

April – June 2016

JUDGMENTS

A1 Limited v Mary Grace Abrahams

JMSC 16.03.2016

CIVIL PROCEUDRE – Summary judgment – Application to strike out denied

Abbas, Kamran v Sheron Carter

JMCA 29.01.2016

DAMAGES – Personal injuries – Appeal against assessment of damages – Whether assessment inordinately high

Advantage General Insurance Company Limited v The Commissioner of Taxpayer (Jamaica)

UKPC 13.10.2016

COMPANY LAW – Insurance company

Algix Jamaica Ltd. v J. Wray and Nephew Ltd.

JMCC 25.01.2016

INTERLOCUTORY INJUNCTION □- Nuisance – Ryland’s v Fletcher – Riparian Rights- *Natural Resources Conservation (Wastewater & Sludge) Regulations 2013* - Whether Defendants breach of Regulations entitle Claimant to Injunctive Relief – Whether damages an adequate remedy – Balance of convenience

Atkinson, Anthony and Paulston Mairs v R

JMCA 05.02.2016

CRIMINAL LAW – Application for leave to appeal against conviction

Bacchas, Errol v Westmoreland Parish Council and Charles Beharie and Opal Beharie

JMSC 12.02.2016

CIVIL PROCEDURE - Application for leave to appeal an order for costs – Application to extend time to appeal – Whether judge has power to set aside an order made by another judge of equal jurisdiction- Whether appeal has a real prospect of success - Whether costs at case management must always be costs in the claim

Bailey, Joycelin v Durval Bailey

JMCA 18.03.2016

LAND LAW – Equitable interests – Appeal application for stay of the judgment pending appeal denied

Banton, Clive and Sadie Banton v Jamaica Redevelopment Foundation Inc.

JMCA 05.02.2016

SALE OF LAND – Agreement for sale – Application for extension of time to file and serve counter-notice to appeal – Application granted

Barrington Cigars (Jamaica) Limited v The Minister of Finance and Planning and The Commissioner of Customs

JMFC 08.01.2016

APPLICATION - Constitutional Redress - General Consumption Tax Act - *Provisional Collection of Tax Act - General Consumption Tax (Validation and indemnity) Act - Special Consumption Tax- Whether Provisional Orders imposing Special Consumption Tax on unmanufactured tobacco pursuant to Provisional Collection of Tax Act invalid - Whether Minister acted *Ultra Vires* and*

improperly in amending General Consumption Tax Act Schedules - Whether imposition of tax breaches Claimant's Constitutional rights under Section 15 of Constitution

Bitter, Edward v R
JMCA 18.03.2016

CRIMINAL LAW - Application for leave to appeal against conviction and sentence denied

Branch Developments Limited T/A Iberostar Rose hall beach and Spa Resort v Charmaine Taylor
JMCA 19.02.2016

CONTRACT – Employment – Redundancy - Breach of employment contract – Application for appeal against award for general damages – Whether judge applied correct measure of damages

Brown, Bartholomew and Bridgette Brown v Jamaica National Building Society
JMCA 18.03.2016

APPLICATION – Amended notice of motion - Leave to appeal denied - Pursuant to sections 110(1) and 110(2) of the Jamaica (Constitution) Order in Council, 1962 (the Constitution) -

Brown, Richard v The Queen
UKPC 09.02.2016

CRIMINAL LAW – Murder - Appeal against conviction denied and the appeal against sentence allowed

Cargill, Morris v R
JMCA 19.02.2016

CRIMINAL LAW – Evidence – Murder - Application for leave to appeal – Fresh evidence – Appeal allowed - Conviction quashed and sentence set aside

Caribbean Cement Company Limited v Freight Management Limited
JMCA 15.01.2016

DAMAGES – Breach of contract – Loss of profits – Whether there was a contract – Whether promissory estoppels constitutes a cause of action - Appeal against award of damages – Award of damages set aside

Chandler, Mary v Patrick Marzouca
JMCA 05.01.2016

CIVIL PROCEDURE – Application for extension of time to file defence – Delay – Application for entry of judgment – Procedural error – Civil Procedure Rules 2.4, 10.3 (9), 12.10 & 26.1 (2)(c).

Chung, June v Shanique Cunningham
JMCA 19.02.2016

DEFAMATION – Slander – Libel - Application to set aside the respondent's default judgment and to extend the time for the filing of her defence

City Properties Limited v New Era Finance Limited
JMCC 29.01.2016

CIVIL PROCEDURE AND PRACTICE - Pleadings - Counter claim for refund of monies inappropriately charged for maintenance - Claim made in witness statements and submissions for refund of overpayment on rent - No corresponding claim for overpayment made - Whether overpayment recoverable - Claim for damages for compensation for expenditure on chattels after destruction by fire - No basis shown for the claim - Negligence and occupiers liability not specifically pleaded - Declaration sought for parties to be declared joint occupiers - No basis shown for such a declaration - Whether there is sufficient evidence to ground a cause of action in damages for negligence or occupiers liability or for a claim for compensation for fire damage

EVIDENCE - Expert Evidence - No permission sought by defendant at case management to rely on expert evidence - Quantity surveyor called at trial to give evidence of costs of materials and labour - Whether evidence given by quantity surveyor factual evidence and admissible as such - Whether evidence inadmissible as hearsay - Applicability of The *Civil Procedure Rules* 2000, Part 32 And Section 31g and f of The *Evidence Act*

LANDLORD AND TENANT - Agreement for a lease - draft lease executed as some terms were found objectionable by the tenant - Parties operating under the agreed terms of the draft lease - Claim by lessor for rent and outstanding maintenance - Whether maintenance properly charged to the tenant as additional rent - Whether tenant obliged to pay insurance and depreciation on the building as a component of maintenance

Coleman, Audley v R
JMCA 26.02.2016

CRIMINAL LAW – Illegal possession of ganja – Appeal against sentence allowed - Fines exceeding the mandatory fine provided by the statute for the actual amount the appellant was found to have had in his possession.

Construction Developers Association Limited v Renaissance property Homes Limited and Jeremy Brown and Jamaica Mortgage Bank
JMCC 12.02.2016

SUMMARY JUDGMENT- Whether receiver and debenture holder liable under a continuing contract – Whether receiver negligent – whether debenture holder vicariously liable – Whether claim has real prospect of success.

Crown Motors Limited and Key Motors Limited and Executive Motors Limited v First Trade International Bank & Trust Limited (In Liquidation)
JMCA 29.01.2016

APPLICATION – Appeal for stay of execution from order for sale of the premises

Edwards, Mageleatha Leanora and Andy George Louis Alexander Fray and Peter Leslie Fray v Anthony St. Elmo Fray
JMCA 15.01.2016

LAND – Claim by executor - Dual registration of title – Whether second registered title eclipses the first – Whether registration obtained by fraud – Possessory title – Limitation of Actions – Whether one party obtained a possessory title.

Forbes, Cowell Anthony (Representative of Estate of Wilfred Emmanuel Forbes, deceased) and Cowell Anthony Forbes v Miller's Liquor Stores (Dist) Limited
JMCA 11.01.2016

CIVIL PROCEDURE – Application to dismiss appeal for want of prosecution denied – Appeal delayed and filing deadlines ignored

CONTRACT – Deposit – Failure to pay balance of the purchase price – Non-performance of one party

Frank I Lee Distributors Limited v Mullings & Company (A Firm)
JMCA 12.02.2016

PROCEDURAL APPEAL – Application to set aside default judgment – Whether mandatory requirement for filing of an acknowledgment of service - Whether the application to set aside was a nullity is now redundant

Gardener, Charles and Inez Walker v Edward Lewis (By Representative Harris Augustus Lewis)
JMCA 19.02.2016

CIVIL PROCEDURE – Application to set aside judgment

Gibbs, Pearline v Vincent Stewart
JMCA 26.02.2016

REAL PROPERTY – Equitable interests in property – Neither party owner of legal title – Application for appeal to determine whether proceedings may result in equitable division of Property between former common law spouses

Green, Ian v R
JMCA 01.02.2016

CRIMINAL LAW – Rape - Application for leave to appeal against conviction and sentence denied

Guyah, Omar v The Commissioner of Customs and The Attorney General of Jamaica
JMCA 26.02.2016

Judicial Review – Declaration concerning customs status of motor vehicle - The counter-notice of appeal advancing the required authority of the Minister must, therefore, succeed, with the Commissioner and the Attorney General securing their costs on the appeal and two-thirds of their costs of the counter-notice of appeal

Hawkins, Lois (Administratrix of Estate of William Walter Hawkins, deceased, intestate) v Linette Hawkins McInnis
JMCA 29.01.2016

REAL PROPERTY – Extinction of title by one co-owner – Whether title extinguished – Husband deceased - Whether third wife can claim property under extinction of title principle

Jamaica Public Service Company Limited v Union of Clerical, Administrative and Supervisory Employees, National Workers Union, Bustamante Industrial Trade Union and The Industrial Disputes Tribunal
[Consolidated with]

The Industrial Disputed Tribunal v Union of Clerical, Administrative and Supervisory Employees, National Workers Union, Bustamante Industrial Trade Union and Jamaica Public Service Company Limiter
JMCA 29.01.2016

INDUSTRIAL RELATIONS – Collective agreement – Interpretation of collective agreement – Dispute arising from nature of agreement – Whether agreement involved adjustment of overtime and redundancy pay – Whether Judge misconstrued the evidence led before the IDT and erred in finding that the Heads of Agreement did not represent a compromise which included overtime and/or redundancy payments – Whether Judge erred by acting beyond the scope of his powers, function and remit – Appeal allowed

Laing, Delroy v R
JMCA 18.03.2016

CRIMINAL LAW – Assault – Grievous bodily harm with intent – Application for leave to appeal against conviction and sentence – Whether verdict unreasonable – Whether sentence inordinately long

Miller, Harold and Ocean Breeze Hotel Limited v Charlene Miller
JMCA 15.01.2016

CIVIL PROCEDURE – Amended notice of motion to grant conditional leave to appeal

Minott, Andre v R
JMCA 19.02.2016

CRIMINAL LAW – Murder - Appeal against his conviction and sentence – Whether the learned trial judge failed to direct the jury about action of provocation and self defence – Whether the court wrongly convicted me of the offence although the evidence support the offence of manslaughter due to the action of self-defence - Verdict that the applicant was guilty of the offence charged on the indictment

Mitchell, Merell v Lyndon B.N. Johnson
JMCS 15.03.2016

CIVIL PROCEDURE - Application to withdraw admission – Whether an admission was made – Whether admission should be withdrawn – Whether judgment on admission is to be set aside – Civil Procedure Rules 1.1, 1.2, 14.1(6)

National Commercial Bank Jamaica Limited v Humphrey Lee McPherson
JMCC 05.02.2016

LOAN - Application to strike out defence as showing no real prospect of success □ Application for summary judgment – Whether fact that promissory note not signed a defence – Whether fact that bank wrongly debited trust account a defence – Loan admitted and repayment not alleged

Preble, David (T/a Xtabi Resort Club and Cottages and Xtabi Resort Club and Cottages v Elita Flickenger (Widow of the deceased Robert Flickenger)

JMCA 12.02.2016

COSTS – Security for costs – Appeal to the Privy Council

Prince, Conroy v R

JMCA 22.01.2016

CRIMINAL LAW – Assault – Actual bodily harm – Conviction quashed – Sentence set aside – Judgment entered and verdict of acquittal

R v Jogee and Ruddock v The Queen

UKPC 18.02.2016

CRIMINAL LAW – Murder - Appeal – Privy Council to – Review of doctrine of parasitic accessory liability

Robinson, Richardo v The Attorney General and Constable Mark Grant

JMCA 15.01.2016

CRIMINAL LAW – Simple larceny – Malicious prosecution and arrest - Whether there was reasonable and probable cause to arrest and charge the appellant for simple larceny - Whether the respondent was actuated by malice in arresting and charging the appellant

Rodney, Heather and Ertha Scott v Audrey Dawn Pringle (also known as Tiffany Scott) and Russell Emerson Reid

JMCA 29.03.2016

ESTOPPEL – Proprietary estoppel – Expectation of inheritance

Sinclair, Rayon v Edwin Bromfield

JMCA 05.02.2016

NEGLIGENCE – Motor vehicle collision – Question of liability – Finding of negligence on the part of appellant

Smith, Hubert v The Board of Management of The Queen's School and the Appeals Tribunal

JMCA 19.02.2016

JUDICIAL REVIEW – Application for – Persons and tribunals amenable to judicial review – Queen's School - Education Regulations 1980 (the Regulations)

Stona-Lewis, Bevolyn v The Attorney-General and Dr. Winston Dawes

JMCA 18.03.2016

NEGLIGENCE – Professional negligence – Medical negligence – Complications after surgery - Medical report remove liability from respondent

Symsure Limited v Kevin Moore

JMCA 09.02.2016

COSTS – Security for costs - A notice of application for security for costs against the respondent – Appeal dismissed

Tapper, David Orlando (Trading as 'Fyah Side Jerk and Bar') v Heneka Watkis-Porter (Trading as '10 Fyah Side)

JMCA 19.02.2016

TRADE MARK – Infringement – Passing off – Whether similar trading names used likely to deceive or cause confusion – Injunction – Inquiry as to damages

Weir, Dalfel v Beverly Tree

JMCA 04.03.2016

MATRIMONIAL PROPERTY – Beneficial interests - Application to amend original order to be declared beneficially entitled to one-half share of family home and given first option to purchase

Williams, Kevon v R

JMCA 05.02.2016

CRIMINAL LAW – Murder - Application for leave to appeal against conviction and sentence - Applicant's conviction for murder was quashed and the sentence of life imprisonment imposed on him in the was set aside

Williams, Sherine v The Attorney General of Jamaica

JMSC 15.01.2016

DAMAGES – Assessment – Personal injury – Application to amend particulars of claim after close of evidence and at time of filing submission but before judgment

Young Torres, Joni Kamille (As administrator of the Estate of Karl Augustus Young) v Ervin Moo Young and Debbian Dewar (As an Executor of the Estate of Chad Adrian Young AKA Chad Young) and ZIP (103) Limited and ZIP (103) Limited v Debbian Dewar (As an Executor of the Estate of Chad Adrian Young AKA Chad Young and Debbian Dewar

JMSC 05.02.2016

COMPANY LAW - Allotment of shares – Whether allotment in accordance with the articles of association – Whether allotment valid – Whether allotment should be set aside – Whether register should be rectified

LEGISLATION

Bahamas

Acts

1/2016	National Honours Act
2/2016	Petroleum Act
3/2016	Sovereign Wealth Fund Act

LAW REPORTS

Law Reports of the Commonwealth 2016 Vol. 2

TREATISES, DIGESTS ETC.

Atkin's Court Forms. 2nd ed. 2016 Issue

Vol. 6(2)	Alternative dispute resolution and arbitration
Vol. 12(2)	Contract
Vol. 16	European Courts

<The> Digest. 2016 4th Reissue

Vols. 29(1 & 2)	Insurance
Vol. 30	Insurance – Juries

<The> Encyclopaedia of Forms and Precedents. 5th ed. 2016 Reissue

Vol. 14(1)B	Employment
Vol. 17(3)	Guarantees and Indemnities, Health and Safety at Work
Vol. 23(4)	Landlord and Tenant (Residential Tenancies)

SERIALS

ABA Journal April 2016

President's Message

ABA Day 2016 marks 20 years of advocacy and lobbying for justice on Capitol Hill

Paulatte Brown

Opening statements

Do anonymous social media apps help foster Title IX violations? *Anna Stolley Persky*

Synthetic DNA could play a big role in reducing fraud in the art market

Leslie A. Gordon

Ten questions for a Chicago attorney working in the tech sector after five years as a stay-at-home mom

Jenny B. Davis

Docket

NATIONAL PULSE: How much privacy are drivers willing to give up for better insurance rates?

Ellen Rooney Martin

NATIONAL PULSE: Plaintiffs in California asbestos cases feel they're being questioned to death

Jie Jenny Zou

SUPREME COURT REPORT: In the aftermath of Justice Antonin Scalia's death, his colleagues return to work amid uncertainty

Mark Walsh

Practice

ETHICS: High court antitrust ruling involving dentists raise questions about the regulatory structure for lawyers

David L. Hudson Jr.

WORDS: Bryan Garner offers an insider's view of Justice Scalia's jurisprudence and recalls their last trip together

Bryan A. Garner

STORYTELLING: A playwright's jury service experience prompts some practical advice for trial attorneys

Sean Grennan

Business of Law

NETWORKING: The Five Coffee Challenge can help lawyers boost their client base

Jason Krause

OFFICES: Leaner, more flexible design approaches are gaining favor with law firms

Richard Acello

LAW SCRIBBLER: Firms are increasing their investment in gaining and favor with law firms

Victor Li

TECH: Voice-responsive digital assistants can complement the work of administrative assistants and help streamline daily tasks

Dennis Kennedy

BAR EXAM: Students at schools offering bar-prep courses are reaping the benefits

David L. Hudson

Your ABA/ Midyear Meeting report

Proposed amendments to the ethics rule addressing discrimination and harassment get a full hearing

James Podgers

The House of Delegates adopts a resolution to guide states' regulation of nontraditional legal services

Lorelei Laird

Legal scholar identifies forms of common workplace bias and offers ways managers and colleagues can tackle it

Molly McDonough

Study finds younger lawyers are most at risk of substance abuse and mental health problems

J.P.

ABA leadership slate reflects the increasing diversity of the wider society

J.P.

Precedents

Explosions aboard two French-controlled ships on Galveston Bay 1947 lead to the first class action lawsuit

Allen Pusey

<The> Cambridge Law Journal

Vol. 74 Part 3 November 2015

Parliamentary rewards and the evolution of the patent system

*Robert Burrell &
Catherine Kelly*

The enforceability of arbitration clauses in trusts

Matthew Conaglen

Mens Rea in joint enterprise: a role for endorsement?

Beatrice Krebs

Custody chains and asset values: Why Crypto-Securities are worth contemplating

Eve Micheler

The availability of proprietary restitution in cases of mistaken payments

David Salmons

"Globalising sovereignty"? Pettit's neo-republicanism, international law and international institutions

Christopher Alexander Thomas

The certainty of term requirement in leases: nothing lasts forever

Ian Williams

Charities Appeals Winter 2015

My will, my way

Ensuring your wishes are respected shouldn't leave you or your relations battle scared, as *James Ward* explains

Making a splash

Gift Aid is celebrating its 25th anniversary and has lots to shout about

Wills and probate update

Henreietta Mason & Paola Fudakowska report on reconciliation, refurbishments & rectification

A rightful claim?

What's mine might not be yours, as *Brie Stevens-Hoare QC* reports

Liberty matters

Philippa Bruce-Kerr explains why care homes worry (or should worry) about deprivations of liberty

Against the odds

Rosalyn Akar Grams reflects on the extensive medical evidence needed to prove complex asylum claims

Promises, promises

Mark Mullen and *Charlotte Watts* present the last word on deathbed gifts

Compete: Fair Trading Commission Vol. XX January 2016

Putting consumers first makes markets work:
Is there adequate consumer protection in the CSME

Barry Headley

Crumbs of truth: misleading advertising in the marketing of bread

Wendy M. Duncan & Marc S. Jones

Content explosion crowns the consumer King

Cordel Green & Jodi-Ann Jackson

Consumer demand: the driving force of the motor vehicle insurance market

Verlis Morris

The King's choice of groceries: store brands or branded products

Desroy Reid

International Review of the Red Cross Vol. 97 No. 897 Spring-Summer 2015

Humanitarian principles put to the test: challenges to humanitarian action during decolonization

Andrew Thompson

Romancing principles and human rights: are humanitarian principles salvageable?

Stuart Gordon & Antonio Donini

Unpacking the principle of humanity: Tensions and implications *Larissa Fast*

Volunteers and responsibility for risk-taking: Changing interpretations of the Charter of Médecins Sans frontières *Caroline Abu Sa'Da*

A matter of principle(s): The legal effect of impartiality and neutrality on States as humanitarian actors *Kubo Macák*

Jambar Journal Vol. 28 No. 4 October – December 2015

E-discovery and e-forensic: Gathering and presenting electronic evidence in civil and criminal cases (Part 2) *Georgia Gibson Henlin*

The Sexual Offence Act - *D. Joevion Fuller*

Strategic investments in child care and protection *Alexis Robinson*

The labour relations code: When is a law not a law *Emile Leiba*

Acts of Jamaica 2015

Comparative considerations of cybersecurity legislation *Mark Reynolds*

Tribute to The President Hon. Mr. Justice Seymour Panton, OJ *Donovan C. Walker*

Relief from sanctions *Sidia Smith & Sundiata Gibb*

Interview with The Hon. Justice Seymour Panton, OJ *Cieanna Thasa Smith*

Case notes from the Court of Appeal *Hon. Miss Justice Hilary Phillips*

The DNA Evidence Act, 2015 *Ian G. Wilkinson QC*

Jambar Journal Vol. 29 No. 1 January – March 2016

Should the State be able to examine the files of attorneys' clients *Donovan Jackson*

Relief from sanctions *Sundiata Gibbs & Sidia Smith*

The Disabilities Act: An exploration of the legal underpinning and practical implications *Khadrea Folkes*

Wise words about the law *Lord Anthony Gifford, QC*

The constitutional right to timely civil justice *Hugh Small, QC*

A step-by-step guide to making applications under section 29 of the *Mental Health Act* *Jeanelle Knibb*

Interview with Ms Sherry Ann McGregor *Stephanie Forte*

Case notes from the Court of Appeal *Carla Thomas*

<The> Law Society Gazette February 22, 2016

Rape cases fear over 'tainted' DNA risk	<i>Monidipa Fouzder</i>
Supreme Court ruling sought on extent of LPP	<i>Michael Cross</i>
ICAEW raps 'distortion of privilege	<i>Gazette newsdesk</i>
'Super-exam' will dilute standards, warns Society	<i>Chloe Smith</i>
Secret evidence challenge fails on immigration	<i>Chloe Smith</i>

<The> Law Society Gazette February 29, 2016

Judges speak out over fixed costs	<i>Monidipa Fouzder</i>
Online courts no justice panacea	<i>John Hyde</i>
Judiciary calls for ban on paying McKenzie friend	<i>Chloe Smith</i>
Legal aid fight led to closure of Todner firm	<i>Monidipa Fouzder</i>
MoJ defends proposal for steep rise in probate fees	<i>Chloe Smith</i>
Direct access barrister to fight tribunal findings	<i>Chloe Smith</i>

<The Law> Teacher Vol. 50 No. 1 March 2016

Computer-aided qualitative data analysis of social media for teachers and students in legal education	<i>Kristoffer Greaves</i>
Seeing is believing: we are all converging	<i>Emily Allbon</i>
Ethical experiments with the D-pad: Exploring the potential of video games as a	<i>Craig Newbery-Jones</i>
Human-centered legal tech: integrating design in legal education	<i>Dan Jackson</i>
Story interface and strategic design for new law curricula	<i>Craig Collins</i>
Disintermediation	<i>Paul Maharg</i>

New Law Journal Vol. 165 No. 7670 October 2, 2015

Comment

Lucy McCormick examines the new code for the testing of driverless cars in public places

Employment: An ECJ ruling has extended the scope of indirect discrimination across the EU.
Charles Pigott reports

Family: Pre-nups: the search for certainty continues, says *Ed Heaton*

Personal injury: When is military personnel owed a duty of care outside combat situations?
Elizabeth Milbourn investigates

Property: *Stephen Acton* examines developers' delays in completion of off-plan purchases

New Law Journal **Vol. 165 No. 7673** **October 23, 2015**

Comment

Where are we now with J codes, asks *Sue Nash*

Employment: *Alex Leslie* discusses the irresistible rise of the implied term in the contract of employment

Public: *Nicholas Dobson* digs up the reinterment of Richard III

Constitution: MPs lobbying ministers: a basis for legal challenge? *Neil Parpworth* reports

Trust: *Elaine Palser* considers the latest authorities on the *Quistclose* trust

Commercial

Fifion Flockhart & Charlie Weston-Simons highlight the importance of complying with SPA notice provisions

New Law Journal **Vol. 165 No. 7674** **October 30, 2015**

Comment

Roger Smith embarks on some legal time-travel

Employment: *Ian Smith* reviews some interesting contrasts in recent employment case law

Family: The family courts are in turmoil, says *Caroline East*

Personal injury: *Alistair Kinley* considers contributions, qualifications & costs

Wills & probate

The court is making efforts to keep the DMC doctrine within its proper bounds, says *Edward Rowntree*

Henrietta Mason & Paola Fudkowska report on recent wills & probate cases

How can we raise awareness of the need for solidly drafted wills, asks *James Ward*

New Law Journal **Vol. 165 No. 7680** **December 11, 2015**

Comment

Race relations: *Geoffrey Bindman* QC reflects on 50 years of legislation

Employment: *Ian Smith* provides an overview of some helpful employment decisions from the CJEU

Personal injury: *Richard Scorer & Kim Harrison* explain why anti-slavery legislation needs sharper teeth

Property: *Andy Creer* looks at the decision in *Jewelcraft*

Defamation: *John Murphy* explores the interrelationship between the torts of defamation & malicious falsehood

New Law Journal **Vol. 166 No. 7689** **March 4, 2016**

Comment

Should the SRA be allowed to police the private lives of the individuals it regulates?
Mickaela Fox & Russell Behnshare their reservations

Employment: New exit payments impact public sector terms & conditions says *Charles Pigott*

Clinical negligence: *Charles Foster* examines material contribution in clinical negligence & personal injury litigation

Public: *Khawar Qureshi QC* reports on recent immunity decisions of the High Court

Family: *David Burrows* explores how courts strive to balance the search for justice with protecting vulnerable witnesses

Banking litigation: *Simon Duncan* reports on class actions in the UK & LIBOR/FX claims

New Law Journal **Vol. 166 No. 7690** **March 11, 2016**

Comment

The Legal Education foundation has got off to a busy start, notes *Roger Smith*

Employment: Fat shaming & disability harassment. *Stephen Hurley* reports

Property: *Alexander Bastin* on forfeiture – pitfalls & remedies

Mental health: *Naomi O'Higgins* explains the role & responsibility of deputies under the Mental Capacity Act 2005

Charities: *Bethan Walsh* provides advice on how to improve charity governance in a year

New Law Journal **Vol. 166 No. 7691** **March 18, 2016**

Comment

Has Chancery Lane passed its sell-by date, asks *Jon Robins*

Employment: *Ian Smith* considers developments in some well-worn difficult areas of the law

Family: *Kim Beatson & Angelina Milon* provide an update on leave to remove cases

Public: *Nicholas Dobson* examines the use of prerogative powers & review

Commercial

Mark Lewis & Max Mallin consider interim injunctions, arbitration clauses & the court's jurisdiction

New Law Journal **Vol. 166 No. 7692** **March 25 & April 1, 2016**

Comment

Chantal-Aimée Doerries QC warns against the rush to embrace online justice

Family/ Pensions: *Alex Samuels* on the loss of pension on remarriage or cohabitation

Health & Safety: *David Branson* reports on the end of a century old overlap between civil & criminal liability in health & safety

Commercial

Can good faith be contractually implied, asks *Chris Nillesen*

New Law Journal **Vol. 166 No. 7693** **April 8, 2016**

Comment

Its time for lawyers to take a constructive view towards change, says *Ed Crosse*

Personal injury: The courts should treat victims of child abuse sympathetically in relation to time limits, says *Richard Scorer*

Exclusive: Halsbury Legal Awards 2016 launch

Data privacy: When does killing time at work become an invasion of privacy, asks *Daniel Kevan*

Employment: Has Lock developed the law on holiday pay, asks *Sarah Johnson*

Insurance: How can redress be sought for institutionalised illegality by the Department for Transport, asks *Nicholas Bevan*

New Law Journal **Vol. 166 No. 7694** **April 15, 2016**

Comment

Roger Smith reports on legal developments at home & away

Employment: *Ian Smith* rounds up the latest developments in the world of employment law

Commercial

Khawar Qureshi QC provides an update on recent accusations of arbitrator bias

The new register of companies' beneficial owners won't prevent "real owners" taking refuge, as *James Mather* explains

New Law Journal **Vol. 166 No. 7695** **April 22, 2016**

Comment

LASPO is in desperate need of a re-evaluation, says *Jon Robins*

Family: *Bethan Thomas* examines the court's approach to "add backs" here and in Australia

Property: *Nick Hopkins & Sarah Dawe* consider the challenge of registered title fraud

Commercial

Tax: *Peter Vaines* wonders what all the fuss is over the Panama Papers & reports on other recent developments in the world of tax

Oklahoma Law Review **Vol. 68 No. 2** **Winter 2016**

In defence of *Selby Country's* principle of equal State Sovereignty

Jeffrey M. Schmitt

Once upon a transaction: Narrative techniques and drafting

Susan M. Chesler & Karen J. Sneddon

George Zimmerman, Jerry Sandusky, and the ethics of
Counsel's use of the media

*Wesley M. Oliver &
Rebecca L. Silinski*

Oxford Journal of Legal Studies Vol. 36 No. 1 Spring 2016

Liberties of press and speech: 'Evidence does not exist to
contradict the...Blackstonian sense' in late 18th century England *Wendell Bird*

The Privy Council and the difficulty of distance *Paul Mitchell*

Interpretation, injustice, and integrity *Trs Allan*

Damages for breach of contract: Quantifying the lost
consumer surplus *Stephanie Mullen*

The development of international law and the role of causal
language *Gregory Messenger*

Casual uncertainty *Ernest J. Weinrib*

Blaming all women: On regulation of prostitution in State
Socialist Czechoslovakia *Barbara Havelková*

University of Pittsburgh Law Review Vol. 77 Issue 1 Fall 2015

Becoming charitable: Predicting and encouraging charitable
bequests in wills *Kristine S. Knaplund*

The case against affirmative consent: Why the well-intentioned
legislation dangerously misses the mark *Allison L. Marciniak*

Shortcomings of the 2013 Amendments to Pennsylvania's
Guaranteed Minimum Royalty Act and the need to better
protect royalty owners' rights *Wesley S. Speary*

Defining membership in a particular social group: The search
for a uniform approach to adjudicating asylum applications in
the United States *Kenneth Ludlum*

University of Pittsburgh Law Review Vol. 77 Issue 2 Winter 2015

Trust and social commerce *Julia Y. Lee*

Beyond science and hysteria: Reality and perceptions of
environmental justice concerns surrounding Marcellus and
Utica Shale Gas development *Ann M. Eisenberg*

West Indian Law Journal Vol. 39 Nos. 1&2 May & October 2014

The history, meaning and importance of Judicial Independence:
A Caribbean perspective *Chief Justice Anthony Smellie*

Negotiations of fisheries subsidies under the WTO: Can sustainability of Marine Fisheries Resources in developing countries be achieved? *Emmanuel E. Okon*

Know what you Ingest: Aspects of the legal literature on the Strict Liability Rule in the athletic doping regime *Hazelle Jones*

Beyond the contours of conventional International law: Fragmentation, pluralism and emergence of a doctrine of *de jure horizontal stare decisis* at the Caribbean Court of Justice *Jason Haynes*

Vol. 39 No. 2

Is Bitcoin “Money” for legal purposes? *Tania Mott*

Freedom of association in the Caribbean Court of Justice *Jeff Cumberbatch*

Case note: David Adolphus McKenzie v David Sampson *Kedia Delahaye*

Innocent dissemination – benefit of burden? *Coleen B. Lewis*

The non-applicability of Section 18(8) of the Constitution of Barbados to International Commercial Arbitral Tribunals *Corlita Babb-Schaefer*

The vexed question of vexatious litigation *Ria Mohammed-Davidson*