at-Law, Realtor
Head of Operations
Infinite Concrete Limited

Mr Peter Goldson



Managing Partner
Myers, Fletcher and Gordon
Attorneys-at-Law

Ms Jennifer Lester



Director
Corporate Services and Facilities
International Monetary Fund

Major Andres Pierce



Acting Staff Officer
Finance Department
The Jamaica Defence Force

Ms Tanya Ralph



Legal Officer
Industrial Disputes Tribunal
Ministry of Labour and Social Security

Mr Stephen Shaw



Manager
Communication and Customer
Services
The National Works Agency

Mr Richard Stewart



Deputy Commissioner of Police
The Jamaica Constabulary Force

Dr Neto Waite



Lecturer, MonaLaw

Mr Brian Wynter



Former Governor
Bank of Jamaica

MONALAW ONLINE CAREER FORUM 2.0

The University of the West Indies, MonaLaw, hosted a Career Forum on March 22, 2021, via zoom webinar. The forum aimed to inform current students of the different career paths available to them after completing their Bachelor of Laws Degree (LLB).

This forum included presentations from the following: Ms. Gabrielle Grant, Attorney-at-Law, Realtor, and the Head of Operations at Infinite Concrete Limited; Mr. Peter Goldson, Attorney-at-Law and the Managing Partner at Myers, Fletcher and Gordon; Ms. Jennifer Lester, the Director of Corporate Services and Facilities at the International Monetary Fund (IMF); Major Andres Pierce, the Acting Staff Officer of the Finance Department of the Jamaica Defence Force (JDF); Ms. Tanya Ralph, the Legal Officer at the Industrial Disputes Tribunal of the Ministry of Labour and Social Security; Mr. Stephen Shaw, Manager of the Communication and Customer Services at the National Works Agency; and Mr. Richard Stewart, the Deputy Commissioner of Police at the Jamaica Constabulary Force (JCF).

The session also featured presentations from Dr. Neto Waite, a Lecturer of MonaLaw; and Mr. Brian Wynter, the Former Governor of the Bank of Jamaica (BOJ). In addition, Ms. Tracy Robinson, the Deputy Dean of Graduate Studies and Research at MonaLaw, presented the various graduate programmes that are available to current students who are interested in furthering their studies after completing the degree programme.

MONALAW MASTER CLASS SERIES



(From Left to Right) Top Row: Mr. Mikhail Charles, Dr. Celia Brown-Blake, Bottom Row: Ms. Nadia Chiesa, Mrs. Suzanne Ffolkes Goldson.

The MonaLaw Master Class series was pioneered by Mrs. Suzanne Ffolkes Goldson, and is essentially an opening of a Graduate level classroom to the public, particularly on a topic of great significance. It is through these Master classes that MonaLaw increases the visibility of its LLM programme.

The first seminar in the Master Class Series for the Academic Year 2020/2021, entitled **'Rescuing, Reorganising and Liquidating Businesses During a Crisis,'** was held on September 10, 2020. The presenters were Dr. Celia Brown-Blake, Senior Lecturer and Course Director of Corporate Insolvency Law (LLM) at MonaLaw; Ms. Nadia Chiesa, Partner and Co-chair of Caribbean Practice Group, WeirFoulds LLP, in Toronto; Mr. Mikhail Charles, Barrister and Litigation Paralegal at Prudhoe Caribbean in Turks and Caicos; and Mrs. Suzanne Ffolkes Goldson, Senior Lecturer and

Course Director of Corporate Governance (LLM) at MonaLaw. This session was chaired by Ms. Tracy Robinson, Senior Lecturer and Deputy Dean of Graduate Studies and Research at MonaLaw.

Dr. Blake's presentation was entitled, "Debtors and Creditors impacted by the economic downturn: What can they do?" In this presentation, Dr. Blake engaged in an examination of the main legislative options available to financially distressed debtor businesses and explored how these businesses can access same.

She explored the situation where a financially distressed business calculates that it can weather the financial storm presented by the crisis but may need to restructure its affairs to stay afloat. In that situation, the legislative option is the 'res-mechanism' which involves a debtor filing either a proposal or a notice to make a proposal with the Supervisor of Insolvency for restructuring its affairs.

She also explored the situation where the insolvent debtors decide to put themselves into bankruptcy. She explained that in such a situation, the debtor company may either make an application for an assignment or apply to the court for a receiving order. After examining both options, she concluded that the application for an assignment may be the more viable option for a debtor company, as it is simpler and avoids the expense of court proceedings.

At the end of her presentation, Dr. Blake noted that creditors can also initiate bankruptcy proceedings by applying to the court for a receiving order against the debtor. However, before this order can be granted the creditor must satisfy the court that the debtor owed at least the statutory minimum and that the debtor committed an act of bankruptcy (as defined under the Insolvency Act), within 6 months prior to the application.

Ms. Chiesa subsequently presented on the topic "Corporate Rescue: Lessons Learned from Canada and Beyond."

MONALAW MASTER CLASS SERIES

In this presentation, Ms. Chiesa emphasized that it is important to understand the Canadian experience in relation to insolvency and bankruptcy, as most modern Insolvency Legislation in a number of Caribbean jurisdictions has been modeled on Canada's statutes. However, she also noted that as these Caribbean statutes start to age, we must move towards developing the Caribbean experience and jurisprudence.

She also explored the classic approach and the modern approach to insolvency. She explained that Canada and most of the Caribbean have moved away from the classic approach to a more modern approach. The latter, she explained, focused more on the rehabilitation of the insolvent debtor and its relationship with the creditor. She further noted that this modern approach to bankruptcy and insolvency, requires buy-in at all levels. This includes buy-ins from the debtors, creditors, professional advisors, courts and the Government.

Mr. Mikhail Charles thereafter presented on "**Cross Borders Insolvency in the OECS- Trends and Litigation Strategies.**" In this presentation, Mr. Charles described cross-border insolvency as the insolvency of borrowers who have assets or creditors in different jurisdictions or are subject to insolvency proceedings in multiple jurisdictions.

He explained that the countries in the OECS generally fall either in the Canadian camp or the UK camp. He further noted that in the OECS, an

administrator is appointed to work out a company that is in financial distress. He ended his presentation by discussing some useful pressure points that a creditor can use to ensure the maximum return. These include receivership, appointing a provisional liquidator, and injunctions (in support of foreign proceedings).

Finally, Mrs. Ffolkes Goldson presented on "Directors and Officers: Insolvency Risks in Crisis." In this presentation, Mrs. Ffolkes Goldson explored the risks that directors and officers face in the face of insolvency or where it looms.

She explained that the pressures on directors and officers are two-fold and include an increased emphasis and scrutiny of their fiduciary duties and duty of care, diligence and skill. It was also noted that these directors and officers may be held personally liable for breach of their duties, wrongs done to the company, oppression, unfair prejudice, or unfair disregard.

After examining the Insolvency Legislation in the Caribbean, she concluded that directors and officers may also face exposure to claims by employees which arise from their employment, claims by governmental entities for the failure to make certain deductions and payment of taxes, as well as personal liability if the company conducts business while insolvent.

In her final analysis, she explored the safe harbours available to directors and officers which include the due diligence rule, the business judgment rule, and indemnification.

"Lifting the Corporate Veil and the Retreat from Salomon"

On October 22, 2020, the Mona Law Faculty hosted its second seminar in the Series entitled '***Lifting the Corporate Veil: the Retreat from Salomon.***' This Master class was led by The Hon. Michael Hylton, OJ, QC, and moderated by Mrs. Suzanne Ffolkes Goldson.

MONALAW MASTER CLASS SERIES



The Hon. Michael Hylton

In this presentation, The Hon. Michael Hylton examined the locus classicus case of Salomon v Salomon, which established the principle that a company has a separate legal personality from its directors and shareholders. This is also known as the corporate veil.

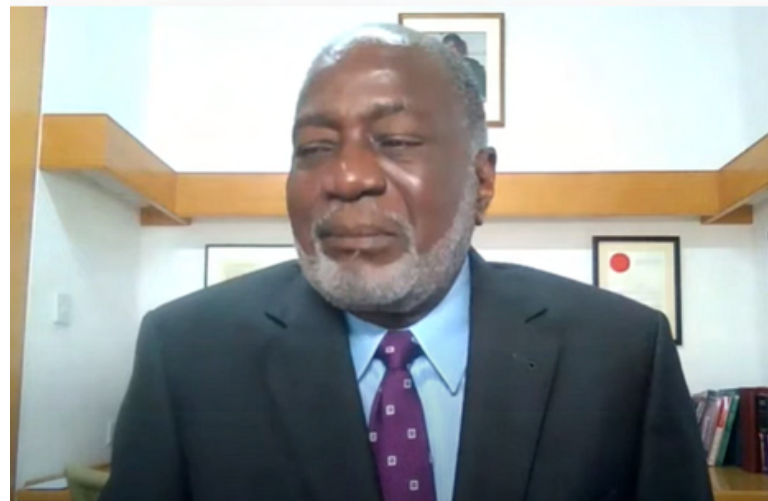
It was also noted that individuals have now moved beyond the simple arrangements used in Salomon to a more complex corporate structure. This structure, he explained, is constructed for various reasons, some legitimate and others questionable. As it relates to the questionable reasons, he noted that there are instances where the intention for implementing a complex corporate structure was to conceal assets or their true ownership from tax authorities, spouses, other family members, or the world at large. This concealment is sometimes due to the assets obtained as a result of illegal activities. The courts have reacted by looking behind the corporate structures to achieve a result which appears to be just in the circumstances and avoid being used as vehicles for fraud.

He ended his presentation by discussing several Caribbean cases where the court pierced the corporate veil. After examining these cases, he concluded that the corporate veil may only be pierced in exceptional circumstances, and that the principle in Salomon v Salomon is still well and alive. He further stated that whilst the issue of when the corporate veil may be pierced is not settled, case law indicates that it may be pierced to prevent the abuse of separate legal personality.

"Complainants' Remedies in Commonwealth Caribbean Courts: The Oppression Remedy Considered"

On February 11, 2021, the Mona Law Faculty hosted its third seminar in the Series entitled '**Complainants' Remedies in Commonwealth Caribbean Courts: The Oppression Remedy Considered.**' This Master Class was delivered by The Hon. Mr. Justice Andrew Burgess, Former Dean of MonaLaw and Judge of the Caribbean Court of Justice. This session was moderated by Mrs. Suzanne Ffolkes Goldson, and Dr. Celia Brown.

The Hon. Mr. Justice Andrew Burgess presented on "**The Oppression Remedy and the Demise of Classical Company Law Theory.**"



The Hon. Mr. Justice Andrew Burgess

MONALAW MASTER CLASS SERIES

In this presentation, The Hon. Mr. Justice Andrew Burgess explored the Oppression Remedy in the Commonwealth Caribbean with reference to various regional Companies Legislation.

He stated that the oppression remedy has been the most litigated provision in regional company law litigation. It was also noted that a complainant may apply to the court for an order where the conduct of the company or its affiliates is oppressive, unfairly prejudicial or unfairly disregards the interests of the complainant. He observed that the expression 'complainant' appears to be intended to protect the interests of shareholders and other stakeholders such as creditors, management, and the public in general. It was also pointed out that this complainant class represents a fundamental shift from the classical company law theory that only shareholders can assert company law remedies.

After exploring the range of remedies available to the court under this oppression remedy provision, he explained that the court has wide powers to make interim or final orders or any orders it deems fit to remedy oppression. This power is not limited to the specific list of remedies set out in this provision. He then discussed the range of remedies available to the court under the classical company law theory, which he noted was limited to damages, injunctions, and declarations.

At the end of this presentation, The Hon. Mr. Justice Burgess concluded that the oppression remedy has completely upended the classical approach to company law.

"Advanced International Human Rights Law"

On March 4, 2021, Mona Law Faculty hosted its final Master class in the Series on ***"Advanced International Human Rights Law."***

The focus for this Master class was on The UNIA Declaration of Rights of the Negro Peoples of the World, 1920. The presenters were Dr. Steven Jensen, Senior Researcher at The Danish Institute for Human Rights Denmark; Dr. Ahmed Reid, Associate Professor, CUNY member who has presented his work at the United Nations Working Group of Experts on People of African Descent; Ms. Kacey Mordecai, Program Officer for Latin America and the Caribbean, and Staff Attorney at Robert F. Kennedy; and Dr. Ramona Biholar, Lecturer and Course Director of Advanced International Human Rights Law (LLM), at Mona Law.



(From Left to Right) Top Row: Dr. Steven Jensen, Ms. Kacey Mordecai; Bottom Row: Dr. Ahmed Reid, and Dr. Ramona Biholar.

Dr. Jensen's presentation was on **"The 1920 UNIA Declaration in Historical Perspective."** In his presentation, Dr. Jensen explored the historical context in which the declaration was drafted. After discussing a statement made by the historian Robert Trent Winston, he noted that the declaration is a document that speaks to the human rights issues across the 20th century and into the 21st century.

MONALAW MASTER CLASS SERIES

He further explained that the debates and speeches from the Convention in 1920 show a clear link to a post first world war context, during which there was an increase in the lynching of black people. At the end of his presentation, Dr. Jensen concluded that these events are part of the historical context of the 1920 declaration.

Dr. Reid thereafter presented on **"Reparation, justice and development, Marcus Garvey and the United Nations International Decade for people of African Descent."** In his presentation, Dr. Reid explored the injustices faced by people of African descent prior to the UNIA declaration and to date. On this point, he noted that over the years, laws have classified African descendants as non-human, chattel, property, and real estate. The cumulative result was racial inequality, structured invisibility, exclusion, and poverty.

He explained that the 1920 UNIA declaration was bold in its introduction of fundamental rights such as the right to equality of life and liberty, which were and still are denied to people of African descent. He ended his presentation by stating that the goal of the declaration was to end the systematic and institutionalized targeting and killing of African descendants. He also noted that the common theme of this declaration is the right to reparation.

Ms. Mordecai subsequently presented on **"The color of nationality, anti-hatianism in the Caribbean."** In her presentation, Ms. Mordecai discussed the issue of racial discrimination against Haitians within the Caribbean with a special focus on the Bahamas and the Dominican Republic.

She described racial discrimination as any distinction, exclusion, restriction, or preference based on race, colour, descent, or national ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise on an equal footing of human rights and fundamental

freedom.

After examining the Constitution of the Dominican Republic, she noted that persons born there to foreign parents are denied birth-right citizenship. Similarly, under the Bahamian Constitution, children born in the Bahamas to foreign parents are not automatically given citizenship but have to apply for same.

She also referred to the Haitian Constitution which does not automatically give citizenship to children born outside of Haiti to Haitian parents. Consequently, such a child who has not automatically inherited the citizenship of their birth country will be stateless until they have gotten that other citizenship. Therefore, in both the Bahamas and the Dominican Republic, persons of Haitian descent will face issues with their identification documents for their bank accounts, tertiary education, employment and may also be vulnerable to expulsion and deportation.

She concluded at the end of her presentation, that these policies in the Dominican Republic and Bahamas are not in compliance with the declaration as they are intended to, and achieve discrimination against a particular group on racial grounds.

Finally Dr. Biholar presented on the UNIA declaration in light of the recent Jamaican case of Vale, Dale and ZV v Board of Management of Kensington Primary School and Others, otherwise known as the "Virgo" case.

In her presentation, she noted that the declaration is a precursor to current International Human Rights documents. She further explained that this declaration is based on the fundamental principles of equality and non-discrimination.

MONALAW MASTER CLASS SERIES

Her focus was on the Articles of the declaration that relate to education. She stated that these Articles are premised on four inter-related essential features, namely; availability, accessibility, acceptability, and adaptability. Dr. Biholar citing the committee on economic, social and cultural rights, highlighted that accessibility of education means that educational institutions and programs should be accessible to everyone without discrimination. She further noted that in this context, non-discrimination means that there should not be differential treatment, exclusion, or restriction of a person intentionally, or in effect based on his or her race, gender, or class.

She also explored the Virgo case where a primary school demanded that a student cut her dreadlocks for hygiene reasons in order to continue attending the school. After examining this case, Dr. Biholar considered whether cutting the dreadlocks was proportionate with the aim of ensuring hygiene, and whether less intrusive alternatives could be established.

She noted that in this case, there was no actual health threat that would justify limiting rights and banning hairstyles associated with natural black hair and texture. Further, excluding students who display this hairstyle results in the impairment of students exercise of their right to access education.

She concluded that the goal for accessible education as expressed in the declaration, has not been fully attained to date, when a policy of 'no locking of hair' is implemented and can restrict the child's access to education of his or her choice.



PROF. SHAZEEDA ALI

Members of the MonaLaw Family made various presentations to share research output locally, regionally and internationally as outlined below:

Presentations

- T Robinson, 'What is a Family in the inter-American human rights system' Lauterpacht Centre for International Law, Friday Lecture Series, 5 November 2021.
- Robinson, T., "Loving Law: Caribbean Desires, Perversions and Possibilities". IGDS The UWI Cave Hill, 25th Annual Public Lecture, Caribbean Women: Catalysts for Change in memory of Dame Nita Barrow, Governor General of Barbados, 1990-95, Barbados, 8 November 2019.
- 'Foreign Judging and Securing Judicial Independence in the Anglo-Caribbean', presented at 'Foreign Judges on Domestic Courts', Centre for Comparative and Public Law, University of Hong Kong, Online workshop 3-7 May 2021 (14 pages).
- T Robinson, 'Appointing our most senior judges and our new constitution making', Belize Bar Association Annual Conference, 22 January 2021 (virtual).
- Fanny Gomez-Lugo, Tracy Robinson, 'Fact finding in the Inter-American Human Rights System: on Violence based on Sexual Orientation, Gender Identity and Expression and Sex Characteristics (SOGIESC)', CIPDH-UNESCO's International Course on Human Rights, 24 November 2020.
- T Robinson, 'Resisting Kingification and Protecting the Rule of Law during Crisis'. Presentation at MonaLaw Online Forum, 'COVID-19 Implications: Public & Private Law Perspectives' May 19, 2020 .
- T Robinson, 'Loving Law: Criminalization and Decriminalization of Same-sex Sex in the Anglophone Caribbean'. Paper presented at the Annual Law and Society Association Conference, Washington DC, May 30, 2019.
- T Robinson, 'Mass marriages in Jamaica and academic folk knowledge in the 1950s'. Paper presented at Small Axe Symposium, 'The Jamaican Fifties', University of Pennsylvania, April 4-6, 2019.
- T Robinson, 'Unwritten constitutional norms and supranational courts in the Caribbean'. Paper presented at University of Ottawa, Durham University Symposium, 'Unwritten Constitutional Norms and Principles: Contemporary Perspectives', University of Ottawa Faculty of Law, Ottawa Canada, March 22, 2019 (16 pages).

FACULTY RESEARCH & PUBLICATIONS 2019-2021

PROF. SHAZEEDA ALI CONT'D



Books

- T Robinson, A. Bulkan, A. Saunders, *Fundamentals of Caribbean Constitutional Law* 2ed. (London: Sweet and Maxwell 2021) (624 pages).

Peer Reviewed Articles

- T Robinson, 'Mass Weddings in Jamaica and Academic Folk Knowledge', (2020) 63 *Small Axe* (Special issue on The Jamaican 1950s) 65-80 (16 pages).
- T Robinson, 'Sticky Colonial Criminal Laws' (Response to Anneke Meerkotter, *Litigating to Protect the Rights of Poor and Marginalized Groups in Urban Spaces*) (2019) 74 *U. Mia. L. Rev. Caveat* 1) (2020) 75 *University of Miami Law Review Caveat* 49-57 (9 pages).
- E Friedman, L. Gostin, M. Kavanagh, M. Roses Reiago, M. Marmot, A. Coates, A. Binagwao, J. Mukherjee, Mushtaque Chowdhury, T. Robinson, V. Veloso, C. Wang, M. Were, 'Putting health equity at heart of universal coverage—the need for national programmes of action' *BMJ* 2019; 367 :l5901 (7 pages).
- J Matthews, T. Robinson, 'Modern Vagrancy in the Anglophone Caribbean' (2019) 4(1) *Caribbean Journal of Criminology* 123-154 (32 pages).

Peer reviewed book chapters:

- 'New-old Law in the Postcolony: Regulating Sex in the Anglophone Caribbean', in Nancy Hirschmann, Deborah Thomas (eds), *Citizenship on the Edge: Sex/Race/Gender* (Philadelphia: University of Pennsylvania Press, 2021) 68-96 (28 pages).
- G Elliott-Williams, T Robinson, K Adair Morgan, J Foreman, D Jackson-Miller, T Myrie, 'Jamaica: Legal Response to Covid-19', in Jeff King and Octávio LM Ferraz et al (eds), *The Oxford Compendium of National Legal Responses to Covid-19* (OUP 2021). doi: 10.1093/law-occ19/e26.013.26 (28 pages).
- 'A Trace of Law: State Building and the Criminalization of Buggery in Jamaica' in Dagmar Herzog, Chelsea Schields (eds), *The Routledge Companion to Sexuality and Colonialism* (New York: Routledge, 2021) 305-315 (11 pages).

Other Publications

- 'Orientación de la universalidad: el Sistema Interamericano de Derechos Humanos y el Caribe anglófono' in (2021) 23 *Aportes: Revista de la Fundación para el Debido Proceso* 13-16 (4 pages).
- Arif Bulkan, T Robinson, 'Equality and Social Inclusion', in J Matthews, J Amoah (eds), *Securing Equality for All in the Administration of Justice: Proceedings of the Caribbean Judicial Dialogue* (Faculty of Law, The UWI Mona, 2019) 15-60 (46 pages).



PROF. STEPHEN VASCIANNIE

Presentations

- Vasciannie, S., Panel Presentation to the Organization of American States on "Legal Challenges Faced by Caribbean States in the Context of the COVID-19 Pandemic", July 7, 2020.
- Vasciannie, S., Panel Presentation to the International Law Association (Caribbean Branch) on "Caribbean Approaches to International Law", November 25, 2020.
- Vasciannie, S., Panel Chair, Law of the Sea Panel at the 7th Annual Symposium of the Faculty of Law, UWI, June 2021.
- Vasciannie, S., Member, Interviewing Panel for the Government of Jamaica's Inaugural Marcus Garvey Scholarships (July 14, 22, 23, 27, 28, 2021: Chaired by Governor-General).

Publications

- Vasciannie, S., Foreword to Fitzroy J. Henry (ed.), 'University Student Life and Learning: Challenges for Change' (2020), pp. vii-x (UTech, Ja Press).

- Vasciannie, S., 'Introductory Note to the Advisory Opinion of the Caribbean Court of Justice in Response to a Request from the Caribbean Community', International Legal Materials, Vol. 59, pp. 708-710 (published by the American Society of International Law)(2020).
- Vasciannie, S., 'The Appellate Jurisdiction of the Caribbean Court of Justice' in Albert, O'Brien and Wheatle, "The Oxford Handbook of Caribbean Constitutions" (2020), pp. 503-528 (Oxford University Press).
- Vasciannie, S., 'Caribbean Essays on Law and Policy', 260 pages, UTech, Ja Press (2020).



SUZANNE FFOLKES- GOLDSON

Research

- Ffolkes-Goldson, S., "Corporate Governance as A Mechanism for the Deterrence of Economic Crimes". Osgoode Hall Law School LLM programme, November 2019.
- Ffolkes-Goldson, S., "Strengthening Corporate Governance In Public Sector Companies", Jamaica Bar Association Conference, November 2019.
- Ffolkes-Goldson, S., "Subsidiary Governance", NCB Financial Group, November 2019.
- Ffolkes-Goldson, S., Investor Protection: Stakeholder Remedies Under The Corporations Act", Osgoode Hall LLM Programme, February 2020.
- Ffolkes-Goldson, S., "Recent and Emerging Trends in Corporate Governance", GraceKennedy Group Limited, June 2020.

TRACY ROBINSON



- Robinson, T., “Sticky Colonial Laws”, submitted to University of Miami Law Review Caveat.

Publications

- Robinson, T., ‘A Trace of Law: State Building and the Criminalization of Buggery in Jamaica’ in Dagmar Herzog, Chelsea Shields (eds), The Routledge Companion to Sexuality and Colonialism (New York: Routledge, 2021) 305-315 (11 pages).
- Robinson, T., ‘Mass Weddings in Jamaica and Academic Folk Knowledge’, (2020) 63 Small Axe (Special issue on The Jamaican 1950s) 65-80 (16 pages).
- Robinson, T., ‘Sticky Colonial Criminal Laws’ (2020) 75 University of Miami Law Review Caveat 49-57 (9 pages).

Research

- Robinson, T., “Loving Law: Caribbean Desires, Perversions and Possibilities’. IGDS The UWI Cave Hill, 25th Annual Public Lecture, Caribbean Women: Catalysts for Change in memory of Dame Nita Barrow, Governor General of Barbados, 1990-95, Barbados, 8 November 2019.

Peer Reviewed Articles

- Eric Friedman, Lawrence Gostin, Matthew Kavanagh, Mirta Roses Reiago, Michael Marmot, Anna Coates, Agnes Binagwao, Joia Mukherjee, Mushtaque Chowdhury, Tracy Robinson, Valdilea Veloso, Chenguang Wang, Miram Were, ‘Putting health equity at heart of universal coverage—the need for national programmes of action’ BMJ 2019; 367 :l5901 (7 pages).

Peer reviewed articles and book chapters accepted for publication:

- Robinson, T., “New-old Law in the Postcolony:Regulating Sex in the Anglophone Caribbean”, accepted for publication in Nancy Hirschmann, Deborah Thomas (eds), Citizenship on the Edge (University of Pennsylvania Press 2021).
- Robinson, T., “A Trace of Law: State Building and the Criminalization of Buggery in Jamaica” accepted for publication in Dagmar Herzog, Chelsea Shields (eds) The Routledge Companion to Sexuality and Colonialism (Routledge 2021).
- Robinson, T., “Mass Marriage in Jamaica and Academic Folk Knowledge”, accepted by Small Axe: A Journal of Caribbean Criticism No 63.



CHRISTOPHER MALCOLM

Publication

- Malcolm, C., ‘Preparing for Harvest in a Perfect Storm: Dispute Management in a Time of Crisis’ (2020) 30 The Commonwealth Lawyer 11-14.



MALIKE KELLIER

Research

- Kellier, M., "Listen Up & Learn: Gen XYZ...the Evolution of the Law Practice through Gen Y lens", Jamaican Bar Association Annual November Conference, Hilton Hotel, November 2019.
- Kellier, M., 'Gen XYZ...Law Firm Assets for Surviving COVID-19 and the Future', Jamaican Bar Association Virtual Mid-Year Conference, July 2020.
- The Role of the Attorney in Committal Proceedings, Jamaican Bar Association Virtual September 2020.
- Committal Proceedings 101, Office of the Director of Public Prosecutions in collaboration with the Jamaica Constabulary Force, Virtual October 2020.



GABRIELLE ELIOTT-WILLIAMS

Publications

- Elliott-Williams, G., "The CCJ decolonizing Caribbean constitutionalism." Commonwealth Law Bulletin 45.4 (2019): 742-751.
- Elliott-Williams, G., 'Who Belongs?: The Caribbean Court of Justice Reveals Caribbean Identity's Inclusive Potentiality.' (2020) 69 Social and Economic Studies 73-213.
- G Elliott-Williams, T Robinson, K Adair Morgan, J Foreman, D Jackson-Miller, T Myrie, 'Jamaica: Legal Response to Covid-19', in Jeff King and Octávio LM Ferraz et al (eds), The Oxford Compendium of National Legal Responses to Covid-19 (Oxford: Oxford University Press 2021).



ANDRÉ SHECKLEFORD

Publication

- Sheckleford, A., Winner of the IDPL Prize for best article for, 'Biometric identification systems in the Commonwealth and the right to privacy' (2019) 9 International Data Privacy Law 95.



ANIKA GRAY

Non-Peer Reviewed Article:

- Gray, A., "Big Data and Predictive Policing: Privacy and Distrust" <<http://jamaica-gleaner.com/article/focus/20200614/anika-gray-and-urmila-pullat-privacy-distrust-and-big-data>>.
- A Gray, "An opportunity lost for the protection of Freedom of Expression and LGBTI Rights in Jamaica" (OxHRH Blog, February 2021), <<https://ohrh.law.ox.ac.uk/an-opportunity-lost-for-the-protection-of-freedom-of-expression-and-lgbti-rights-in-jamaica/>>.

Peer Reviewed Articles:

- Gray, A., Taitu Heron, A Legislative Review of Restrictive Provisions Governing Women's Access to Abortion in the Eastern Caribbean (2020) Available at SSRN: <https://ssrn.com/abstract=3655822> or <http://dx.doi.org/10.2139/ssrn.3655822>.



NATALIE CORTHÉSY

Refereed Research Based/Scholarly Publications

- Corthésy, Natalie GS "Brand New IP: Country Name Designation – From France with Love", chapter 16 in The Future of Intellectual Property, Edited by Daniel Gervais, The International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP) Intellectual Property Series, Edward Elgar Publishing Cheltenham (2021) 322-345.

Peer Reviewed Journal Articles

- Corthésy, Natalie GS Country name designation and IP protection of national competitive identities, Oxford Journal of Intellectual Property Law and Practice, (2021) Vol 16, Issue 4-5, 357–367.

Book

- "Sky Juice", Ian Randle Publishers, May 2021.

Peer Reviewed Poetry

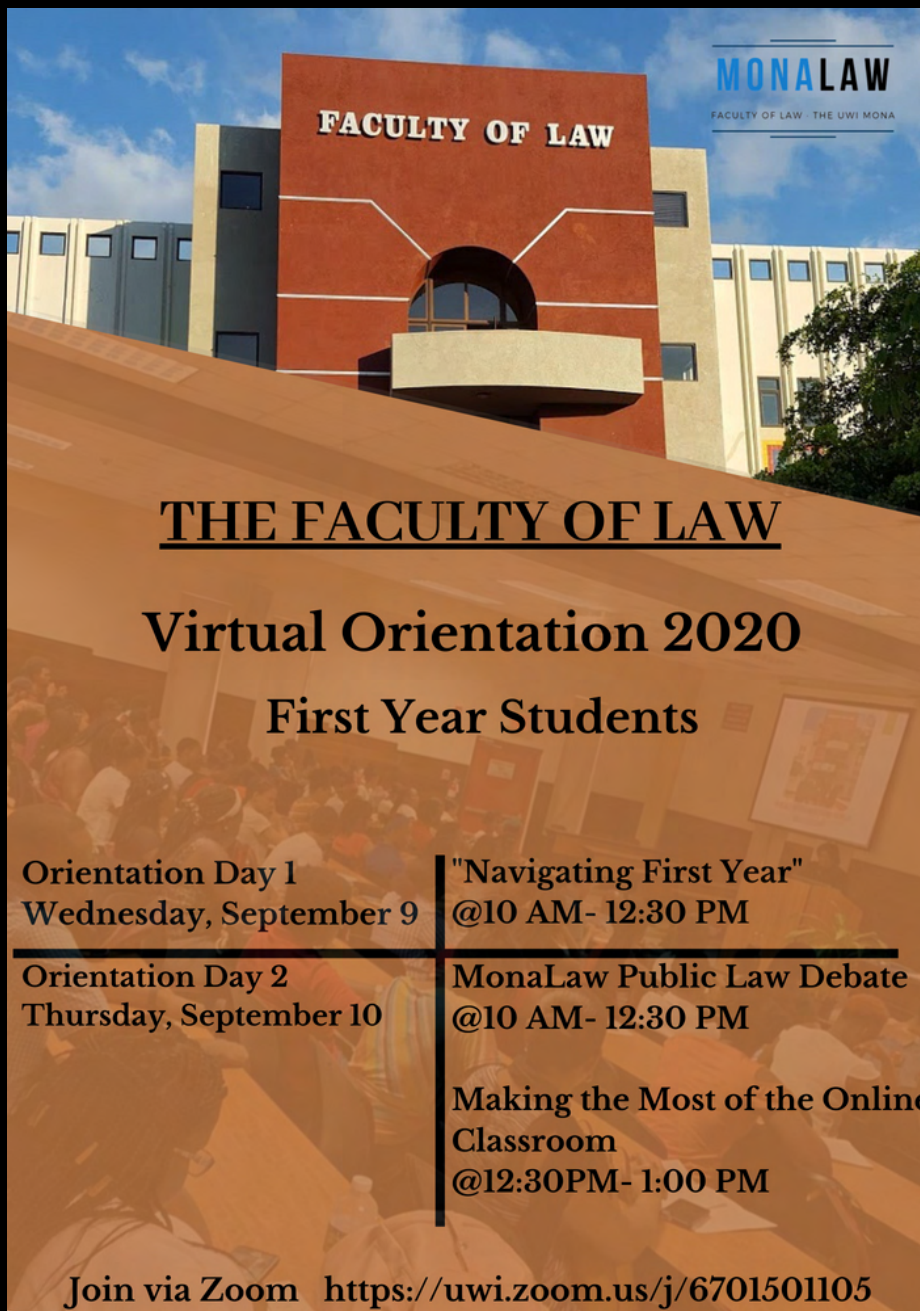
- "Plantation Fringe, UWI Special Commemorative Publication honouring the Life and Work of Professor Kamau Brathwaite, December 2020, The UWI Press.
- "Up", We Are Goodenough Magazine, April 2020.

- "The Helper Experiment", "Where are you From", "The School Girl", "Free" The Caribbean Writer, Volume 34, 2020".
- "The Watchman", "Siren", "Swansea", and "Ritual", The Caribbean Writer, Volume 33, 2019.

Publications

- Corthésy, Natalie GS "Brand new IP: 'country name designation' – from France with love", Chapter 16 in The Future of Intellectual Property ATRIP Intellectual Property series, edited by Daniel J. Gervais, Edward Elgar Publishing Cheltenham, Glos, GL50 2JA UK, 2021, 291 (24 pages).
- Corthésy, Natalie GS 'Country name designation and international IP protection of national competitive identities', Oxford Journal of Intellectual Property Law and Practice, 2021, Vol 16, 357-367 (10 Pages).

MonaLaw Student Life



FACULTY OF LAW

MONALAW
FACULTY OF LAW - THE UWI MONA

THE FACULTY OF LAW

Virtual Orientation 2020

First Year Students

Orientation Day 1 Wednesday, September 9	"Navigating First Year" @10 AM- 12:30 PM
Orientation Day 2 Thursday, September 10	MonaLaw Public Law Debate @10 AM- 12:30 PM
	Making the Most of the Online Classroom @12:30PM- 1:00 PM

Join via Zoom <https://uwi.zoom.us/j/6701501105>

Due to the Covid-19 pandemic, the Faculty of Law's 2020 Orientation was held online via zoom for the very first time.

Incoming students were introduced to the Faculty over two days of orientation activities held on the 9th and 10th of September 2020. The students were guided by the programme pictured left.

On Day 1 of the orientation, presentations were made to the new students on how to navigate their first year. This was crucial especially in light of the COVID-19 pandemic and having to adjust to the new normal.

Day 2 included presentations on Mona Law Public Debate and making the most of the online classroom.

The Graduating Class of 2020

The Virtual Graduation Ceremony for the Faculty of Law, UWI Mona, was held on January 14, 2021. The Graduating Class of 2020 totaled over 150 students with 18 students receiving First Class Honours.

Left: Dr. Shazeeda Ali presenting the Graduating Class of 2020.



MonaLaw extends heartiest congratulations to the graduating Class of 2021.

We wish you all the best in your legal career and professional development.

Pictured left: Some of the members of the Graduating Class of 2020.

Top Row: Ronaldo Allen, Dahlia Thomas, Jessica Jackson and Juawayne Hylton.

Middle Row: Jared Johnson, Jhori Armstrong, Tajhae Young Sang and Christina Thompson.

Bottom Row: Aaliyah Miller, Shaquan Richards, Shakera Kinlock and Kimberly Blackwood.



Student Life



For the month of October 2020, the MonaLaw Welfare Committee sought to foster an awareness of breast cancer, a leading cause of death among our women. Chief among their activities was the 5ToLife Initiative (pictured above) which saw famous Jamaican women including Olympic Champion Novlene Williams-Mills, TV and Social Media Personality Chelan Smith, Ms. Sandra Samuels, Owner of Totally-Male amongst other women sharing their stories of how they overcame the disease and encouraging our young women and men to play an active role in their health.



Pictured above: Mrs. Novlene Williams-Mills sharing her story



Pictured above from left: Ms. Akeelia Richards, Mr. Jezeel Martin and Ms. Sharon Williams-Brown.

During November 2020, the Committee held a mental health forum entitled Welfare Wednesdays. This programme was hosted by Akeelia Richards and featured Attorney at Law Mr. Jezeel Martin as well as UWI Senior Counsellor & Psychologist Ms. Sharon Williams-Brown.



Joy to the World!

The MonaLaw Welfare Committee executed the Annual Christmas Treat for the month of December 2020. The main purpose of the treat was to give back to the wider community that the MLS serves and to make the lives of the children at the Maxfield Park Children's Home better, even if just on Christmas Day.



YUH GOOD?

In April 2020, the Committee sought to close the Academic Year with a big bang by hosting a two-part series entitled “Yuh Good?”

This series saw the committee:

1. Sending out various study packages to the different year groups and;
2. Hosting a DJ Contest with various MLS Representatives (pictured below)



Contract Law I

- Contract is case dependent so ensure that you are reading your cases. Try to read important cases.
- The facts of the cases are not always the most important thing. Ensure that you understand the principles of the cases.
- Still not understanding? Give The Modern Law of Contract by Richard Stone a read.

Constitutional Law

- Ensure that you grasp the principles emanating from the cases.
- Pay attention to the specific paragraphs of cases referred to you by your lecturer.
- Remember your three C's Constitution, Cases, and Commentaries.

Criminal Law II

Criminal law is also case dependent so it is pertinent to read important cases.

Ensure that you have a good understanding of how the different tests apply to different scenarios.

Critique the law. Ask yourself what the law ought to be. Use dissenting opinions to find conflicting arguments that help in analysis.

Tort Law I

Read important cases and ensure that you understand the principles.

Attempt your tutorial questions. Additionally, ask for reviews. This will give you an understanding of how your lecturers mark exam papers.

Commonwealth Caribbean Tort Law by Gilbert Kodilinye is the leading text on Tort Law in the region. This is your Bible.

Language Argument

Time management is key. Do not wait until the week before the paper is due to start working on it.

Ask questions. If you are unsure about anything ask your tutor. They are there to guide you.

SOUND CLASH PARTICIPANTS

DJ Small



VS

DJ Jackson

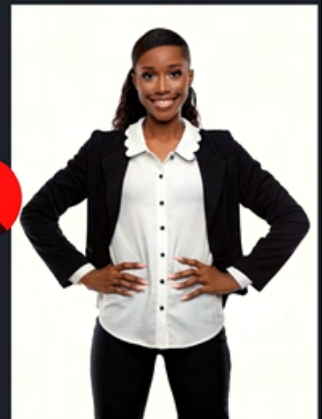


DJ Shem



VS

DJ KeKe





The Third Annual Faculty Awards Ceremony

On November 9, 2020, the Faculty of Law, UWI, Mona, hosted its Third Annual Faculty Awards Ceremony virtually. This Year's Ceremony was moderated by Ms. Jhenelle Small, the then President of the Mona Law Society, and Mr. Matthew Williams, the then Returning Officer for Mona Law Society.

The night boasted beautiful song selections from the talented Jhana-Lee Henry, a then Second Year Student of Mona Law (Picture 1), and Mr. Fabian Morris, a then First Year Student of Mona Law (Picture 2). In addition, the Vote of Thanks was given by Mr. Shemar Bryan (Picture 3), and Ms. Akeelia Richards, Mr. and Miss Law for the Academic Year 2020/2021.

The Sponsors for the Awards Ceremony were WISYNCO, Lasco, JN Bank, Burger King, Wray and Nephew, Grace Kennedy, ATL, Myers, Fletcher & Gordon, and the Jamaican Bar Association.

Book Donation from JIPO



On Friday, May 7th 2021, the Jamaica Intellectual Property Office (JIPO) made a gracious donation of books to the MonaLaw's Branch Library.

This donation was made pursuant to the Library's celebration of UNESCO World Book and Copyright Day 2021 where JIPO pledged the books to the Library.

MonaLaw thanks the Jamaica Intellectual Property Office for their contributions.



MonaLaw Grad Studies Talk



On May 20, 2021, the Office of Graduate Studies and Research, held a Virtual informal talk with potential prospective students on MonaLaw's MPhil/PhD programme.

Ms. Tracy Robinson (pictured right), the Deputy Dean of Graduate Studies and Research at MonaLaw, led a discussion on the pathways to doing research at the Faculty, as well as the requirements regarding same.

The session was well-attended as 36 out of the 39 people who registered for the talk, were present. MonaLaw will continue to encourage potential applicants who may be interested in our Research Programmes!





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

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.



EDITORIAL COMMITTEE

Prof. Shazeeda Ali
Dr. Natalie Corthésy
Ms. Carol Humphrey
Ms. Odesha Coates
Ms. Keren Campbell

FACULTY OF LAW

1 — 3 West Road, The University of the West Indies, Mona Campus
Tel.: (876) 927-1855, (876) 977-4860, (876) 702-4392 | Fax: (876) 970-1242
Mobile: 876-890-6686

Website: <http://www.mona.uwi.edu/law/> Email: MonaLaw@uwimona.edu.jm



UWIMonaLaw



@uwimonalaw



(876) 890-6686