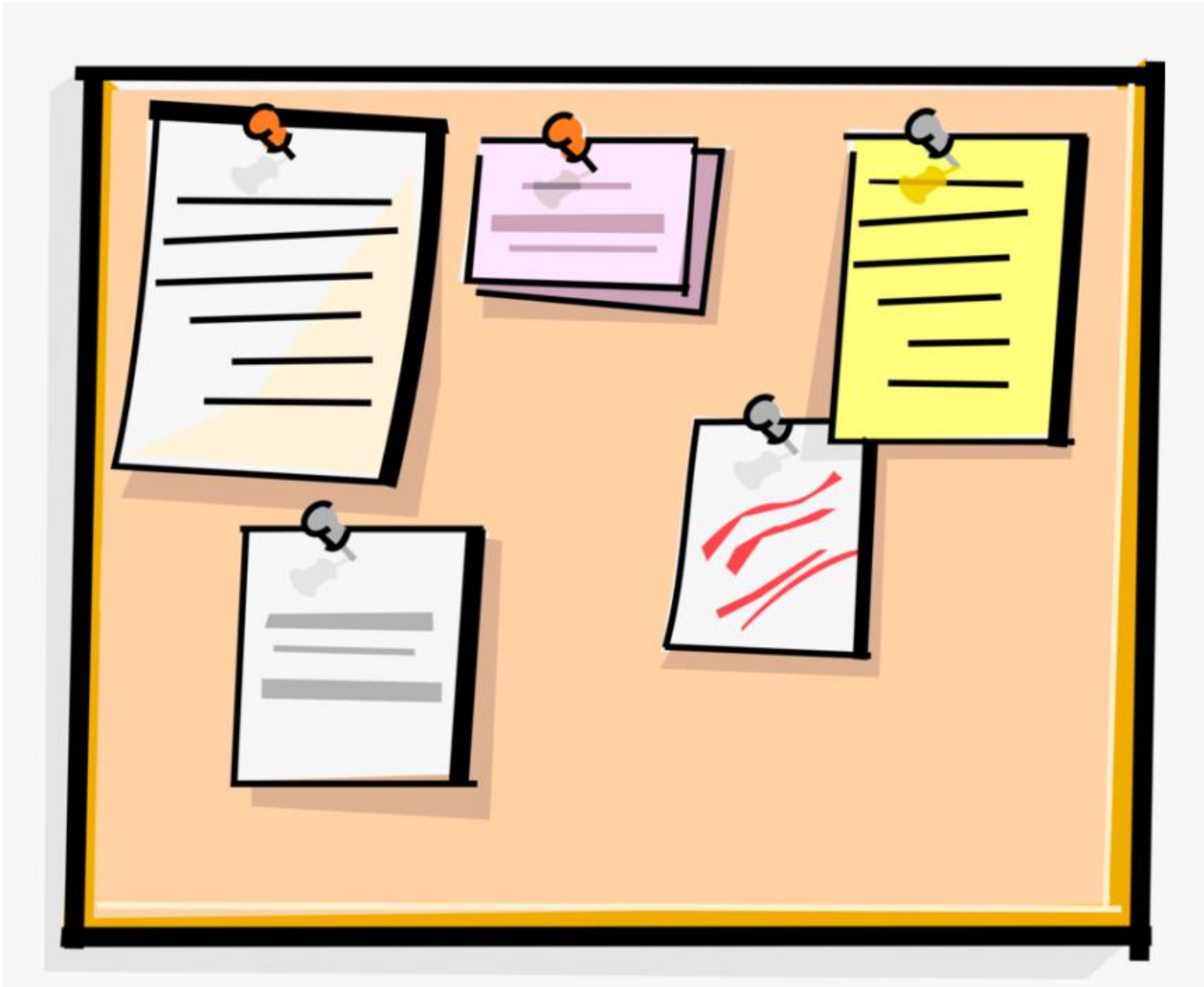


# CURRENT AWARENESS BULLETIN

January – March 2012



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## 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

January – March 2012

## JUDGMENTS

ADMINISTRATOR GENERAL Jamaica (Administratrix of Estate Charles Patrick Tate, deceased) and Congita Bennett (near relative and next of kin of estate Charles Patrick Tate deceased) v Jatlin Construction and Associates Limited and Dwight Powell  
JMSC. 28.02.2012

**FATAL ACCIDENTS - Motor vehicle/Pedal cyclist - Collision - Traffic lights - Presumption that traffic lights in working order - Death**

ADVANTAGE GENERAL Insurance Co. Limited v Shawn Myrie  
JMSC. 17.02.2012

**INSURANCE-Insurance company seems to avoid liability as a result of Defendant's alleged breaches of insurance policy — Court to decide if the Defendant have an insurable interest in motor vehicle**

THE ATTORNEY GENERAL of Jamaica and Benjamin Lewin v Shane Paharsingh  
JMCA. 17.02.2012

**ASSESSMENT OF DAMAGES- Interlocutory judgment for damages. Application for leave to appeal. Hearing of the assessment. Case management conference.**

BENNETT, SHARON and Charlene Thomas v Vivian Donaldson and Vivian Donaldson  
JM.S.C. 15.06.2012

**AGREEMENT FOR SALE OF LAND—purchaser entering into possession for a period of time—whether liable for interest on unpaid balance of purchase price or mesne profits—consequences of vendors remaining in possession thereafter—specific performance—whether vendors guilty of willful default-Where vendor in possession in default, but not willful, entitlement to rents and profits, and not interest— purchaser entitled to remedy of specific performance-deduction of costs from balance purchase price and interest**

**CIVIL PRACTICE AND PROCEDURE—whether late filing of witness statement should stand—whether party's witness statement should be admitted as hearsay evidence.**

BLAKE, Adrian v Mark Robinson and R&B Autozone Ltd.  
JMSC.13.02.2012

**DAMAGES- failure of the Claimant to pay the required purchase sum**

BOLTON, Adassa v Maizie Henry and Dwayne Henry and Rohan Clarke and Christopher Wilson  
Negligence — Motor Vehicle Collision — Inevitable Accident — No Need for Specific  
JMSC. 01.03.2012

**PLEADING DEFINITION — Apportionment of Liability**

BROOKS, Chris v R  
JMCA. 02.03.2012

**CRIMINAL LAW-Illegal possession of firearm-shooting with intent**

CAPITAL AND CREDIT Merchant Bank Ltd. v Isaac Gordon  
JMCA. 02.12.2011

**CIVIL PRACTICE AND PROCEDURE – Payment by instalments, application for - Claim for a specified sum of money – Acknowledgment of service filed denying all liability – Defence admitting a debt but disputing quantum – Whether application for payment by instalments appropriate - CPR rr. 14.6, 14.7, 14.8, and 14.9**

**CIVIL PRACTICE AND PROCEDURE – Summary judgment, application for – Claim for a specified sum of money – Defence filed admitting a debt but disputing quantum – Defence not stating basis for dispute – Affidavit filed explaining the basis of the dispute Whether Defence reveals reasonable cause for defending the claim – Whether summary judgment appropriate - Whether judgment on admission appropriate - CPR rr. 2.4, 10.2, 10.5, 15.2 and 26.3**

CHISHOLM AND COMPANY Developments Limited and James Chisholm v Kemtek Development Construction Company Limited and Sylvester Tulloch  
JMSC. 05.06.2012

**INTERLOCUTORY INJUNCTION – Main Road Act – Abandoned Roadway – Statutory Requirement for Ownership – Arguable Case – Balance of Convenience**

CHRISTOPHER, Wilbert v Debayo Adedipe  
JMCA. 09.12.2011

**WILLS - Executor - Application to remove executor - Whether claim frivolous and vexatious - Whether will forged - Whether executor failed to exercise his duties**

CLARKE, William v The Bank of Nova Scotia Limited  
JMCA. 13.06.2012

**CIVIL PRACTICE AND PROCEDURE- Pre-Claim Application for discovery - Whether Court has the jurisdiction to grant - Whether party required to disclose may claim privilege that disclosure may incriminate them - Principles guiding court- CPR rr. 8.1, 11.12, 17.1,17.2,215.1, 27.9,28.6**

CLARKE, William v Gwenetta Clarke  
JMCA. 27.01.2012

**PROPERTY RIGHTS OF SPOUSE ACT - Definition of “property” - Chose in action - Retirement benefits - Pension**

COLUMBUS COMMUNICATIONS Jamaica Limited (formerly Merit Communications Limited) v mars Cable Vision Limited  
JMSC. 28.02.2012

**DETINUE – Conversion – Damages**

COMMUNTEL BROADBAND Limited and Starcom Cablevision Limited v Alfred McKay  
JMSC. 03.02.2012

**CONTRACT- Claim for a mandatory injunction. Damages for breach of contract. Order for specific performance. Written agreement.**

DAYES, Verma v The Ritz Carlton Hotel Company of Jamaica Limited (Trading in Jamaica as The Ritz Carlton Golf and Spa Resort Rose Hall Jamaica)  
JMSC. 13.12.2011

**INTERIM PAYMENT – whether supreme court has power to grant interim payment under the civil procedure rules 2002 – whether power abolished and not reenacted – section 4 (2) (j) of the judicature (rules of court) act – part 17 of the civil procedure rules**

DIRECTOR OF PUBLIC Prosecutions v Senior Resident Magistrate  
JMSC. 01.03.2012

**JUDICIAL REVIEW – whether subpoena for DPP to testify should be set aside – whether motive for subpoena improper-whether DPP can give relevant evidence – effect of section 94 (6) of Constitution**

ELLIS, Rohan v vR  
JMCA. 09.03.2012

**CRIMINAL LAW- Criminal offence. Arrest of a public officer. Nature of the charge. Disciplinary proceedings. Preliminary investigation. Case submission.**

FLICKENGER, ELITA (Widow of the deceased Robert Flickenger) v David Preble (t/a Xtabi Resort Club & Cottage Ltd.) and Xtabi Resort Club & Cottages Ltd.  
JMCA. 17.02.2012

**CIVIL PRACTICE AND PROCEDURE - Change of name**

FRATER, Dwayne v R  
JMCA. 09.12.2011

**CRIMINAL LAW- Illegal possession of a firearm and robbery with aggravation**

GREEN, v Sgt. Cochrane and The Attorney General  
JMSC. 01.03.2012

**FALSE IMPRISONMENT – Taking Control over the Claimant – Proof in Special Damages – Aggravated Damages – Handicap on the Labour Market**

JAMALCO v The Owners and persons interested in the ship M/V. Asphalt Leader of the Port of Piraeus Greece and Her cargo  
JMCA. 20.12.2011

**CIVIL PRACTICE AND PROCEDURE - Admiralty - Negligence - Damages for negligent navigation of ship - Failure to file defence - Judgment - Costs**

KELLEY, ILENE and Errol Milford (Executors of Estate of Evelyn Francis, dec'd) v The Registrar of Titles  
JMCA. 02.12.2011

**DAMAGES-Remedy by action for recovery of Damages-Abuse of the Process-Leave to appeal. Certificate of title. Said property.**

PALMER, Sheldon v R.  
JMCA. 02.12.2011

**CRIMINAL LAW-Murder**

REID, Massander v Bentley Rose and Cynthia Rose  
JMCA. 20.12.2011

**LANDLORD AND TENANT- Valid notice- Loss of rent-Notice to quit-Possession of the property**

REID, Omar v R  
JMCA. 09.12.2011

**CRIMINAL LAW-Murder**

SOARES, Chandra v Francine Duncan  
JMCA. 09.12.2011

**LIABLE-Costs-Damages-Negligence-Employment-Not filing suit in Time-Contract-  
Bulging lumbar disc-Disability**

WAYNE ANN Holdings Limited (T/A Superplus Food Stores) v Sandra Morgan  
JMCA. 02.04.2011

**NEGLIGENCE - Slipping on floor - Claimant injured - Breach of Occupier's Liability Act  
- Breach of statutory duty and/or breach of contract**

**LEGISLATION**

**Bahamas**

**Acts**

37/2011	Bail (Amendment) Act
41/2011	Court of Appeal Amendment) Act
40/2011	Criminal Evidence (Witness Anonymity) Act
35/2011	Criminal Procedure Code (Amendment) Act
30/2011	Customs Management Act
43/2011	Customs Management (Amendment) Act
39/2011	Dangerous Drugs (Amendment) Act
36/2011	Evidence (Amendment) Act
38/2011	Firearms (Amendment) Act
33/2011	Interpretation and General Clauses (Amendment) Act
27/2011	Maritime Marriage Act
32/2011	Modification of Provisions (Ginn-LA West End Grand Bahama) (Amendment) Act
34/2011	Penal Code (Amendment) Act
44/2011	Road Traffic (Amendment) Act
42/2011	Sexual Offences (Amendment) Act
28/2011	Sports Act
29/2011	Sports Authority Act
31/2011	Straw Market Authority Act

**Commonwealth of Dominica**

**Acts**

4/2012	Insurance Act
5/2012	Marriage (Amendment) Act
2/2012	Social Security (Amendment) Act
1/2012	Supplementary Appropriation (2011/2012) Act

**Island of Nevis**

**Acts**

12/2011	Amenities for Tourists (Amendment) Ordinance
14/2011	Nevis Appropriation (2012) Ordinance
13/2011	Nevis Physical Planning and Development Control (Amendment) Ordinance

## **Saint Christopher and Nevis**

### **Acts**

27/2011	Condominium (Amendment) Act
31/2011	Co-operative Society Act
32/2011	Dogs (Licencing and Control) (Amendment) Act
26/2011	Duty Free Shops (Licensing and Taxation) (Amendment) (No. 2) Act
30/2011	Evidence Act
29/2011	St. Kitts (Planned Community) (Amendment) Act
28/2011	Saint Christopher and Nevis Vacation Plan and Time-Share (Amendment) Act
25/2011	Stamps (Amendment) Act

## **LAW REPORT**

All England Law Reports Annual Review	2011
Estates Gazette Law Reports	2011 Vol. 3
New Zealand Law Reports	2011 Vol. 2

## **TREATISES, DIGESTS ETC.**

Atkin's Court Forms. 2<sup>nd</sup> ed. 2012 Issue

Vol. 20(1)	Family: Relationships and their breakdown (Part 1)
Vol. 20(2)	Family: Relationships and their breakdown (Part 2)
Vol. 20(3)	Family: Financial remedies

Cases and materials on international law. – 5<sup>th</sup> ed. /David Harris  
London: Sweet & Maxwell, 2010

Cavendish guide to mootings/ John Snape and Gary Watt  
London: Cavendish Publishing, 1997

Digest, The 2012 3<sup>rd</sup>. reissue  
Vol. 37(2 & 3) Practice and procedure

Encyclopaedia of Forms and Precedents. - 5<sup>th</sup> ed. 2012 Reissue  
Vol. 38(1) Sale of Land (Commercial Property)

Governmental illegitimacy in international law/ Brad R. Roth  
Oxford: Oxford University, 2000

International law and the use of force. – 3<sup>rd</sup>. ed. / Christine Gray  
Oxford: Oxford University, 2008

MLA handbook for writers of research papers. – 7<sup>th</sup> ed. / MLA  
New York: The Modern Language Association of America, 2009

Recognition of governments in international law: with particular reference to governments in exile/  
Stefan Talmon  
Oxford: Oxford University, 1998

Smith & Thomas: A casebook on contract. – 7<sup>th</sup> ed. /Prof. Roger Brownsword  
London: Sweet & Maxwell, 2009

## SERIALS

ABA Journal Vol. 97

December 2011

### President's message

ABA members should resolve to better promote the rule of law in 22012

### Opening statements

Lawyer crusading for justice is awarded MacArthur "genius grant" *Deborah L. Cohen*

Venture capitalist pushes pledge for big software firms to ease up on lawsuits against smaller competitors

*Ed Finkel*

### The National pulse

Tougher laws seek to nail bogus nonprofits

*Wendy N. Davis*

After years of setbacks, patent reform finally makes it through

*Steven Seidenberg*

### Supreme Court Report

Personalized medicine is at the heart of high court case

*Mark Walsh*

### Litigation

Angus makes his first appearance, focusing on the cross-examination

*Jim McElhaney*

### Business of Law

Documentary filmmakers call on fair-use guru when cease-and-desist letters arrive

*Richard Acello*

Solid-state drives can bring a sense of magic to your computer

*Dennis Kennedy*

PI lawyer uses informational videos to put potential clients at ease

*Deborah L. Cohen*

In brand-name vs. generic drug war, law firms must choose

*Richard M. Zahorsky*

Cash-strapped cities stretch budgets by asking law firms to handle municipal matters for free

*Janan Hanna*

Audits can be taxing, but keeping your cool can avoid deeper scrutiny

*Susan A. Berson*

### Your ABA

ABA expresses concern about changing a rule for attorneys in the labor law field

*Richard Acello*

Allen Pusey in named editor and publisher of the *ABA Journal*

*Molly McDonough*

New initiative is designed to showcase innovative approaches to teaching

*Mark Hansen*

Ethics 20/20 white paper focuses on alternative litigation financing

*James Podges*



ABA supports comprehensive study of the criminal justice system

*Rhonda McMillion*

**ABA Journal Vol. 98**

**January 2012**

**President's message**

Barriers must be removed so female attorneys can equally participate in the practice of law

**Opening statements**

Dubai security officials nearly force cancellation of IBA annual meeting

*Angela Shah*

FCC's revamped website comes up short on communication

*Leslie A. Gordon*

New corporate structure helps nonprofits deliver benefits

*Lorelei Laird*

Public Counsel Law Center's new app connects lawyers with clients

*Virginia Groark*

**The National Pulse**

Local businesses, states and the Senate take aim at online retailers

*Deborah L. Cohen*

Courts split over DNA testing for those merely charged with a crime

*Anna Stolley Persky*

**Supreme Court Report**

Justices get a new look at the old problem of dirty words

*Mark Walsh*

**Litigation**

What it really means to talk like a lawyer

*Jim McElhaney*

**Ethics**

Changes mulled regarding ABA opinion on client communication

*James Podgers*

**Business of Law**

Women strive to promote their own in Silicon Valley IP law

*G.M. Filisko*

Advances in search technology alter lawyers' role in review process

*Jason Krause*

How to put your 2012 tech priorities in order

*Dennis Kennedy*

Future Conference surveys trends in the pricing of legal services

*Rachel M. Zahorsky*

Sabbaticals can help lawyers reassess, redirect their careers

*Hollee Schwartz Temple*

Three insiders unpacked the unwritten rules of career advancement for women in the profession

*Susan A. Berson*

**Your ABA**

Ethics 20/20 looks at limited nonlawyer ownership of law firms

*James Podgers*

Legal education section drafting tougher reporting requirements for law

*Mark Hanson*

LSC reps look to the ABA for help in exploring new strategies to meet legal needs for the poor

*Rachel M. Zahoesky*

Once again, the ABA urges reauthorization of the Violence Against Women Act

*Rhonda McMillion*

**ABA Journal Vol. 98 February 2012**

**President's message**

ABA rolls out more for members with new program offering free CLE

**Opening statements**

New documentary, *The Loving Story*, looks at the people behind the seminal civil rights decision

*Jill Schachner Chanen*

29-year-old lawyer in Luzerne County, Pa. unseats long-term DA *Wendy N. Davis*

Readers' top Blawg 100 picks

*Molly Mcdonough*

Law-mageddon nears: Comedians-at-Law comedy troupe hits the road

*Stephanie Francis Ward*

**The National pulse**

Torture suits against Donald Rumsfeld may revive 40-year-old liability case

*Leslie A. Gordon*

More states are looking at formulas to regulate spousal support *L.J. Jackson*

**Supreme Court Report**

Election-year health care debate conjures images of New Deal era

*Mark Walsh*

**Litigation**

Past events seem more real when they're described as if they're happening in the present

*Jim McElhaney*

**Ethics**

One lawyer's wrongdoing can affect liability coverage for others in a firm

*Ian T. Matyjewicz & David A. Grossbaum*

**Business of law**

Dave nee Foundation helps law students deal with depression *Hollee Schwartz Temple*

Firms leave lawyers to their own devices as smartphones go viral

*Richard Acello*

Seyfarth Shaw collaborates with nonprofit for children facing immigration issues alone

*Maria Kantzavelos*

Tech tools and strategies for when disaster strikes

*Dennis Kennedy*

Seattle-based sister-brother team plays to each other's strengths *Deborah L. Cohen*

**Your ABA**

Fighting widespread sexual violence in the Democratic Republic of the Congo

*Anna Stolley Persky*

The ABA prepares to hold its first major business meeting in New Orleans since Hurricane Katrina

*James Podgers*

Association gets ready to move its D.C. operations into leased space after selling historic office building

*James Podgers*

**California Western International Law Journal Vol. 42 No. 1 Fall 2011**

Transitional justice in Kenya? An assessment of the accountability process in light of domestic politics and security concerns

*Thomas Obel Hansen*

What will happen to Hong Kong after 2047?

*Danny Gittings*

The law of the family in Vietnam: assessing the marriage and family law of Vietnam

*Thomas J. Walsh*

**Commonwealth Judicial Journal Vol. 19 No. 2 December 2011**

Why can't we be friends? Should judges be on Facebook?

*John Z. Vertes*

The Commonwealth's contribution to the development of international family law

*Matthew Thorpe*

Legal pluralism: the Ugandan experience

*Benjamin J. Odoki*

The implementation of the Latimer House

*Philip Bailhache*

Current threats to judicial independence

*M. L. Lehohla*

Restorative justice for children: the New Zealand experience

*L. J. Ryan*

**Competition Matters Vol. XVI January 2012**

Stimulating competition in the post-secondary education services market

*Lyndel McDonald*

Competition – the recession proof environment for economic development

*Kevin Harriott*

Competition policy *versus* industrial policy as an engine for economic growth

*Peter-John Gordon*

The prospects for sustainable growth within the tourism sector

*Ministry of Tourism*

Competition and economic growth: is there a link

*Densil Williams*

Reviving the bauxite and alumina industry

*Philip S. Baker*

Emerging from the global economic downturn: promoting through trade & investment

*Nakeeta Nembhard*

A tale of competition – recession and recovery

*Wendy M. Duncan*

Public choice theory and legislative amendment: the case of the Fair Competition Act, 1993

*Delroy Beckford*

Crisis cartels: the approach of competition agencies

*Sashawah D. Newby*

Petro jam Limited's product pricing policy

*Petrojam Limited*

**<The> International Journal of Evidence & Proof Vol.15 No. 3**

Threats to the presumption of innocence in Irish Criminal law:  
an assessment

*Claire Hamilton*

Blind expertise and the problem of scientific evidence

*John Danaher*

The need for caution in the use of DNA evidence to avoid  
convicting the innocent

*Michael Naughton & Gabe Tan*

**<The> International Journal of Evidence & Proof Vol. 15 No. 4**

Non-conviction DNA databases in the United States and England:  
historical differences, current convergences?

*Liz Campbell*

Reforming the rules of evidence in cases of sexual offending:  
thoughts from Aotearoa/ New Zealand

*Elisabeth McDonald & Yvette Tinsley*

Disclosure of foreign intelligence material: CPIA, *Norwich  
Pharmaceutical* and the war on terror

*Chris Taylor*

**International Review of the Red Cross Vol. 93 No. 882 June 2011**

Armed groups and intra-state conflicts: the dawn of a new era? *Arnaud Blin*

Armed groups' organization structure and their strategic options *Abdulkader H. Sinno*

Economic dimensions of armed groups: profiling the financing, costs, and agendas and their  
implications for mediated engagements *Achim Wennmann*

Reasons why armed groups choose to respect international  
humanitarian law or not

*Olivier Bangerter*

International law: armed groups in a state-centric system

*Zakaria Dabone*

Debate: should the obligations of states and armed groups under  
international humanitarian law really be equal?

*Marco Sassoli & Yuval Shany*

The move to substantive equality in international humanitarian law: a  
rejoinder to Marco Sassoli and Yuval Shany

*René Provost*

The applicability of international humanitarian law to organized armed groups

*Jann K. Kleffner*

Lessons for the law of armed conflict from commitments of armed groups:  
Identification of legitimate targets and prisoners of war

*Sandesh Sivakumaran*

**Loyola Law Review Vol. 57 No. 2 Summer 2011**

2010 Revision of the law of Usufruct

*Max Nathan, Jr.*

Grading the graders and reforming the reform: an analysis of the  
state of public education ten years after – *No child left behind*

*Jonathan C. Augustine and Craig M. Freeman*

A defining resource: Louisiana's Place in the emerging water economy

Mark Davis and James Wilkins

**New Law Journal**      **Vol. 161 No. 7492**      **December 2, 2011**

**Comment**

Listen & learn, says *Roger Smith*, the judges are speaking

**Employment:** *Simon Cheetham* wonders why tribunal recommendations are such a rare beast

**Family:** *Amy Taylor* predicts the effect of the EC Maintenance Regulation on courts & families in England and Wales

**Property/ Family:** Proceed with care, *Siobhan Jones* distils the lessons practitioners can take from *Kernott v Jones*

**Public:** *Charles Brasted & Julia Marlow* count the costs of environmental judicial review

**New Law Journal**      **Vol. 161 No. 7493**      **December 9, 2011**

**Comment**

*Jon Robins* signs off his series on life without legal aid

**Employment/ Discrimination:** *David Renton* examines how disputes over immigration status affect unlawful deduction of wages claims

**Personal injury:** *Keith Patten* reviews the implications of *Dawkins* upon liability in negligence

**Public:** Do the government's proposals on justice & security challenge the principle of open justice, asks *Tim Suter*

**Wills & Probate:** *Michael Tringham* reports on the dangers of cutting & pasting

**New Law Journal**      **Vol. 161 No. 7494**      **December 16, 2011**

**Comment**

Does the government's revised schedule for legal aid reform provide hope or just delay? *Carol Storer* reports

**Employment:** *Ian Smith* pays homage to the Law of Sod

**Family:** *Kim Beatson & Lehna Hewitt* review the court's approach to asset sharing & brief encounters

**Personal injury:** Injured claimants should not be subsidizing the insurance industry, says *Karl Tonks*

**Property:** *John Summers & Elizabeth Fitzgerald* examine two recent judgments that challenge long-established property law rules

**Public:** Justice v security: has the government got the balance right? *Victoria Oakes & Alex Odell* review the evidence

**New Law Journal      Vol. 162 No. 7495      January 6, 2012**

**Comment**

*Roger Smith* gets the juice on lemon law, landmark & lectures

**Family:** *David Burrows* examines the approach of the court to enforcement of ante- & post-nuptial agreements

**Employment:** *Charles Pigott* reopens on sick workers, holidays & the small print

**Human rights/ Discrimination:** Caste discrimination has shed its cloak of invisibility, says *Annapurna Waughray*

**Extradition:** realpolitik, not injustice, will determine UK extradition policy, says *Andrew Smith*

**Property:** *George Hobson & Malcolm Dowden* report on solar vulnerability

**New Law Journal      Vol. 162 No. 7496      January 13, 2012**

**Comment**

*Dominic Regan* predicts good times ahead for UK litigators

**Employment:** *John McMullen* reviews recent case law on TUPE in the UK & Europe

**Family:** Are we edging towards a single, universally applicable, "test" of habitual residence? *Simon Blain* reports

**Personal injury:** Will natural sympathy for asbestos sufferers trump policy concerns, asks *Elizabeth Carley*

**Wills & probate special**

*Michael Tringham* examines the law relating to inheritance by children

Proposed reforms to intestacy law reflect the reality of modern families, says *Joel Wolchover*

*Daniel Curran* highlights the problems caused by incomplete heir research

**New Law Journal      Vol. 162 No. 7497      January 20, 2012**

**Comment**

*Dominic Regan* studies signs of Jackson slippage & notes some worrying trends

**Employment:** Post *Edwards*, *Stewart Duffy* & *Alex Leslie* address the tensions between breach of contract & unfair dismissal

**Family:** To set aside or not to set aside? *David Burrows* reviews *Livock*

**Personal injury:** Drivers should exercise extreme caution when turning right, warns *Jack Harris*

**Property:** *James Driscoll* unravels the principles & practicalities of the Localism Act 201

**Education & Training Special**

*Robert Brown* provides a lesson on multi-lingual e-Discovery

*Jane Ching & Natalie Byrom* grapple with the present & future demands of legal services education

*Peter Nussey* explains how to help bridge the gap between training & work

**New Law Journal**      **Vol. 162 No. 7498**      **January 27, 2012**

**Comment**

*David Hertzell & Colin Moore* assess the legal challenges facing the providers of PIP breast implant

**Employment:** *Chris Bryden & Michael Salter* predict a year of transformation

**Employment:** *Ian Smith* pays tribute to some end of term judicial desk clearance

**Family:** *Kim Beaton* investigates the struggle to establish jurisdiction in pre-nuptial cases

**Personal injury:** *Susan Brown* highlights the potential conflicts of interest surrounding ABSs, insurers & motor claims

**Planning:** *Keith Davis* turns the spotlight onto a Thameside Tudor tiff

**Commercial:** *Timothy Trotman* examines the development of the scope of duty test after *The Arcilleas*

**New Law Journal**      **Vol. 162 No. 7499**      **February 3, 2012**

**Comment**

What does the future hold for shareholder democracy, asks *David Greene*

**Employment:** *Melanie Lane, Catherine Taylor, Anna Chaddick & Libby Payne* tackle the pitfalls of social media in the workplace

**Family:** Family lawyers must adapt to survive in the year ahead, says *Geraldine Morris*

**Professional discipline:** When does public interest trump patient consent, asks *James Penry-Davey*

**Property/ Planning:** Should the community infrastructure levy fund superfast broadband, ask *Malcolm Dowden & Jen Hawkins*

**Public:** Is the fairytale over for Brent Libraries, asks *Nicholas Dobson*

**Commercial:** Dealing with a director's subrogated claim is not straightforward, says *Simon Duncan*

**New Law Journal**      **Vol. 162 No.7500**      **February 10, 2012**

**Comment**

*Jon Robins* looks behind the scenes of Slater & Gordon's recent buy-out

**Employment:** When should junior court proceedings be stayed in favour of the High Court, asks *Felicia Epstein*

**Family/ Arbitration:** *Tony Marks & Jonathan Tecks* introduce a new family member

**Personal injury:** *Siobhan Jones* recounts the rise (& fall) of the “protester squatter”

**Public/ Human rights:** *Susan Nash* considers the latest human rights developments

**Commercial:** *Nick Young & Richard Holden* picture a post-euro debt landscape

**New Law Journal**      **Vol. 162 No. 7501**      **February 17, 2012**

**Comment**

*David Greene* counts the cost of reforming the court system

**Employment:** A divided Supreme Court has upheld & extended the *Johnson* exclusion zone, reports *Anna Macey*

**Family:** *Sarah Whitten* endorses government proposals to encourage parental responsibility

**Personal injury:** When is a travel agent not an agent, asks *Katherine Deal*

**Public:** *Barbara Hewson* examines the relationship between guardians & resistive patients

**Wills & probate special**

Will government proposals under the Finance Bill increase gifts to charity, asks *Emma Satterly*

*Michael Tringham* untangles the latest family spats

Will-makers should put their affairs in order early, says *Paul Grimwood*

**New Law Journal**      **Vol. 162 No. 7502**      **February 24, 2012**

**Comment**

*Roger Smith* reflects on three recent cases, two abroad & one at home

**Employment:** *Ian Smith* combines an element of sanity with the esoteric & the notorious

**Property/ Conveyancing:** *Adam Harmer* studies the changing face of conveyancing post HSBC

**Property:** A contract for the sale of land must incorporate all agreed terms, warns *James Naylor*

**Family:** *Andrew Moore* reflects upon the trials & tribulations of adverse inferences

**Personal injury:** *Keith Patten* applauds a holistic approach to negligence liability

**Public:** *Richard Lang* follows the winding path of the *Yukos v Russia* case

**New Law Journal**      **Vol. 162 No. 7504**      **March 9, 2012**

**Comment**

No turning back: *Dominic Regan* reports from the Jackson front line

**Employment:** *Mark Whitcombe* unravels the rights of fixed share partners

**Family:** Family law reform should be handled with care advises *David Burrows*



**Property/ Contract:** The test governing the construction of documents in objective, note *Joanna Bhatia & Malcolm Dowden*

**Personal injury/ Costs:** *Julian Chamberlayne* describes how retrospective & discounted CFAs are treated by the court

**Public international law:** *Khawar Qureshi QC* reports on recent leading cases involving public international law & the English courts

**Wills & probate special**

*Michael Tringham* reports on invalid, void & forged wills

*Mark Warwick* studies the requirements of a legitimate will

**Lawyer liability:** *Katherine Rees* looks at three recent cases in which parties have sought “mercy” from the court

**New Law Journal Vol. 162 No. 7505 March 16, 2012**

**Comment**

*Roger Smith* keeps tabs on the government’s equivocal approach to human rights

**Employment:** *Ian Smith* sweeps through a month of change, disputed rest breaks & contract setbacks

**Property/ Landlord & tenant:** Could sale & rentback fix the mortgage arrears hole? *David Cowan* investigates

**Family/ Divorce:** *Rebecca Carlyon* notes the intricacies of beneficial interest relating to a foreign divorce

**Personal injury:** *Lucy Wyles* provides an update on foreseeability & trial by ambush

**Oklahoma Law Review Vol. 63 No. 2 Winter 2011**

Geopolitics, Oil law reform, and commodity market expectations *Robert Bejesky*

The amended Attorney-Client privilege in Oklahoma: a misstep in the right direction *Robert A. Brown*

*Sex-cells:* Evaluating punishments for teen “sexting” in Oklahoma and beyond *John M. Krattiger*

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Transcript: globalization of the Hague Children’s Conventions with emphasis on the Child Abduction Convention *William Duncan*

Memorandum: accommodating the UCCJEA and the 1996 Hague Convention *Robert G. Spector*

The meaning of “Habitual Residence” under the Hague Convention on the civil aspects of international Child abduction and the Hague Convention on the protection of children *Jeff Atkinson*

“Please let me stay” hearing the voice of the child in Hague abduction cases	<i>Linda D. Elrod</i>
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Undermining <i>Kulko</i> at home and abroad	<i>John J. Sampson</i>
The Hague Convention on child abduction and unilateral relocations by custodial parents: a perspective from the United States and Europe – <i>Abbott, Neulinger, Zarraga</i>	<i>Linda J. Silberman</i>
Exit costs – a new paradigm for the treatment of international conflicts over matrimonial property regimes?	<i>David S. Rosettenstein</i>

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Contract formation and mistake in European contract law: a genetic comparison of Transnational Model Rules	<i>Nils Jansen &amp; Reinhard Zimmermann</i>
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The legal status of body parts: a framework	<i>Jessie Wall</i>
A peculiar sociology of punishment	<i>Tom Daems</i>
Feminism, rape and the search for justice	<i>Clare McGlynn</i>

**Solicitors Journal      Vol. 155 No. 46 December 6, 2011**

**Behind bars**

*Jeannie Mackie* looks forward to what the government has in store for the legal profession

**Private client workshop**

*Ana Wisdell* considers an HMRC investigation of a UK resident with a Swiss bank account

**View from the bench**

*DJ Julie Exton* examines some common mistakes in the use of statutory demands in debt collection and advises how to get it right

**Commercial contracts update**

*Mark Lucas* considers several cases dealing with success fees and commissions

**Pensions update**

*Jennie Kreser* shares her thoughts on what employers can do to ensure they comply with the new rules on workplace pension provision

**Who's to decide on client's interest?**

The new code of conduct will create confusion over client interest and departing partners, says *Andrew Cromby*

**Murder by degrees**

Is the new definition of diminished responsibility a way of bringing in second degree murder? *William herbage QC and Felicity Gerry* report

**Enforcing partner restrictive covenants**

*Susanne Foster and Clare Murray* discuss post-retirement restrictive covenants in partnership agreements

**Not worth the wick**

The courts have taken a pragmatic approach in abuse of process claims, but it will be to a party's detriment if they don't put all their cards on the table, says *Nathalie Burn*

**Nothing ventured**

With MDPs failing to gain traction, the relaxation of the profession's border controls may best lend itself to joint ventures between solicitors and accountants, says *Stuart Bushell*

**Solicitors Journal Vol. 155 No. 47 December 13, 2011****Family business**

Direct access is pitting solicitors and barristers against each other when instead we should be working together, says *Marilyn Stowe*

**Civil conduct**

The third-party funding code is a step in the right direction, but will we need more formal regulation in the future? *Gavin Foggo and Caroline Benham* report

**Planning update**

*Julian Boswall and Laura Fuller* review the Localism Act, another twist in the Cala Homes saga and environmental permitting

**Divorce update**

*Austin Chessell* considers resolving Christmas holiday contract through mediation, and the first prenup case after *Radmacher*

**The Met must heed warnings on teasers**

They should be restricted to life-threatening circumstances, says *Sophie Khan*

**Too much information**

The mandatory obligation to disclose the level of ATE cover is damaging across to justice, argues *Matthew Amey*

**Number game**

How widely does a defamatory remark need to be circulated to be actionable libel? *Chris Hoyer Millar* investigates

**In high regard**

The public sector equality duty is becoming a potent factor to strengthen the position of protected groups, says *Gareth Mitchell*

**The strongest link**

Think you can ignore LinkedIn? You will be missing out, says *Julian Summerhayes*

## **Property workshop**

*John Coulter* examines the problems that can arise from the North Tyneside lease

## **Solicitors Journal Vol. 155 No. 48 December 20, 2011**

### **Felix**

We may not be able to strike, but we can still fight for the Bar's survival. Says *felix*

### **European briefing**

The ECJ's ruling on the applicability of the Rome II Regulation has sensibly given more weight to the purpose of the provisions rather than the language used, says *Paul Stanley QC*

### **Charity update**

*Sarah Clune* considers the decision on how the public benefit should apply to independent schools and the Attorney General's reference on benevolent funds

### **Children update**

Are we experiencing expert overload or are they worth it? *Noel Arnold* joins the debate

### **British legal education needs updating**

The UK legal profession must radically adapt its system, argues *John Flood*

### **Getting in shape**

*James Holder* considers what ABS investors can expect from the fit and proper tests

### **Battle lines**

Mediation can be powerful tool in rebuilding neighbor relationships, says *Chris Makin*

### **To report a fault, please hold**

Firms should devise a policy on making reports, says *Susanna Heley*

### **Public workshop**

*Juan Lopez* considers the Equality Act in a planning context

## **Solicitors Journal Vol. 156 No. 2 January 17, 2012**

### **Behind bars**

*Jeannie Mackie* looks forward to the arrival of the new Criminal Procedure Rules

Partners in an LLP that has no written agreement are in a dangerous position, warn *Susanne Foster* and *Clare Murray*

### **Private client workshop**

What happens to the trust of a surviving spouse who then remarries? *Charlotte Reed* explains

### **ABS countdown**

Has the Legal Services Board done enough to avoid the chop? *Stuart Bushell* asks

### **View from the bench**

*DJ Michael Buckley* assesses the upcoming challenges in the family justice system

### **Immigration update**

*Jane Coker* considers several cases highlighting the tensions between domestic and European immigration laws

**IP/IT updated**

*Susan Singleton* reviews database rights, illegal downloading and a European case on internet selling bans

**A never-ending story**

As another boundaries hits the courts, *Mark Conway* and *James Goose* explain how such expensive and painful disputes can be avoided

**Public property**

The Wedgewood Museum case illustrates the challenges facing trustees seeking to protect their charities' assets. *Vicki Bowles* reports

**Route masters**

Couples going through separation or divorce must make difficult decisions at a stressful time. *Therese Nichols* explores the options available and how you can help find the best route for them

**Solicitors Journal      Vol. 156 No. 3    January 24, 2012****Lend a hand**

Do not underestimate the importance of complying with mortgage lenders' requirements, warns *Richard Twyford*

**In the driving seat**

*Chris Makin* reveals how creative mediation worked wonders in several motor car cases

**Direct delivery**

The VAT exemption for cost sharing groups will improve the delivery of services by not-for-profit organizations, says *Shivaji Shiva* but there are still obstacles to

**Time to break down**

The so-called law of anarchy is an unjustified exception to the principle of liability, argues *Tim Lawson-Crutenden*

**A tough Act to follow**

The Attorney General's poverty reference should clarify the Charities Act, says *Kenneth Dibble*

**Family business**

Focusing on short-term gain is a dangerous game, says *Marilyn Stowe*

**Business development**

*Julian Summerhayes* explains why you should make excellence your top priority

**Civil conduct**

Abolishing experts' immunity won't change anything, argues *Seamus Smyth*

**Property workshop**

The Energy Act: how will the government's 'green deal' affect conveyancers and their clients? *John Coulter* reports

**Agriculture update**

*Simon Blackburn* considers wine growing and rights of way

**Estate planning update**

*Susi Dunn* reviews inheritance tax, testamentary capacity and changes to the forfeiture rules

**Treating the root cause**

The latest guidelines on sentences for drug mules take a fairer approach but the government needs to address the root of the problem, says *Andrew Church-Taylor*

**Safety net**

With the cohabitant population set to grow further and no change in the law sight, *Therese Nichols* reviews the advice lawyers should give to unmarried couples

**Approach with caution**

*Simon Edwards* explains why applying common law principles to part 36 could trip you up

**Felix**

2012 will be a challenge for the justice – but the outcome of the Stephen Lawrence case is a good start to the year, says *Felix*

**Regulatory watch**

Whether or not you are guilty, being accused of money laundering can have brutal consequences, warns *Susanna Heley*

**European briefing**

Can governments extend the scope of the strict liability regime in the defective product directive? Asks *Paul Stanley QC*

**Public workshop**

*Gerald Gouriet QC* considers how long interim steps taken by a licensing authority should remain in force

**Health and safety update**

The government should be promoting the protection health and safety legislation affords all parties – not eroding its reputation, argues *Zahra Nanji*

**Wealth management update**

*David Bird* reflects on the *Gaines-Cooper* ruling and capital gains tax relief for the disposal of a main residence

**Two should become one**

Fusing solicitors and counsel into a single profession will lead to a more promising future for all, argues *Julian Young*

**Off target**

The adoption system needs vast improvements – but imposing stringent time limits is illogical and unhelpful, argues *Graham Pegg*

**Left open**

Failing to obtain an independent survey and valuation leaves potential buyers in a vulnerable position, warns *Alex Samuels*

**Knowing right from wrong**

*Susanna Fitzgerald* tackles the extent to which magistrates' courts can overturn decisions by licensing authorities at appeal

### **Crunching numbers**

What is your firm worth? *Nick Jarrett-Kerr* Does the sums

### **Unleashed**

So, The Co-op is taking on matrimonial work? They're in for a shock, says *Russell Conway* as he looks back at his time in the department

### **Technology**

As cloud computing becomes a more prominent tool in the legal IT kit, *Damian Blackburn* highlights the importance of investing wisely

### **Costs**

Encouraging stricter case management could provide welcome relief for overburdened country courts, explains *Simon Gibbs*

### **Commercial workshop**

Recent cases and legislation have made advising photographers more complicated. *Jonathan Silverman* explores the key issues

### **Education update**

*Jennifer Agyekum* reviews the right to legal representation at internal disciplinary hearing and disability discrimination

### **Construction update**

*Anna Stillman* considers when one can imply a term into a contract, adjudicator bias and the proposed health and safety reforms

## **Solicitors Journal Vol. 156 No. 6 February 14, 2012**

### **Shared parenting boosts children's rights**

The reforms implemented in Australia proved successful in the majority of cases, and the UK can learn from this, argues *Duncan Ranton*

### **Mixed blessing**

The decision in *Tiffin* could have more damaging consequences for partners than first thought, warns *Peter Garry*

### **Partner or employee?**

Firms may be relieved by the ruling in *Tiffin*, but not all partnership disputes will go their way, say *Charis Damiano* and *Clare Murray*

### **Uncertain terms**

*Mark Pawlowski* explores the possibility that a contractual licence could be granted instead of an equitable lease

### **Behind bars**

*Jeannie Mackie* debates the value of character disclosure

### **ABS countdown**

*Stuart Bushell* questions how solicitors will fare under the new business structures

### **View from the bench**

Puzzled by the new divorce forms? You're not the only one, says *DJ Paul Mildred* as he explores changes introduced by the FPR

### **Private client workshop**

Will-writing pitfalls: what steps can you take to protect yourself from negligence claims? *Ashton Davies* explains

### **Residential property update**

*Janet Armstrong-Fox* discusses the risks involved in providing free advice, the duty to update replies to enquiries and email contracts

*Roy Light* considers the procedure for appeals from licensing authorities to the magistrates' court and reforms to the licensing regime

**Solicitors Journal**      **Vol. 156 No. 7 February 21, 2012**

### **Beyond Duke Street**

Are external investors poised to make their move into legal services? *Paul Harding* believes it's a long game

### **A world without consequences?**

Has the belief that LLPs are safe from unlimited personal liability had a negative impact on the health of legal businesses? *Andrew Cromby* reports

### **Preconceived ideas**

Preconception agreements in the context of non-traditional families are a checkpoint for parties to assess the long-term sustainability of their shared parenting, says *Helen Waite*

### **Shifting ground**

The government's costs-shifting proposals are still to be fully worked out but it is clear that the new rules will have to be unequivocal, say *Alistair Kinley* and *Malcolm Keen*

### **Power to pay**

Can an organisation pay interest on share capital and retain its charity status? *Stephen Roberts* explains

### **Family business**

The government should stop trying to keep divorcing couples out of the courts and start focusing on making the justice system quicker and easier for clients, argues *Marilyn Stowe*

### **Business development**

Law firms websites are abysmal, but yours can be different, says *Julian Summerhayes* as he shares his tips for online perfection

### **Civil conduct**

Is the absence of an enforceable right to obtain documents a barrier to forcing disclosure from related companies? *James Maton* investigates

### **Property workshop**

*John Coulter* highlights the potential conflicts of interest when acting on behalf of both lender and borrower

### **Company update**

*Debbie King* considers transferring shares, oral contracts and termination provisions, and the first sentence under the Bribery Act



**Employment update**

*Sue Ashtiany* reviews the modern workplaces consultation, contract claims and dismissal, and a discrimination case

**Solicitors Journal**      **Vol. 156 No. 8 February 28, 2012**

**Signed and sealed**

Even a simple administrative mistake in a will could lead to severe consequences, says *Matthew Duncan*

**Well appointed?**

The courts have attempted to take a balanced approach to appointing administrators since *Minmar*, but more guidance is needed, says *Rodric Williams*

**Come fly with me**

Failure to allow disable air passengers compensation for injury to feelings is a breach of their rights in English and European law, says *Mark Stone*

**Tool of the trade**

Project management techniques can improve cost control and enhance client relationships, says *Damian Blackburn*

**World service**

In what circumstances is alternative service overseas permitted? *Andrew Butler* reports

**Powering up**

The Financial Services Bill is a step closer to a new UK regulatory architecture, say *Michael McKee* and *Gavin Punia*

**Felix**

If potential criminals could see the devastating effect a prison sentence has on the families of those behind bars perhaps they would think twice, says *Felix*

**European briefing**

Would Greece's unilateral withdrawal from the euro be legal under EU law? *Paul Stanley* investigates

**Public law workshop**

*Pavlos Eleftheriadis* examines the paradoxes that arise when determining the rights of European Union citizens

**Personal injury update**

Have the latest asbestos cases tipped the balance in favour of defendants? *Vijay Ganapathy* reports

**Crime update**

*Miranda Ching* examines recent developments in criminal procedure and sentencing guidelines for burglary and drugs offences

**New arbitration scheme is no alternative to litigation**

The sound rationale behind the new family dispute arbitration scheme doesn't mean it is a credible alternative to either mediation or litigation, says *Miles Geffin*

**Faulty breast implant removal: does your client have a claim?**

*Hugh Koch* and *Karen Addy* review the psychological diagnosis process for women considering a compensation claim following the removal of faulty breast implant

**Animal Welfare Act: five successful years?**

The Act was hailed as a revolutionary step forward in animal welfare law and, for once, parliament appears to have got it right, says *Tim Ryan*

**Unleashed**

High street firms will survive the onslaught of the big brands because we can provide what clients really want, says *Russell Conway*

**Life in crime**

The dialogue between the British and the Strasbourg courts works well, says *Ben Newton*

**Regulatory watch**

There are still too many unknowns in the way the various regulators will police the provision of legal advice in the age of ABSs, warns *Susanna Heley*

**Litigation: costs**

Is it possible to recover retrospective success fees? *Simon Gibbs* finds out

**Commercial workshop**

*Jonathan Silverman* reviews key steps to protect clients interested in being involved in alternative investment schemes

**Local government update**

*Simon Chappel* and *Peter Hill* consider education reform and the proposed changes to public procurement

**Consumer update**

Recent cases have revealed the complexity of the unfair relationship test, says *Rryan Nott*

**Cuts are forcing law centres to rethink their operation**

Under financial pressure from funding cuts and the forthcoming legal aid bill, not-for-profit organisations must consider options

**How valuable is expert evidence when assessing a patient in a vegetative state?**

*Richard Scorer* and *Gemma Hall* discuss experts' roles in cases involving the possible withdrawal of life-sustaining treatment and in compensation claims

**Are we doing enough to remedy miscarriages of justice?**

As we launch *Wrongly accused*, the latest title in the series jointly produced with the Justice Gap, *Jon Robins* reviews the progress of and flaws in our miscarriages of justice system

**Behind bars**

Prisons are no place for the majority of women offenders but still this is where they are sent, says *Jeannie Mackie*

### **Partnerships**

*Clare Murray and Ester Martin* explore the rights and options of partners forced to retire

### **ABS countdown**

The SRA's actions have prompted firms keen to continue offering financial services to seek out alternatives to ABSs, says *Stuart Bushell*

### **View from the bench**

*DJ Harold Godwin* explains he County Court Money Claims Centre will carry out its work

### **Private client workshop**

Calling an attorney to account: *Ashton Davies* explains how executors can recover assets successfully and cost-effectively

### **Commercial property update**

*Magnus Hassett, Laura Williamson and Katherine Ekers* consider the implications of the dilapidations protocol and break clauses

### **Sport update**

*Chris Walsh* reviews the latest developments in the spot-fixing scandal and the impact of match postponement

## **Solicitors Journal      Vol. 156 No. 11 March 20, 2012**

### **Is this the end of constructive trusts in commercial cases?**

*Clare Stewart* reviews the impact of the changes to the law on constructive trusts in the commercial world

### **Vicarious liability is now more about value judgment than law**

Widening the circumstances in which an employer can be found liable has brought worrying ambiguity, says *Chrisoulla Pawlowska*

### **The government's mediation plans haven't been thought out**

In its haste to channel disputes through mediation and control the process centrally the government is killing off successful local schemes, says *Jeremy Ferguson*

### **Charitable purpose**

An organisation's purpose is still the starting point in determining whether it is eligible for charitable status, says *James Kilby*

### **Family business**

Family lawyers must embrace arbitration – it is a fairer, more flexible and potentially cheaper option, says *Marilyn Stowe*

### **Business development**

Don't underestimate the power of listening – it could mean the difference between success and failure, says *Julian Summerhayes*

### **Civil conduct**

The threat of restricted legal advice privilege hasn't gone away, warns *Julian Copeman*

### **Property workshop**

*John Coulter* explains the steps to take if you are faced with a delayed completion, and the effects of serving a notice to complete

**Environment update**

The court's tough stance on nuisance places a burden on those considering buying a new home, says *Adrienne Copithorne*

**Clinical negligence update**

*Jock Mackenzie* examines cases considering the rules on the determination of causation

**University of Pittsburgh Law Review Vol. 72 Summer 2011 Issue 4**

What a short, strange trip it's been: moving forward after five years of Marcellus shale development *Ross H. Pifer*

Recent decisions affecting the development of the Marcellus Shale in Pennsylvania *Kevin C. Abbott and Nicolle R. Snyder Bagnell*

Developing a common law hydraulic fracturing *David E. Pierce*

Legal and commercial models for pore-space access and use of Geologic Co2 sequestration *R. Lee Gresham & Owen L. Anderson*

**West Indian Law Journal Vol. 36 No. 2 October 2011**

The emergence and evolution of organized crime in Jamaica *Anthony Harriott*

Trouble in paradise? Combating the scourge of financial crime *Shazeeda A. Ali*

Defusing criminal explosives *Sharma Taylor*

Prosecuting financial crime in Jamaica *Caroline P. Hay and Christine A. Chambers*

Corruption, organized crime and governance *Trevor Munroe*

Lotteries and lottery scams *Amina Maknoon*

The Financial Investigations Division Act 2010: a critique *Norman Davis*

Overtaking the Bull: the race to the final frontier *Ingrid Pusey*