

# CURRENT AWARENESS BULLETIN

April- June 2010



COUNCIL OF LEGAL EDUCATION NORMAN  
MANLEY LAW SCHOOL LIBRARY

---

## INTRODUCTION

This publication is designed to inform users of acquisitions by the library within the stated period, and will appear quarterly until further notice.

Under **TREATISES, DIGESTS, ETC.**, the classification number for the location of the publication on the shelves, is included to the right of the listing.

Under **LEGISLATION**, the abbreviation “G.S.” means - Jamaica Gazette Supplement Bills and Acts.

Judgments are arranged by country, then listed alphabetically by names of parties, followed by the court and date of decision. Abbreviations for the courts are as follows:

P.C. Privy Council  
C.A. Court of Appeal  
S.C. Supreme Court  
R.C. Revenue Court  
F.C. Full Court

Jamaican judgments have been broadly classified to facilitate the user. Headings are indicated in bold letters appearing after the date of decision for each judgment.

Publications of other Caribbean territories are included as and when received.

**Comments:** As we begin to adapt to the new normal, John Gould asks whether it's time to adopt a new approach to ethics

**Specialist:** Employment Ian Smith takes a gender at short, precise, but nonetheless important aspects of both common & statutory

**Procedure and Practice:** Standard of Proof **Adrian Keane** considers jurors should be given a fuller & more accurate direction before returning their verdict.

**Inside Court:** Law Digest

**Profession: Expert Witness-** Expert witnesses at a conference with counsel- a practical guide-compiled by Mark Solon.

conversion in the digital age

April – June 2010

**JUDGMENTS**

ATTORNEY-GENERAL of Jamaica and the Registrar of Titles v International Trust Limited  
JMCA. 18.12.2009

**REAL PROPERTY – Appeal in respect of error of Registrar of Titles for failing to endorse caveat on certificate of title**

BAILEY, Racquel v Peter Shaw  
JMCA. 19.02.2010

**DAMAGES – Assessment – passenger suffers back injury in motor vehicle collision**

BECKFORD, Michael v R  
JMCA. 18.01.2010

**CRIMINAL LAW – Appeal against conviction for buggery**

BIGGS, Kenroy v Courts Jamaica Ltd. and Peter Thompson  
JMCA. 22.01.2010

**DAMAGES – Assessment – Personal injuries**

CABLEMAX LIMITED and J.T. Cable Network Limited and Stony Hill Cable Services Limited v  
Logic  
One Limited  
JMCA. 21.01.2010

**CIVIL PROCEDURE AND PRACTICE– Application to strike out appeal**

CABLE & WIRELESS Jamaica Limited (T/A Lime) v Digicel (Jamaica) Limited (formerly Mossel  
Jamaica Limited)  
JMCA. 16.12.2009

**CIVIL PROCEDURE AND PRACTICE – Application for stay of execution pending an appeal**

CAMPBELL, DAVID v Norma Anderson and Marlene Campbell and Michelle Hylton-Chambers  
JMCA. 14.01.2010

**REAL PROPERTY – Joint tenancy – Severance registered on Certificate of Title**

CAMPBELL, Wayne v R  
JMCA. 12.02.2010

**CRIMINAL LAW – Capital murder – Eligibility for parole**

CIGARETTE COMPANY of Jamaica Ltd. (in voluntary liquidation) v Commissioner of taxpayer  
Audit  
and Assessment  
JMCA. 12.02.2010

**REVENUE LAW – Income tax – Assessment**

CONSTRUCTION DEVELOPERS Association Limited v Urban Development Corporation  
JMCA. 23.03.2010

**CIVIL PROCEDURE AND PRACTICE– Application to strike out statement of case**

CRAMMER, Beverley v Linford Campbell  
JMCA. 16.11.2010

**FAMILY LAW – Division of property – Application under Property (Right of Spouses) Act  
2004**

DRUMMOND, Dwayne v R

JMCA. 09.02.2010

**CRIMINAL LAW – Leave to appeal conviction and sentence**

EVANS, Gary Dean v R

JMCA. 18.01.2010

**CRIMINAL LAW – Application for leave to appeal conviction and sentence for murder**

FIESTA JAMAICA Limited v National Water Commission

JMCA. 26.02.2010

**CIVIL PROCEDURE AND PRACTICE– Appeal against order refusing application by appellants for leave to file defence out of time**

FLETCHER & COMPANY Ltd. v Billy Craig Investments Ltd. (In Receivership)

JMSC. 22.01.2010

**CIVIL PROCEDURE AND PRACTICE– Injunction**

FUN SNAX LIMITED and Midel Distributors Limited v The Shell Company (W.I.) Limited

JMSC. 25.02.2010

**CONTRACT – Breach**

GEDDES, Margie v Messrs McDonald Millingen

JMCA. 05.02.2010

**CIVIL PROCEDURE AND PRACTICE – Appeal against summary judgment**

GILLESPIE, David v Chin's Construction Ltd. and Andrew Staple

JMSC. 27.11.2009

**DAMAGES – Claim for personal injury**

GREEN, Damine v R

JMCA. 11.12.2009

**CRIMINAL LAW – Application for leave to appeal conviction and sentences for illegal possession of firearm, shooting with intent and wounding with intent**

[IN THE MATTER OF All That parcel of land part of] **Greenwich Park**

JMSC. 24.11.2009

**CONVEYANCING – Application to modify restrictive covenant**

HAMILTON, Donovan v Ian Hayles

JMSC. 04.12.2009

**CIVIL PROCEDURE AND PRACTICE– Application to strike out Fixed Date Claim Form**

HUNTER, Steve v R

JMCA. 23.02.2010

**CRIMINAL LAW – Application for leave to appeal conviction and sentence for illegal possession of firearm and robbery with aggravation**

HUNTER, Winston and Johanna Hunter v Benjamin Hunter

JMSC. 20.11.2009

**CIVIL PROCEDURE AND PRACTICE– Application to set aside default judgment**

JACKSON, Keith Ian v Ruby Ann Jackson

JMSC. 07.01.2010

**FAMILY LAW – Beneficial interest of the parties in former matrimonial home**

JAMAICA STEEL Works Limited (Former Jamaica Steel Plastic Ltd.) and Ishmael Gafoor and

Amelita Gafoor v Richard Vasconcellos

JMCA. 03.03.2010

**CIVIL PROCEDURE AND PRACTICE– Condition leave to appeal to Her Majesty in Council**

KINGSTON AND ST. ANDREW Corporation v Ian Folkes and Collette Allegro Folkes and Andrew Willis

JMSC. 18.12.2009

**TOWN & COUNTRY PLANNING ACT – Consideration for grant of relief under section 23B**

KRYGGER, PETER and Garrie Don and Bradley Johns v F1 Investments Inc. and Steve Palmer and Paul Atkinson and Christopher Kelly and Patrice Palmer

JMSC. 22.01.2010

**CIVIL PROCEDURE AND PRACTICE– Without notice freezing order**

LINDSAY, Balford v Thurmutis Dawkins

JMCA. 11.12.09

**CONTRACT – Oral agreement for construction of a house – Claim for sums expended**

MCPHERSON, ALFRED and The Minister of Land and Environment

JMCA. 18.12.2009

**JUDICIAL REVIEW – Appeal against refusal of application for judicial review of decision to recommend revocation of appellant’s appointment as registrar of Titles**

MCWILLIAMS, MAGERINE and Marcia McWilliams and Melbourne McWilliams v Magil Construction

Ja. Ltd.

JMSC. 12.11.2009

**DAMAGES – Breach of contract – Negligence – Trespass**

MOSSELL (JAMAICA) Limited (T/A Digicel) v Office of Utilities Regulations and Cable & Wireless Jamaica Limited and Centennial Jamaica Limited

UKPC. 19.11.2009

**TELECOMMUNICATIONS ACT – Powers of Minister of Industry, Commerce and Technology**

NELSON, Leonard v R

JMCA. 12.01.2010

**CRIMINAL LAW – Appeal against conviction for causing grievous bodily harm with intent to cause grievous bodily harm**

ORMSBY, Valda v World Wise Partner Ltd. and Noel Strachan

JMSC. 22.01.2010

**CIVIL PROCEDURE AND PRACTICE– Application to strike out claim**

PHIPPS, FRANK and Pearl Phipps v Harold Morrison

JMCA. 29.01.2010

**CIVIL PROCEDURE AND PRACTICE– Consent Order**

R v White, Michael

JMCA. 01.02. 2010

**CRIMINAL LAW – Application for leave to appeal against conviction and sentence**

REID, Anthony v Mac’s Pharmaceutical and Cosmetics Limited

JMSC. 08.01.2010

**DAMAGES – Personal injury – Employee injured on the job**

ROSE, Bentley v City of Kingston Co-operative Credit Union Limited

JMSC. 15.01.2010

**CIVIL PROCEDURE AND PRACTICE– Striking out application – Rule 26.3(1) (b) and (c)**

ROWE-ANDERSON, Barbara v Mohini Enterprise Ltd. and Raju Lachmandas

JMSC. 29.01.2010

**NEGLIGENCE – Occupier’s liability**

SANS SOUCI Limited v VRL Services Limited

JMCA. 25.11.2009

**CONTRACT – Termination of agreement – Application to set aside arbitration award**

SCOTT, Georgette v The General Legal Council (Ex-parte Errol Cunningham)

JMCA. 18.12.2009

**LEGAL PROFESSION – Disciplinary proceedings – Application for leave to appeal to Her Majesty in Council**

SCOTT, Granville v Yvonne Adocia Scott-Robinson

JMSC. 27.01.2010

**TRUST – Purchase of realty in joint names of father and adult daughter – Whether resulting trust**

SEALY, Marlene v Harley Williams and The Attorney General of Jamaica

JMSC. 05.02.2010

**DAMAGES – Motor vehicle accident – Personal injury to lower back, left hip joint, left knee**

SPENCE, RICHARD and Leonie Spence v Maurice Hitchens and Audley Hitchens (Administrator for the Estate of Myrtle Joyce Stephenson)

JMCA. 16.11.2009

**CIVIL PROCEDURE AND PRACTICE– Application to review, vary or discharge order for sale of property**

STERLING, Eileen Beverley v Frank Arthur Sterling

JMCA. 13.11.2009

**CIVIL PROCEDURE AND PRACTICE– Appeal against appellant’s application for the determination of terms of default judgment to be entered against the defendant**

THOMPSON, Kenrick v R

JMCA. 08.02.2010

**CRIMINAL LAW – Leave to appeal conviction for rape**

TROPICROP Mushrooms Ltd. v St Thomas Parish Council and Alfred Edwards and Ian Harriott and Rupert Brown and Shane Brown and Patrick Patterson and Marcus Stewart and Sinclair McDonald

JMCA. 13.11.2009

**CIVIL PROCEDURE AND PRACTICE– Appeal from Order varying an interim injunction granted to the Appellant**

TRUSTEE IN BANKRUPTCY and Liquidator of Advanced Products Limited v DEG Deutsche Investitions UND Entwicklungsgesellschaft MBH

JMCA. 05.02.2010

**BANKRUPTCY – Bankruptcy Act, section 15(5)**

TYNDALL, HON. SHIRLEY and Patrick Hylton and Omar Davies and Jamaica Redevelopment

Foundation, Inc. v Hon. Justice Boyd Carey (Ret'd) Charles Ross and Worrick Bogle  
JMSC. 12.02.2010

**JUDICIAL REVIEW – Leave to apply for judicial review**

VASCONCELLOS, Richard v Jamaica Steel Works Ltd. (Formerly Jamaica Steel & Plastic Ltd.)  
and Ishmael Gafoor and Amelita Gafoor

JMCA. 18.12.2009

**CIVIL PROCEDURE AND PRACTICE – Appeal from judgment ordering that the appellant's application for the enforcement of a foreign judgment against the respondents be dismissed**

WATERSPORTS ENTERPRISES Limited v Jamaica Grande Limited Grand Resort Limited and  
Urban Development Corporation

JMCA. 04.12.2009

**CIVIL PROCEDURE AND PRACTICE– Whether single judge has power to grant injunctive relief**

WEIR, Dalfel v Beverley Tree (Also known as Beverley Weir

JMSC. 27.11.2009

**FAMILY LAW – Division of property**

YOUNG, Paul and Latten DaCosta v R

JMCA. 11.12.2009

**CRIMINAL LAW – Application for leave to appeal sentences for possession of firearm and shooting with intent**

ZIM ISRAEL NAVIGATION Company Limited v Kingston Terminal Operators Limited and SGS  
Supervise Jamaica Ltd.

JMSC. 07.01.2010

**CONTRACT – Exclusionary clause**

## **Bahamas**

### **Acts**

10/2010	Appropriation (Capital Development) (2010/2011) Act
9/2010	Appropriation (Revenue Account Expenses (2010/2011) Act
7/2010	Bahamas Technical and Technical Vocational Institute Act
12/2010	Excise (Amendment) Act
8/2010	Good Samaritan (Food Donation Act
15/2010	Industries Encouragement (Amendment) Act
16/2010	Road Traffic (Amendment) Act
14/2010	Spirits and Beer Manufacture Act
13/2010	Stamp (Amendment) Act
11/2010	Tariff (Amendment) Act
1/2010	United States Preclearance Agreement Act

## **Commonwealth of Dominica**

### **Acts**

16/2010	Audit (Amendment) Act
13/2010	Electronic Evidence Act
9/2010	Income Tax (Amendment) Act
15/2010	International Business Companies (Amendment) Act
8/2010	Money Services Business
11/2010	Piracy Act
10/2010	Proceeds of Crime (Amendment) Act
14/2010	Public Service (Amendment) Act
6/2010	Recording of Court Proceedings Act
7/2010	Supplementary Appropriation (2009/2010) (No. 2) Act
12/2010	Theft (Amendment) Act
5/2010	Treasury Bills Act

## **Jamaica**

### **Acts**

13/2010	Appropriation Act
10/2010	Betting, Gaming and Lotteries (Amendment) Act
11/2010	Casino Gaming Act
3/2010	Cybercrimes Act
5/1010	Financial Administration and Audit (Amendment) (No. 2) Act
9/2010	Financial Investigations Division Act
12/2010	Independent Commission of Investigations Act
8/2010	Labour Relations and Industrial Disputes (Amendment) Act
7/2010	Public Bodies Management and Accountability Act
6/2010	Public Passenger Transport (Kingston Metropolitan Transport Region) (Jamaica Urban Transit Company Limited Third Party Insurance Scheme) (Validation and Indemnity) Act
4/2010	Terrorism Prevention (Amendment) Act

## **St. Christopher and Nevis**

### **Acts**

1/2010	Appropriation Act
--------	-------------------

Current Law Statutes 2009 Vols. 1, 2, & 3  
Laws of Belize 2004 – 2009  
Laws of St Christopher and Nevis Vols. 1 – 13 2002

## **LAW REPORTS**



All England Law Reports	2010 Vol. 1
Dominion Law Reports Vols. 312, 313, 314	2010
Law Reports of the Commonwealth	2010 Vol. 2
Law Reports – Appeal Cases	2009
Law Reports – Chancery Division	2009
Law Reports – Family Division	2009
Law Reports – Queen’s Bench Division	2009
New Zealand Law Reports	2010 Vol. 1
Weekly Law Reports	2010 Vol. 1 pts.1&2, Vols. 2 & 3
West Indian Reports	2010 Vol. 75

### TREATISES, DIGESTS ETC.

Atkins Court Forms. 2<sup>nd</sup> ed. 2010

Vol. 21	Gambling, Harassment and Anti-social behaviour	
Vol. 32(1)	Probate and family provision	
Vol. 35	Sale and supply of goods and services	KN351.A88

Encyclopaedia of Forms and Precedents. 5<sup>th</sup> ed. 2010 Reissue

Vol. 10(2)	Companies – borrowing and debentures	
Vols. 21(1&2)	Intellectual property	
Vol. 22(2)B	Landlord and tenant (Business Tenancies)	
Vol. 25(1)B	Land Registration – Land Registry Forms	KN74.1.E51

Family law / Jonathan Herring. – 2<sup>nd</sup> ed.  
Longman, 2004

KN170.H447

Injunctions / David Bean. – 10<sup>th</sup> ed.  
London, Sweet & Maxwell, 2010

KN232.B43

### SERIALS

**ABA Journal Vol. 96 March 2010**

**President’s message**

Merit-based judicial selection, confirmation processes help to ensure impartiality  
*Carolyn B. Lamm*

**Opening statements**

Justice Stevens is behind the plate on a new *Green Bag* trading card  
*Richard Burst*

Chicago-area attorney brings wrongful convictions into focus through  
the video lens  
*Deborah L. Cohen*

Idaho breaks new ground with a program pairing a DJ with studies  
in water resources  
*Virginia Groark*

ASCAP stakes its claim over ringtones and royalty fees  
*Arin Greenwood*

Northwestern how-to manual seeks to expand a network of investor  
protection clinics  
*Ed Finkel*

William Kunstler's daughters carry on their father's legacy, giving him his due in a documentary tribute *Wendy N. Davis*

### **National pulse**

Networking sites spur another look at bogus e-mail *Wendy N. Davis*

Five years after *Booker*, the expected transformation of sentencing practices is slow to take shape *Mark Hanson*

### **Supreme Court Report**

Is it a privacy violation to review a police officer's pager message? *Mark Hanson*

### **Ethics**

Stolen case information creates an ethics haze for lawyers *Michael Downey*

### **Litigation**

Why witnesses turn evasive – and how to stop it *Jim McElhaney*

### **Business of Law**

Trailblazing judge looks back at gains made by female lawyers – and forward to future challenges *Susan A. Berson*

Liturgical newsletters, bulletins offer solos marketing opportunities *Deborah L. Cohen*

Associates find trading income for experience pays off *Kristin Choo*

Five tips for better security, privacy on Facebook *Dennis Kennedy*

Security issues with iPhone give law firms pause for thought *Ian Monroe*

### **Your ABA**

Our staff reports on highlights from this year's ABA Midyear Meeting in Orlando, Fla. *James Podgers*

### **Obiter Dicta**

Some prefer a court-ordered, rose-coloured version of reality *Brian Sullivan*

**ABA Journal Vol. 96 April 2010**

### **President's message**

The ABA is uniquely "well-qualified" to assess potential federal judicial nominees *Carolyn B. Lamm*

### **Opening statements**

Virginia yogis issue a First Amendment challenge to the state *Arin Greenwood*

Mingling of business law and family business inspires Mexifeast *Ed Finkel*

Bombay High Court ruling levels the law license playing field *Leslie A. Gordon*

Hometown to honour Justice William Brennan with statue *Margaret Littman*

### **National pulse**

Non-visually impaired kids are bringing their aide dogs to class *Ed Finkel*

Lawyers puzzled over civilian versus military juries	<i>John Gibeaut</i>
<b>Supreme Court Report</b>	
High court to weigh in on Christian group's campus recognition	<i>David L. Hudson Jr.</i>
<b>Litigation</b>	
Final argument is your last chance to make your story convincing	<i>Jim McElhaney</i>
<b>Ethics</b>	
Despite ethics questions, law firms are storing client data on the Net	<i>Richard Acello</i>
<b>Business of Law</b>	
Class action average Ted Frank takes on questionable settlements	<i>Rachel M. Zahorsky</i>
Battle over online legal services heats up in Connecticut	<i>M.M. Filisko</i>
NALP's proposed changes for on-campus recruitment trigger backlash	<i>G.M. Filisko</i>
"Taxgirl" Kelly Phillips Erb advises solos, small-firms lawyers to play it safe with deductions	<i>Stephanie Francis Ward</i>
Will Apple's iPad send the time-honored legal pad packing?	<i>Dennis Kennedy</i>
<b>Your ABA</b>	
International Law Section sponsors exhibit on fate of Jewish lawyers under the Nazi regime	<i>G.M. Filisko</i>
Medical-legal partnerships tackle social factors behind health crises	<i>Rhonda McMillion</i>
<b>Obiter Dicta</b>	
Should some dental patients have a lawyer on retainer?	<i>Brian Sullivan</i>

**ABA Journal Vol. 96 May 2010**

<b>President's message</b>	
Economics factor into ABA's federal governmental advocacy efforts	
<b>Opening statements</b>	
Bar exam? There's an app for that	
3L behind the blog First One @ One First is at the head of the line	<i>Virginia Groark</i>
Spoofing technologies draw legislative backlash	<i>Leslie A. Gordon</i>
Newest protection class: caregivers	<i>L.A.G.</i>
Digital technologies spur alternative-to-copyright movement	<i>Arin Greenwood</i>
<b>National pulse</b>	
Court OKs voting for felons, sets up circuit conflict	<i>Leslie A. Gordon</i>
Once again, Illinois high court flips med-mal limits	<i>John Gibeaut</i>

## **Supreme Court Report**

Court passes on the fate of Chinese Muslims remaining at Gitmo *Anna Stolley Persky*

## **Litigation**

The problem with greed is more than a matter of asking for too much

*Jim McElhaney*

## **Ethics**

Ethics may require challenges to Alzheimer's-impaired lawyers *Richard Acello*

## **Business of Law**

Former leader of the DIY low-cost legal services field goes into bankruptcy giving way to online providers – who face other challenges

*Richard Acello*

Law blogs more attuned to search-engine optimization than legal news come in for criticism

*Rachel M. Zahorsky*

Google phasing out support of Internet Explorer 6 Web browser *Richard Acello*

Old-school social networking – by way of public speaking, face-to-face reaction – remains rainmaking tool

*Deborah L. Cohen*

U.S. Patent and trademark Office is on the cutting edge of federal government work-at-home initiatives

*Deborah L. Cohen*

Robots as the new liability frontier

*Richard Acello*

## **Your ABA**

ABA book goes back 5,000 years in search of the first lawyer

*G.M. Filisko*

Association urges Congress to strengthen laws curbing gender-based wage discrimination

*Rhonda McMillion*

## **Precedents**

U.S. Supreme Court issues ruling on restrictive housing covenants

*George Hodak*

**ABA Journal Vol. 96 June 2010**

## **President's message**

Workplace flexibility exercise and leisure family involvement greater satisfaction

*Carolyn B. Lamm*

## **Opening statements**

New York lawyer rolls with the punches, as son's bar mitzvah is paired with a boxing match at Yankee Stadium

*Jackie Rothenberg*

Portion of law Prof. Arthur Miller's "stealth collection" of 19<sup>th</sup> century Japanese prints goes on display in New York City

*J.R.*

Fortune teller turns to the ACLU in a Maryland business-license battle

*Arin Greenwood*

IP firm is latest victim in a wave of e-mail scams targeting lawyers

*Stephanie Francis Ward*

**National pulse**

Efforts mount to loosen the chains on a prisoner litigation statute *Wendy N. Davis*

Damaging words cost pastor his pulpit but land him big bucks *John Gibeaut*

**Supreme Court Report**

Court weighs arguments for anonymity on public petitions *Mark Walsh*

**Litigation**

Identify the key to your case, then make sure everyone knows what it is  
*McElhaney*

**Ethics**

Client consent is a safe step when lawyers outsource work on cases  
*Kathryn A. Thompson*

**Business of law**

Collaborative law gains traction and boosts lawyers' work-life balance  
*Becky Beaupre Gillespie*

Court-appointed receiver strays off course, awaits sentencing fate  
*Siobhan Morrissey*

Web-based management systems link law firms and clients *Rachel M. Zahorsky*

D.C. firm launches legal crisis management blog *Rachel M. Zahorsky*

With the release of Microsoft Office 2010, it might be time to  
reconsider your software choices *Dennis Kennedy*

**Your ABA**

Rediscovered letter to LBJ helps Bay Area lawyer retrieve memories  
*Debra Cassens Weiss*

ABA's new executive director, Jack Rives, has the right stuff *James Podgers*

Senior lawyers work to get kids to care about federal programs *James Podgers*

Bar leaders, legislators come together for annual rite of spring *Rhonda McMillion*

**California Western International Law Journal Vol. 40 No. 2 Spring 2010**

Honor killings and the cultural defence *John Alan CVohan*

*Flemming Rose*, the Danish Cartoon controversy, and the new  
European freedom of speech *Robert A. Kahn*

**Cambridge Law Journal Vol. 69 Pt. 1 March 2010**

Lord Radcliffe out of time *Neil Duxbury*

Interpreting the new concept of hearsay *Diane Birch & Michael Hirst*

"A European Civil Code in all but name": discussing the nature  
and purpose of the draft common frame of reference *Nils Jansen*

The Court's Jurisdiction to restrain a creditor from presenting a winding-up petition where a Cross-claim exists *Suet Lin Joice Lee*

Getting defensive about police negligence: The *Hill* principle, the Human Rights Act 1998 and the House of Lords *Claire Mclvor*

Disguised returns of capital – an arm's length approach *Eva Micheler*

'Medicine, mistakes and manslaughter – a criminal combination?' *Oliver Quick*

**Columbia Journal of Law and Social Problems Vol. 43 No. 3 Spring 2010**

Don't save the date: how more Restrictive State Voter Registration deadlines disenfranchise minority voters *Andrea M. Lee*

Paying for prisoner suits: how the source of damages impacts state correctional agencies' behavior *Joshua J. Fougere*

Efficiency and certainty in uncertain times: the material adverse change clause revisited *Michelle Shenker Garrett*

A matter of interpretation: how the language barrier and the trend of criminalizing illegal immigration caused a deprivation of due process following the Agriprocessors, Inc raids *Donna Ackermann*

**Commonwealth Judicial Journal Vol. 18 No. 3 June 2010**

A Commonwealth of Laws: at 60 and beyond *Sir Shridath Ramphal*

Children in armed conflict *Renate Winter*

The role of Specialist Commercial Courts *Ian Kawaley*

The development of Judicial Codes of Conduct: A Canadian Perspective *John Z. Vertes*

Greek tragedy in Gibraltar *David McClean*

**Integration Quarterly September – December 2009 (UWI – CARICOM Project)**

Is the Caribbean region on the verge of shipwreck? *Ruel Johnson*

A culture of violence *Dzifa Job*

Climate change – an incremental attack on our development *Yolanda Collins*

Coin toss - Has throwing money at Caribbean cricket improved the game? *Candice York*

Crime and security – is crime a deterrent to Regional integration? *Jermaine D. Nairne*

Developing is a way of thinking *Tricia Barrow Hazlewood*

The Caribbean in the New world order *Benito Wheatley*

Surviving the storm – The global financial crisis and its implications  
for regional integration *Jon Bannister*

Information and communication technologies –  
A driver for the region's economic survival *Joseph Ince*

A case for regulation – The CARICOM Financial Environment  
in the wake of CLICO *Christine Clark*

Expanding Merida why the US needs to bring the Caribbean in to  
its latest anti-narcotic initiatives *Karelle Samuda*

**International Review of the Red Cross Vol. 91 No. 876 December 2009**

The International Conference of the Red Cross and Red Crescent:  
challenges, key issues and achievements *Francois Bugnion*

The importance of the International Conference of the Red Cross and  
Red Crescent to National Societies: fundamental in theory  
and in practice *Michael Meyer*

Participation of States in the International Conference of the Red  
Cross and Red Crescent and assemblies of other international  
organizations *Deborah Casalin*

The emblem that cried wolf: ICRC study on the use of the emblems  
*Baptiste Rolle*

**International Review of the Red Cross Vol. 92 No. 877 March 2010**

Between Amazons and Sabines: a historical approach to women  
and war *Irène Herrmann & Daniel Palmieri*

The dialogue of difference: gender perspective on international  
humanitarian law *Helen Durham*

Women fighters and the 'beautiful soul' narrative *Laura Sjoberg*

Women's participation in the Rwandan genocide: mothers or  
mosters? *Nicole Hogg*

From helplessness to agency: examining the plurality of women's  
experiences in armed conflict *Medina Haeri*

Women in detention *Julie Ashdown and Mel James*

Women, armed conflict and language – Gender, violence and discourse  
*Laura J. Shepherd*

Women, economy, war *Carolyn Nordstrom*

'They came with two guns': the consequences of sexual violence  
for the mental health of women in armed conflicts *Evelyne Josse*

The Security Council on women in war: between peacebuilding  
and humanitarian protection *Alain-Guy Tachou-Sipowo*

UN Security Council Resolutions 1325 and 1820: constructing gender in armed conflict and international humanitarian law	<i>Amy Barrow</i>
Between rhetoric and reality: exploring the impact of military humanitarian intervention upon sexual violence – post-conflict sex trafficking in Kosovo	<i>Samantha T. Godec</i>
Lost in translation: UN responses to sexual violence against men and boys in situations of armed conflict	<i>Sandesh Sivakumaran</i>
<b>Law Society Gazette April 1, 2010</b>	
Consumer call for competence test	<i>Neil Ross</i>
European Commission outlines argument against in-house legal privilege rights	<i>James Dean</i>
Scotland's high street solicitors are on the march against 'Tesco law'	<i>Joshua Rozenberg</i>
<b>Law Society Gazette April 9, 2010</b>	
Quinn's future hangs in the balance	<i>James Dean</i>
Legal aid cuts 'under any government'	<i>Catherine Baksi</i>
The chair of the SRA board on a critical 18 months for the regulator	<i>Paul Rogerson</i>
Property solicitors urgently need to adapt to a very different market	<i>Mark Smulian</i>
<b>Law Society Gazette April 15, 2010</b>	
Fears over child care lawyer shortage	<i>Catherine Baksi</i>
What the election result will mean for the legal profession	<i>Michael Cross</i>
Lawyers need to start thinking about the practical aspects of non-jury trials	<i>Seth Levine</i>
Weighing the options: the Lord Chief Justice has been keen to emphasise the importance of judicial independence	<i>Joshua Rozenberg</i>
<b>Law Society Gazette April 22, 2010</b>	
John Davidson, legal chief at brewer SABMiller, on coping with new pressures	<i>James Dean</i>
Assessing the impact of <i>British Chiropractic Association v Simon Singh</i>	<i>Amber Melville-Brown</i>
<b>Law Society Gazette April 29, 2010</b>	
General council 'bypass law firms'	<i>Rachel Rothwell</i>
Will a 'plea in bar' protect ex-MPs from prosecution over expenses	



*Joshua Rozenberg*

New business structures: We look at what the legal services reforms could mean for the bar

*Catherine Baksi*

**Law Society Gazette May 6, 2010**

RTA portal launch runs into trouble

*James Dean*

Society survey lays bare BME insurance divide

*Jonathan Rayner*

President's podium

*Robert Heslett*

Manchester's legal sector has rallied following recent market turbulence

*Polly Botsford*

**Law Society Gazette May 20, 2010**

QualitySolicitors hits the high street

*Catherine Baksi*

'No evidence' that referral fees harm consumers

*Catherine Baksi*

Roger Smith resumes his monthly column on human rights

*Roger Smith*

'No evidence' that referral fees harm consumers

*Catherine Baksi*

**Law Society Gazette May 27, 2010**

Office of Fair Trading (OFT) chief slams defendant tactics

*James Dean*

Leading international law experts overlook high-profile failures

*Joshua Rozenberg*

Solicitor Gordon Turner found jury service to be both humbling and instructive

*Gordon Turner*

**Law Society Gazette June 3, 2010**

Legal Services Commission (LSC) accused of squandering millions

*Catherine Baksi*

The election result provides a welcome opportunity to revisit unresolved issues

*Robert Heslett*

Disillusioned lawyers are searching for alternatives to the traditional career path

*Jack Downton*

**Law Society Gazette June 10, 2010**

'Appalling' child care delays tackled

*Rachel Rothwell*

Solicitor jailed for stealing to fund 'extravagant' lifestyle

*Tony Palmer*

We have only vague pledges from the government and await detailed policy

*Joshua Rozenberg*

The World Cup offers fresh opportunities for lawyers and solicitors-agents alike

*Polly Botsford*

**Law Teacher Vol. 44 No. 1 March 2010**

- Quality assurance: is the jury still out? *Peter Williams*
- “Innovation in inclusion” – a financial m-learning game: part one *Clare Chambers*
- Health care law curriculum and scholarship in Canada, USA and England: lessons for Nigeria *Remigius N. Nwabueze*
- Online enhanced problem-based learning: assessing a blended learning framework *Ian McCall*
- Teaching ethics in financial services law *Peter Yeoh*

**Loyola University Chicago Law Journal Vol. 41 No. 3 Spring 2010**

- Designing better institutions to enforce competition law: a symposium introduction *Spencer Weber Waller*
- When the going gets tight: institutional solutions when antitrust enforcement resources are scarce *Michal S. Gal*
- Stranger in a strange land: an outsider’s view of antitrust and the courts *Neil Komesar*
- Designing competition law institutions: values, structure, and mandate *Michael J. Trebilock*
- Antitrust and institutions: design and change *Eleanor M. Fox*
- A model of antitrust regulatory strategy *Allan Fels*
- Reforming the enforcement of the Japanese antimonopoly law *Mitsuo Matsushita*
- The institutional design of Canadian Competition Law: the evolving role of the Commissioner *Calvin S. Goldman, Q.C.*
- Designing antitrust agencies for more effective outcomes: what antitrust can learn from restaurant guides *D. Daniel Sokol*
- The (Un) constitutionality of Section 632 of the Edge Act: an analysis under Article III and theories of protective jurisdiction *Elizabeth R. Sheyn*
- The private antitrust remedy: lessons from the American experience *Edward D. Cavanagh*

**New Law Journal Vol. 160 No. 7412 April 2 & 9, 2010**

**Comment**

What follows if the Iraq war was illegal? Ask *Prof. Steven Greer & Dr. Nikolaos Tsagourias*

**Employment:** *Charles Pigott* illustrates the wide reach of the *Lister* test for vicarious liability

**Family:** *David Burrows* unravels the complexities of solicitors’ retainer contracts

**Public/ Human Rights:** The government should heed advice to reduce terrorism detention, *Ali Naseem Bajwa* and *Beth O'Reilly*

**Property:** An appropriate briefing is key to untangling release fee damages, says *Andrew Francis*

**Personal injury/ Limitation:** *Keith Patten* examines the complex & inconsistent area of PI limitation law

**New Law Journal**      **Vol. 160 No. 7413**      **April 16, 2010**

**Comment**

**Cost:** "One-way proportionality" will restrict access to justice, says *Patrick Allen*

*Stuart Kightley* on costs control in a changing climate

**Employment:** *Ian Smith* provides a tantalizing analysis of the latest employment cases

**Family/Wills & probate:** *Richard Sims* reports on developments in family provision & intestacy

**Personal injury:** Pleural plaque sufferers deserve better justice, says *Richard Scorer*

**Property:** *Emma Humphreys & Malcolm Dowden* on penalising a landlord for negotiating instead of litigating

**Public/ Employment:** How will the judgment in *G* affect employees outside the schoolroom? *Henrietta Hill* reports

**Professional negligence:** *Roddy Macleod* asks the question: to sue or not to sue?

**Wills & probate:** *Michael Tringham* examines legal changes down under

**New Law Journal**      **Vol. 160 No. 7414**      **April 23, 2010**

**Comment**

How would a victory for David Cameron shake up the property market?  
*James Naylor* reports

**Employment:** *Charles Pigott* predicts more uncertainty for agency workers

**Family:** *Tanya Roberts & Amy Radnor* consider the interaction between TOLATA 1996 & ancillary relief

**Personal injury/ Occupiers liability:** Despite media hype courts are reluctant to extend the categories of liability to occupiers. *Roddy Macleod* explains why

**Regulatory:** When can solicitors terminate a contentious retainer & can they claim costs? Ask *Paul Castellani & Victoria Sugden*

**New Law Journal**      **Vol. 160 No. 7416**      **May 7, 2010**

**Comment**

On its 40<sup>th</sup> anniversary it's time the Equal Pay Act live up to its name says *Jon Robins*

**Employment:** *Nicholas Dobson* examines an eternal well-spring of legal surprises

**Family:** *Alison Bull* reports on the use of virtual signings & closings in the family courts

**Public/ Human rights:** *Alison Pickup* analyses the changing nature of detaining foreign prisoners

**Property/ Landlord & tenant:** *Kenneth A. Warner* examines cases of unlawful encampments

**Personal injury:** *Brent McDonald* on public duties & private remedies

**New Law Journal      Vol. 160 No. 7417      May 14, 2010**

**Comment**

*John Cooper QC* says Big Brother is watching more than ever before

**Employment:** *Ian Smith* explains why employment law has captured the nation's heart & headlines

**Family/Child law:** *Finola Moss* identifies some fundamental flaws in the care system

**Personal injury:** *Lisa Wright* provides a timely reminder about the pitfalls of infant settlements

**Property:** *Andrew Lugg* considers the case against land obligation & advises us to learn the lessons of the past

**Public/Human rights:** *Susan Nash* provides an update on recent human rights cases

**Wills & probate:** *Michael Tringham* examines recent cases across the sea

**Commercial:** *Paul Harris* says it's time to clamp down on internet defamation

**New Law Journal      Vol. 160 No. 7418      May 21, 2010**

**Comment**

Whither Jackson post the election: *Dominic Regan* shares his predictions

**Family:** *Jonathan Herring* laments a raft of predictable child protection failures

**Personal injury/ Medical negligence:** *David Locke* believes a new ADR protocol could resuscitate the Jackson proposals

**Property:** The statutory service change consultation procedure in a nutshell, by *Robert Highmore & Malcolm Dowden*

**Commercial:** *Lista M. Cannon & Alex H. Rene* assess compliance confrontations in the wake of the new Bribery Act

**New Law Journal      Vol. 160 No. 7419      May 28, 2010**

**Comment**

Referral fees: *David Greene* says it's time to tackle the elephant in the room

**Employment:** Radical or just worthy? *Charles Pigott* puts the Equality Act under the spotlight

**Family/ Election special:** What does the coalition government mean for family reform?  
*Mark Irving reports*

**Personal injury:** *Brent McDonald* considers the high cost of exaggeration & fraud

**Property:** *Andrew Bruce* considers the Court of Appeal's decision in *Clarence House* & the future of virtual assignments

**Regulatory:** *Eoin O'Shea, Nicola McLeod & Alex Beal* say the SFO will have to reconsider penalties for bribery

**New Law Journal**      **Vol. 160 No. 7420**      **June 4, 2010**

**Comment**

Is this the beginning of the end of the law we know it? Asks *Ian Jones*

**Employment/ Discrimination:** Fit for purpose? *Lisa Hatch* weighs up the new style sick notes

**Family:** *Caroline Wright & Nigel Dyer QC* consider how *Agbaje* will affect the divorce courts at home & abroad

**Personal injury:** Attempts to contest the scope of the vicarious liability doctrine are likely to fail, says *Richard Scorer*

**Property/ Landlord & tenant:** *Julian Sidoli del Ceno* considers the future of on going guarantees for landlords

**Public/ Community:** *Ed Mitchell & Clive Lewis QC* report on a rare event in community care law

**Commercial:** *Tony Child* relates the story behind *Olafsson v Iceland*, the first successful challenge to national taxation

**New Law Journal**      **Vol. 160 No. 7421**      **June 11, 2010**

**Comment**

*Sarah Webb* asks why libel gets so much attention

**Employment:** *Chris Bryden & Michael Salter* explain why equal pay remains an unattained goal

**Family:** *David Burrows* breaks a self-imposed ordinance

**Personal injury:** *Keith Patten* outlines the difficulties associated with the "but for" test

**Property/ Insurance:** *Andrew Luggier* warns property practitioners against an over reliance on indemnity insurance

**Public/ Planning:** *Nicholas Dobson* reports on the pitch battle between Sainsbury's Tesco

**Wills & Probate:** *Ashton Davies* offers advice on responding to information requests

**Wills & Probate:** *Michael Tringham* stress the importance of beating the clock

**New Law Journal**      **Vol. 160 No. 7422**      **June 18, 2010**

**Comment**

*Roger Smith* digests a legal lunch & libel reform

**Employment:** How will *Edwards* influence the future of wrongful dismissal claims?  
*Spencer Keen & Jennifer Lee* reports

**Family:** *Rachel Morgan* sheds light on hostile family break-ups & the use of a judicial weapon of last resort

**Personal injury:** *Brent McDonald* provides some clarity to the correct approach in cases involving trips abroad

**Property/ Landlord & tenant:** *Annette Cafferkey* provides an update on public law defences & discrimination

**Public law/ Human rights:** Stardom, slogans & surveillance: an international update by *Susan Nash*

**Commercial:** *Jonathan Cohen* addresses limitation challenges & termination provisions in IT supply contracts

**Oxford Journal of Legal Studies**      **Vol. 30 No. 2**      **Summer 2010**

Law before Government: ideology and aspiration      *Fernanda Pirie*

Copyright and its categories of original works      *Justine Pila*

Revisiting the contribution of literal meaning to legal meaning      *Brian Flanagan*

What is s political constitution?      *Graham Gee & Gregoire C.N. Webber*

*R (Purdy) v DPP* and the case for willful blindness      *Kate Greasley*

Deliberative democracy and the countermajoritarian difficulty:  
considering constitutional juries      *Eric Ghosh*

Regulatory interpretation: conversational of constructive?  
*Andromachi Georgosouli*

**Solicitors Journal**      **Vol. 154 No. 13**      **April 6, 2010**

**Lease of life**

A recent judgment on commercial leases may be more advantageous to landlords than first thought, says *Geoffrey Wolfarth*

**No compromise**

An employment tribunal now has the jurisdiction to assess the validity of compromise agreements, but the limits of this power remain unclear, says *Mark Conway*

**Faking it**

Jackson LJ's proposals for costs shifting could lead to an increase in fraudulent RTA claims, which will be detrimental to both genuine claimants and solicitors, warns *Karen Rose*

### **Judge for yourself**

*DJ Monty Trent* talks to *Jean-Yves Gilg* about his plans to change people's minds about alternative disputes resolution

### **A healthy balance**

With the NHS under increasing pressure to slash costs, including its legal spend, a new dynamic in the healthcare legal market is emerging. So where do firms see the opportunities? *Jenny Ramage* reports

### **A new focus**

Following last week's *Closing the Justice Gap* debate, *Lord Bach* outlines his vision for the future of legal aid

### **Life in crime**

Three or more people using or threatening violence in the same place do not need to be acting with a 'common purpose' to be found guilty of violent disorder, says *David Rhodes*

### **Update: competition**

*Richard Waite* considers the merger between Ticketmaster and Live Nation and the revocation of the land agreements exclusion

### **Update: immigration**

*Jane Coker* reviews removal and deportation and a change to the Immigration Rules

**Solicitors Journal**      **Vol. 154 No. 14**      **April 13, 2010**

### **Follow the instructions**

The ruling that solicitors can stop acting for clients whose instructions are unrealistic should reassure practitioners concerned about unreasonable requests, says *Mike Willis*

### **Cut your losses**

A ruling on stigma losses may not lead to higher damages awards, but employers could face more claims from employees with expectations of large payouts, says *Charis Damiano*

### **Served chilled**

The recent triumph of freedom of expression may have reduced the 'chilling effect' of libel laws, but it has also brought uncertainty to the fair comment defence, writes *Rod Dadak*

### **Bridging the gap**

Further harmonisation of the laws across different jurisdictions is needed to keep up with an increasingly globalised and mobile population, says *Grant Howell*

### **Hidden threats**

The recent decision that costs do not necessarily follow the event in cash forfeiture cases could operate like a Trojan horse against defendants in such case, say *Andrew Mitchell QC* and *Penelope Small*

### **Unleashed**

*Russell Conway* ponders the pitfalls of legal fashion

**View from the bench**

*DJ Julie Exton* examines the changes brought about by the 51<sup>st</sup> CPR update

**Update: planning**

*Jim Ryan* and *Craig Whelton* review the new Community Infrastructure Levy Regulations

**Update: sports law**

*Chris Walsh* and *Adam Leadercramer* consider the fit and proper person test

**Solicitors Journal**      **Vol. 154 No. 15**      **April 20, 2010**

**Reporting back**

Most coroners seem to receive appropriate responses to their reports on the prevention of further deaths, but the official figures do not paint an accurate picture of the reality, says *David Hewitt*

**Mad rush**

The new RTA regime will result in quicker but lower-quality settlements and claimants will suffer, says *David Ellis*

**Known unknowns**

ABSs could deliver genuine benefits but there is just no way knowing at this stage whether the model will be suitable for your firm, says *Jonathan Smithers*

**The future's green**

The green lease toolkit will encourage landlords and tenants to work together on environmental issues, preparing the way for eventual legislation, says *Dominic Beeton*

**Regional focus**

*Jean-Yves Gilg* reports on the thriving agricultural sector in the East Midlands

**Civil conduct**

Practitioners must give early and proper consideration to the disclosure of electronically stored information, says *Mark Clark*

**Update: commercial property**

*Eugene McMahon* and *Janet Matthews* consider cases involving authorised guarantee agreements and virtual assignments

**Solicitors Journal**      **Vol. 154 No. 16**      **April 27, 2010**

**Virtual alienation**

The right of tenants to 'virtually assign' leases has been strengthened by a recent case, but the change should also be welcomed by landlords, says *Julian Sidoli del Ceno*

**No end in sight?**

With the number of indeterminate sentences increasing, the authorities should publish the correct test to be applied when prisoners are considered for release, says *Philip Rule*



**A broader perspective**

The jurisdiction of a Land Registry adjudicator has been considerably widened in cases where an application for a restriction against a property has been made, says *Chandni Ruparelia*

**New for old**

Developers may now have to pay a levy to meet the cost of structural changes to the local area. *Mangala Murali* explains how the Community Infrastructure Levy will work

**Caste away**

New provisions in the Equality Act give the government the power to outlaw caste discrimination, but its success depends on the outcome of important research, says *Louise Fernandes-Owen*

**European briefing**

The ECJ's decision that Google does not infringe third party trademarks through its AdWords service has avoided other issuers, says *Paul Stanley QC*

**Update: employment**

*Sue Ashtiany* reviews cases on injury awards for discrimination, whistleblowing and stress at work

**Update: ecclesiastical**

*Gregory Jones* and *Cain Ormondroyd* discuss works to listed and other church buildings and cremation of human remains

**Solicitors Journal**

**Vol. 154 No. 17**

**May 4, 2010**

**Mother of all battles**

Are the courts increasingly prepared to transfer residence to fathers? *Miranda Fisher* and *Ayla Dogruyol* report

**Logging out**

The use of online networking sites is rising, but what happens to an individual's digital legacy after their death, asks *Nicola Plant*

**Pretty vacant**

Landlords should take advantage of the new 'meanwhile' leases, which are designed for short-term lettings, says *Michael Fahy*

**Cutting class**

Lawyers should brace themselves for a further raft of reform in the education sector, say *Stephen Hart* and *Andrea Squires*

**The right price?**

Costs in low-value personal injury cases involving children are unnecessarily complicated, says *David Ellis*

**Not so simple**

LPAs were simplified to make them less confusing to lay people, but the process is still difficult, says *Reshma Field*

**Life in crime**

How do the 'law and order' policies of the main parties compare? *Lucy Corrin* examines the manifestos

**Update: pensions**

*Alan Fowler* reviews the new duties of the information commissioner under the Data Protection Act and the NEST scheme

**Update: consumer**

*Bryan Nott* looks at three recent High Court cases which have strengthened the hands of banks as creditors

**Solicitors Journal**      **Vol. 154 No. 18**      **May 11, 2010**

**Know thyself**

ABBs May be on the horizon, but there are more pressing, basic issues for law firms: whether you know your business well enough to build its long-term future, says *Jonathan Smithers*

**Bring a lawyer**

Recent cases have increased the right to legal representation for employees facing disciplinary proceedings. *Sean Reynolds* reports

**In the balance**

From harassment by third parties to associative discrimination, *Louise Price* considers some of the most significant changes in the Equality Act

**As the dust settles**

Thousands of British travelers were left out of pocket by the chaos caused by the volcanic ash cloud. *Craig Moore* reviews the legal framework relating to financial and other redress

**Transmission failure**

A little known clause in the CPR could have disastrous consequences for lawyers hoping to file last-minute court papers by fax, says *Andrew Butler*

**Unleashed**

*Russell Conway* imagines what the legal profession might look like in 2025

**View from the bench**

The new process for low-value RTA claims should mean injured claimants are compensated more quickly, says *D.J. Paul Mildred*

**Update: tax and trusts**

*David Bird* reviews tax and estate planning, inheritance tax and property relief

**Update: professional negligence**

*Victoria Brackett* and *Katie Papworth* consider expert witness immunity and limitation

**Solicitors Journal**      **Vol. 154 No. 19**      **May 18, 2010**

**Hybrid propulsion**

Being a 'hybrid' firm makes sound financial sense in these straitened times, but it also means you can attract and retain highly experienced lawyers, says *Christina Blacklaws*

**New balls, please**

The recent newspaper victory in a libel action brought by a tennis player demonstrates the need for judges to take a stand against unsuitable defamation claims, says *Rod Dadak*

### **Happy families**

Family law reform featured high in the Conservative manifesto, along with tax reform, civil litigation costs and referral fees. Our regulars review the situation in the wake of Lib/Con coalition

### **Loathe thy neighbour**

Practitioners have a duty to warn clients of the potentially costly consequences of boundary disputes between neighbours and to strongly recommend mediation, warns *Paul Denham*

### **What the doctor ordered**

A ruling against an NHS trust illustrates the complexity of public sector disciplinary procedures, and should act a warning to employers to be cautious, says *Andreas White*

### **Civil conduct**

Solicitors should act quickly to ensure clients have adequate procedures to protect themselves from prosecution under the new Bribery Act, says *Nick Burkill*

### **Update: fraud**

*David McCluskey* rounds up developments in bribery and corruption, defence costs orders in fraud cases and video link evidence

### **Update: health and safety**

*Zarah Nanji* reviews a series of decisions which emphasise that responsibility for safety at work both employee and employer

**Solicitors Journal      Vol. 154 No. 20      May 25, 2010**

### **Stand and deliver**

Bold reforms to the way the legal Services Commission delivers its services are inevitable and overdue, says *Richard Collins*

### **The jury's out**

Abolishing juries in defamation cases would not only keep costs down for both sides, but would also open up the verdicts to scrutiny, says *William Bennett*

### **Take your seat**

The coalition government has put constitutional reform and the protection of civil liberties right at the heart of the parliamentary agenda. *Seamus Burns* explains the changes to come

### **Heavy duty**

A recent case brought against a health authority opens new possibilities for families who become victims of serious mistakes, says *Saimo Chahal*

### **A question of independence**

The IPCC must recognize its duty to undertake more independent inquiries into complaints made against the police, says *Sophie Khan*

### **European briefing**

A ruling on terrorist funding illustrates the ECJ's ability to produce sustained and comprehensive arguments, says *Paul Stanley*

### **Regional focus**

*Jean-Yves Gilg* reports on how Welsh firms are gearing up to take on challenges of the evolving legal services market

**Update: wills and probate**

*Helen Bryant* reviews the court's power to remove executors and a reappraisal of the criteria of testamentary capacity

**Solicitors Journal      Vol. 154 No. 21      June 1, 2010**

**Growing pains**

Last week's rape trial shows a youth justice review is not enough. *Ailsa Dixon* reports

**Keeping time**

Failure to respond to a registration notice is not necessarily fatal but serving a counter-notice in time remains the safest move, says *Jonathan Upton*

**Go compare**

Rushing through reforms to road traffic accident claims has raised serious questions about how to pick a new ATE provider, say *David Hartley*

**The wrong key**

As the press celebrates the Court of Protection's coming out party, *Barbara Hewson* and *Alex Rooke* ponder how long its fame will last

**Something for everyone**

It promises 'freedom', but what does the future hold for the legal profession under the coalition, asks *Philip Henson*

**A discrimination charter**

Recruiters looking for staff with "chartered" qualifications could be breaking the law, say *Shiva Shadi* and *Kai Graf von Pahlen*

**Life in crime**

The Court of Appeal's endorsement of the admissibility of questionable tape-based evidence should cause considerable disquiet among criminal lawyers, says *Benjamin Newton*

**Update: agriculture**

When is a succession not a succession? Ask *Michael Aubrey* and *Simon Blackburn*

**West Indian Law Journal      Vol. 35 No.1      May 2010**

Human Rights and the Law in Jamaica (The Norman Manley Lecture,  
17<sup>th</sup> March 2010      *Lord Anthony Gifford QC*

"Is joining the Appellate Jurisdiction of the CCJ an option for Suriname  
*Justice Winston Anderson*

The art and technique of adjudicating: uncovering the artistry of adjudication  
*Justice Peter A. Jamadar*

The assessment of damages in wrongful death claims in Jamaica  
*Justice C. Dennis Morrison*

West Papua and the right to self-determination under International Law  
*Melinda Janki*

- The Caribbean Court of Justice: the next steps *Stephen Vasciannie*
- “Defamation and Government transparency” Caribbean style *David G. Batts*
- The law governing the Caricom contract and the implementation of  
UN Convention on contracts for the international sale of goods *Justin W.A.S. Sobion*
- The Jamaican Bail Act, 2000: A critique *Leon HoSang*