

CURRENT AWARENESS BULLETIN

+

April- June 2014



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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

APRIL - JUNE 2014

JUDGMENTS

ARC Systems Ltd. v Atradius Credit Insurance NV

JMCA 27.03.2014

CIVIL PRACTICE AND PROCEDURE - Stay of execution - Application for stay of execution of Order - Whether applicant's appeal will be rendered nugatory if the application for the stay is refused

<THE> ATTORNEY GENERAL for Jamaica v Kenya Tulloch

JMCA 28.03.2014

VICARIOUS LIABILITY - Assault - Whether the Attorney General was vicariously liable for the assault and shooting of the respondent - Crown Proceedings Act, s. 3(1) - Constables (District) Act, s. 4

BLAKE, Denjah v R

JMCA 29.04.2014

CRIMINAL LAW - Rape - Indecent assault - Impact of the non-direction on the evidence of good character - Whether the appellant honestly believed that the complainant was consenting

BOWEN, Charmaine v Island Victoria Bank Limited and Union Bank Limited and RBTT Bank Jamaica Limited and FINSAC Limited and Jamaica Redevelopment Foundation and Dennis Joslin Ja. Inc.

JMCA 27.03.2014

CIVIL PRACTICE AND PROCEDURE -Stay of execution - Order striking out case - Powers of sale of mortgage - Assignment of mortgage - Costs

BRITISH CARIBBEAN Insurance Company Limited v David Barrett and Ivor Leigh Ruddock and Jason Evans

JMCA 11.02.2014

CIVIL PRACTICE AND PROCEDURE-pre hearing-claim form-post hearing-judicial orders-appeals-appeal process-hearing-evidence-local government-planning-permission-insurance and reinsurance-insurance-administrative and constitutional law-company

BROOKS, Norick v R

JMCA 10.04.2014

CRIMINAL LAW - Illegal possession of firearm - Robbery with aggravation - Shooting with intent - Unfair trial - Whether conviction unreasonable - Amendment of indictment - Excessive sentence

BROWN, JULIET and Orville Oniel Black v Henry Moncrieffe

JMCA 06.06.2014

CIVIL PRACTICE AND PROCEDURE - Application by the respondent to have the notice of appeal and notice of application struck out — Application by the applicants to extend time for filing the notice of appeal — Length of the delay — Reasons for the delay — Whether there was an arguable case for an appeal — The degree of prejudice to the other party if the time is extended — Whether an order for disclosure is fulfilled when a list of documents is filed without being served.

BROWN, PATRICK and Richard McLean v R

JMCA 02.05.2014

CRIMINAL LAW - Rape - Misdirection to jury - Improper identification parade - Miscarriage of justice

BRUCE, Basil v R

JMCA 18.02.2014

CRIMINAL LAW - Causing grievous bodily harm with intent - Leave to appeal sentence - Whether sentence was manifestly excessive

CABLE & WIRELESS Jamaica Limited v Mossell (Jamaica) Limited (T/A Digicel) and Oceanis Digital Jamaica Limited
JMCA 11.04.2014

INTELLECTUAL PROPERTY - Copyright - Whether Cable & Wireless owned copyright to its Customer Directory Database - Application for declaration - Copyright Act

CLARKE, William v Gwenetta Clarke
JMCA 11.04.2014

CIVIL PRACTICE AND PROCEDURE - Order for disclosure - Property (Rights of Spouses) Act - Civil Procedure Rules 2002, Part 28

CHUNG, Deandra v Future Services International Limited and Yaneek Page
JMCA 13.06.2014

DEFAMATION - Words - Whether words were defamatory in nature - Civil Procedure Rules 2002, Rule 69.4

DAVIS, Ernest v The General Legal Council
JMCA 02.05.2014

CIVIL PRACTICE AND PROCEDURE - Costs - Taxation - Discontent with Registrar's taxation - Discontent appealed - Whether decision wrongly exercised - Appeal dismissed - Court of Appeal Rules 2002, Rule 1.18(3) - Civil Procedure Rules 2002, Rules 65.26-65-29.

DEER, Joel v R
JMCA 20.02.2014

CRIMINAL LAW - Illegal possession of firearm - Robbery with aggravation - Wounding with intent - Wrong identity - Lack of evidence - Unfair trial

CAMPBELL, Orville v R
JMCA 21.03.2014

CRIMINAL LAW - Illegal possession of firearm - Wounding with intent - Defence of alibi - Visual identification

DENNISON, Alvin v R
JMCA 17.02.2014

CRIMINAL LAW - Murder - Jury misdirection - Treatment accorded to unsworn statement - Excessive sentence

DENNIS, Sylvester v Lana Dennis
JMAC 02.05.2014

CIVIL PRACTICE AND PROCEDURE - Appeal - Extension of time to file notice and grounds of appeal - Whether there was an arguable case for appeal from summary judgment - Civil Procedure Rules 2002, Rule 15 - Overriding objective of the court

FEARON, Neville, v R
JMCA 02.05.2014

CRIMINAL LAW - Illegal possession of firearm - Assault with intent to rob - Whether the judge erred in allowing DNA evidence where there was insufficient nexus between blood recovered from the scene with that of the appellant - Whether judge committed the 'prosecutor's fallacy'

FORBES, SEIAN and Tamoy Meggie v R
JMCA 16.05.2014

CRIMINAL LAW - Illegal possession of firearm - Burglary - Robbery with aggravation - Buggery - Shop breaking and larceny - Improper identification - Alibi defence - Inadequate evidence - Character evidence - Unfair trial

JAMAICA OBSERVER Limited and Paget deFreitas v Gladstone Wright
JMCA 30.05.2014

DEFAMATION - Judgment for defamation claim - Whether trial judge's direction to jury incorrect - Whether quantum excessive

JAMES, Oswald v R
JMCA 05.09.2014

CRIMINAL LAW - Detinue - Conversion of funds - Whether evidence of main witness flawed

KEY MORTORS Limited and Executive Motors Limited v First Trade International Bank & Trust Limited (in liquidation)

JMCA 28.03.2014

CIVIL PRACTICE AND PROCEDURE -Appeal - Application to strike out appeal for want of prosecution - Court of Appeal Rules 2002, Rule 2.5

LAWRENCE, Jason v The Queen
UKPC 11.02.2014

CRIME AND SENTENCING-Criminal Practice-Jury-Evidence-Sentencing-Sentencing Hearing-Nature of Offence-practice and procedure-hearing-evidence-witness-administrative and constitutional law-family law-children-wills and probate

LAWRENCE, Maurice v R
JMCA 28.03.2014

CRIMINAL LAW - Murder - Plea of guilty - Leave to appeal sentence - Whether sentence was excessive

LAWSON, Nash v R
JMCA 13.06.2014

CRIMINAL LAW - Illegal possession of firearm - Assault - Plea of guilty - Unfair trial - Forced abandonment of not-guilty plea - Excessive and oppressive sentence

LEE, Separue v R
JMCA 21.03.2014

CRIMINAL LAW - Murder - Death sentence - Leave to appeal - Sentence substituted to life

LEVY, Nicholas v R
JMCA 28.03.2014

CRIMINAL LAW - Murder - Whether trial judge's admission of deposition was prejudicial - Whether sentence excessive

LYNTON, Everton Lloyd v R
JMCA 11.04.2014

CRIMINAL LAW - Illegal possession of firearm - Indecent assault - Whether evidence insufficient to warrant conviction

<THE> MINISTER OF Finance and Planning & Public Service and The Financial Secretary and The Public Service Commission and The Attorney general of Jamaica v Viralee Bailey-Latibeaudiere
JMCA 09.06.2014

CIVIL PRACTICE AND PROCEDURE - Appeal against orders granting leave and dismissing the preliminary objection — Whether it was open to the 1st Applicant to terminate the respondent's

employment contract — Finding the judge's decision to grant leave to the respondent to apply for judicial review was one properly open to him — Appeal against grant of leave dismissed — Injunction continued until specified date — Written submissions ordered.

MURRAY, Oneil v R

JMCA 09.05.2014

CRIMINAL LAW - Rape - Illegal possession of firearm - Plea of guilty - Leave to appeal - Whether sentence manifestly excessive

NATIONAL COMMERCIAL Bank Jamaica Ltd. and Owen Campbell v Tousehane Green

JMCA 30.05.2014

CIVIL PRACTICE AND PROCEDURE - Summary judgment - Application for mediation to be dispensed with - Whether appellants had real prospect of success - Bill of sale - Sale of Goods Act, s. 2 - Whether there were triable issues

NESBETH, Roberto v R

JMCA 02.05.2014

CRIMINAL LAW - Unlawful wounding - Whether trial unfair - Whether prosecution failed to prove case beyond a reasonable doubt

NOEL, Ivan v R

JMCA 12.05.2014

CRIMINAL PRACTICE AND PROCEDURE - Appeal — Possession of Cocaine — Dealing in cocaine — Importing cocaine — Guilty plea — Fine of \$500, 000 or 5 years' imprisonment for possession of and dealing in cocaine — Five years' imprisonment and a fine of \$500,000 or five years' imprisonment for the importing offence — Sentences to run concurrently but consecutively if the fines were not paid — Whether the sentences were manifestly excessive — Whether the Resident Magistrate failed to take into consideration the fact that having pleaded guilty, the appellant should have received a concession — Whether the resident magistrate considered information which was not a part of the proceedings as recorded in the transcript — Whether separate sentences should have been imposed for the offences as they were aspects of the same matter.

PALMER, Ryan and Richardo Dewar

JMCA 13.06.2014

CRIMINAL LAW - Robbery - Incorrect identification by witness - Lack of evidence - Unfair trial - Miscarriage of justice

RASTAFARI NATION Pinnacle Foundation 1st Order of Nyah Bingie Theocracy and L.P. Howell Foundation and Catherine M. Howell v Saint Jago Hills Development Company Limited

JMCA 28.03.2014

REAL PROPERTY - - Recovery of possession - Leave to appeal order for recovery of possession - Whether defendants acquired prescriptive right to property - Whether application for leave to appeal should be granted in circumstances of delay to file appeal - Judicature (Resident Magistrates) Act, s. 253

RICHARDS, Cavern v R

JMCA 11.04.2014

CRIMINAL LAW - Forgery - Whether verdict against the weight of the evidence - Forgery Act

ROBINSON, DESMOND and The Attorney general of Jamaica v Brenton Henry and Sarah (Butt) Henry

JMCA 16.05.2014

DETINUE - Motor car - Application for declaration that no further customs duty payable - Return of motor car - Damages in detinue and conversion in lieu of said car - Damages for inconvenience for seizure of car - Costs

SANDERSON, Windella v R

JMCA 07.02.2014

CRIMINAL LAW - Obtaining money by false pretences - No case submission - Whether verdict unreasonable

SHTERN, Adele v Monica Cummings

UKPC 10.06.2014

TORT LAW- PERSONAL INJURY- Appeal involving a claim for damages for personal injury resulting from an accident at a hotel- The appellant alleged that the accident was caused by one or more of the defendants' negligence and/or breach of statutory duty under the Occupiers' Liability Act- The court had to determine whether the respondent in particular owed a relevant duty of care to the Appellant-Privy Council- personal injury claim- hotel visitor- electric shock accident- defendant's liability for damages

TRI-STAR ENGINEERING Company Limited v ALU Plastics Limited and Pamela Josephs and Judith Josephs

JMCA 11.04.2014

FREEZING ORDERS - Extension of freezing order, Appeal for - Whether trial judge improperly exercised her discretion in refusing to extend freezing order

TURNER, Grace v University of Technology

JMCA 13.06.2014

CRIMINAL PRACTICE AND PROCEDURE - Striking out - Application to strike out case - Whether claimant could amend statement of case after the limitation period expired - Civil Procedure Rules 2002, Rules 19.4 and 20.1

WEIR, Dalfel v Beverley Tree

JMCA 17.03.2014

MATRIMONIAL PROPERTY - Ownership - Application for declaration of sole beneficial ownership of property - Property (Rights of Spouses) Act

WILLIAMS, GERVILLE and Orrette Williamson and Francis Rennals and Devon Noble and David Hutchinson and Petro Greene and Marcel Dixon and Kenneth Daley v The Commissioner of Independent Commission of Investigations and The Attorney General of Jamaica and The Director of public Prosecutions

JMCA 17.03.2014

CONSTITUTIONAL LAW - Constitutional Orders - Application for - Failure to comply with order under INDECOM Act - Breach of constitutional right against self-incrimination and to silence - Whether appellants complied with time period to file appeal - Whether prejudice will be suffered from delay in filing record of appeal - Court of Appeal Rules 2002, Rule 1.7(2)

WILLIAMS, Kevin v R

JMCA 02.05.2014

CRIMINAL LAW - Illegal possession of firearm - Shooting with intent - Improper identification - Defence of alibi - Whether sentence excessive

LEGISLATION

Commonwealth of Dominica

Acts

3/2014	Criminal Law and Procedure (Amendment) Act
2/2014	Proceeds of Crime (Amendment) Act
1/2014	Supplementary Appropriation (2013/2014) Act

Jamaica

Acts

4/2014	Appropriation Act
3/2014	Criminal Justice (Suppression of Criminal Organizations) Act
2/2014	Financial Administration and Audit (Amendment) Act
1/2014	Public Bodies Management and Accountability (Amendment) Act

LAW REPORTS

Law Report (Appeal Cases)	2013	Vols. 1 & 2
Law Reports (Chancery Division)	2013	
Law Reports (Family Division)	2013	
Law Reports (Queen's Bench Division)	2013	
Law Reports of the Commonwealth	2014	Vols. 2 & 3
New Zealand Law Reports	2014	Vol. 2
Weekly Law Reports	2013	Vols. 1- 3
<The> West Indian Reports		Vol. 83

TREATISES, DIGESTS ETC.

<A> Advocacy Primer / Lee Stuesser. – 3 rd ed. Canada: Tomson, 2005		KL93.S79
Ashton & Reid on clubs and associations / David Ashton and Paul W. Reid. – 2 nd ed. Bristol: Jordan Publishing Limited, 2011		KN169.Q95.A83
Atkin's court forms. – 2 nd ed.	2014 Issue	
Vol.13(2)	Costs management, case management and applications	
Vol. 19(5)	Financial services	
Vols. 24(1-3)	Landlord and Tenant	
Vol. 25(3)	Land charges to markets and fairs	
Vol. 31(2&3)	Personal injury (Pts. 2&3)	KN351.A88
Commonwealth Caribbean tort law / Gilbert Kodilinye. – 5 th ed. New York: Routledge, 2015		KN30.K64
<The> Digest 2014 4 th reissue		
Vols. 12(3&4)	Contract	
Vol. 49(2)	Water	
Vol. 39(2)	Royal Armed Forces	KN85.E6
Drafting : City Law School / David Emmet. – 17 th ed. London: Oxford University Press, 2014		KL34.C58

- <The> Encyclopaedia of forms and precedents. – 5th ed.
 Vol. 12(1)B Contracts for services
 Vol. 16(4) Franchising agency and distribution
 Vol.17(2) Gifts
 Vol.19(2) Joint ventures
 Vol. 25(3)C Leasehold flat schemes (Long Leases) KN74.1.E51
- <The> law of damages / edited by Andrew Grubb. – 2nd ed.
 London: LexisNexis, 2010 KN37.1.L39
- <The> modern law of evidence / Adrian Keane and Paul McKeown. – 10th ed.
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 Karen Nunez-Tesheira. – 2nd ed.
 Kingston, Jamaica: Caribbean Law Publishing, 2004 KN127.N86
- Partnership and LLP law / Elspeth Berry.
 London: Wildy, Simmonds and Hill, 2010 KN267.4.B47
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 Oxford: Oxford University Press, 2014 KN350.S56
- <A>practical approach to conveyancing / Robert Abbey & Mark Richards. – 17th ed.
 Oxford: Oxford University Press, 2014 KN74.A22
- Smith and Hogan's criminal law / J.C. Smith. – 13th ed.
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- Smith and Thomas: a casebook on contract/ Roger Brownsword. – 12thed
 London: Sweet & Maxwell, 2009 KN11.S65
- <The> theory and practice of statutory interpretation/ Frank B. Cross
 California: Stanford University press, 2009 KL35.C76
- Trial techniques and trials / Thomas Mauet. – 9th ed.
 New York: Wolters Kluwer, 2013 KL95.M39

SERIALS

ABA Journal Vol. 100 No. 4 April 2014

President's message

On ABA Day, lawyers lobby Capitol Hill for support on important legal issues

James R. Silkenat

Opening Statements

Accompanying a spike in service animals on planes, in stores and elsewhere are a host of legal concerns

Lauren Etter

Alt-rocker's anti-piracy crusade targets lyrics websites that don't compensate songwriters

Leslie A. Gordon

Two Crowell & Moring partners rediscover their drag racing passion.

Ed Finkel

Drexel University's law school puts its name on the line, seeks firmer financial foundation

Anna Stolley Persky

Short takes and fast facts on the law

Docket

NATIONAL PULSE: A likely high-tech trend, Google Glass is already causing legal experts to see problems

Wendy N. Davis

NATIONAL PULSE; Website raises legal questions about homeowners and tenants hosting traveler

Kevin Davis

SUPREME COURT REPORT: Low-tech high court to weigh police search of smartphones

Mark Walsh

Practice

ETHICS: Clients' termination letters to attorney are protected from defamation suit

David L. Hudson Jr.

WORD: Certain words should be banned from your legal vocabulary

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Business of Law

REINVENT LAW: February conference draws 800 attendees, inspires frank exchange of ideas on the need for innovation in the legal industry

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LAW PRACTICE: Post-mortems on Martindale-Hubbell may prove premature

G.M. Filisko

LEGAL TECH New YORK 2014: Judges urge lawyers to get up to speed on latest tech trends

Joe Dysart

LAW BY THE NUMBERS: The financial status of the profession for 2013 turned out worse than expected

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LEGAL TECH NEW YORK 2014: Cloud-based e-discovery can provide big savings

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RETIREMENT: Retirement planning involves caring for yourself, taking into account long-term care needs	<i>Susan A. Berson</i>
Your ABA/Midyear Meeting Report House action includes a dues increase, president's heartfelt plea for gun control	<i>Debora Cassens Weiss</i>
ABA's Legal Access Job Corps Task Force gets a progress report	<i>Victor Li</i>
Paulette Brown is tapped to be the first woman of color to lead the association	<i>Molly Mc Donough</i>
<i>After the JD</i> reveals many recent grads leave law practice	<i>Debra Cassens Weiss</i>
Changes in bar pass standards are put on hold	<i>Mark Hansen</i>
Proposed elimination of tenure requirement in accreditation standards draws fire at public hearings	<i>Terrt Smith</i>
Racial imbalance feeds school-to-prison pipeline	<i>Stephanie Francis Ward</i>
New books commemorate the 800 th anniversary of the Magna Carta	<i>James Podgers</i>

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Law Day 2014 emphasizes the importance of the right to vote	<i>James R. Silkenat</i>
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Law firms add coaches to their staff to help with work-life balance and career advancement	<i>Leslie A. Gordon</i>
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Former DEA agent switches from enforcement to compliance in the legal marijuana industry	<i>Jenny B. Davis</i>
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A new legal social network vets applicants, stresses privacy	<i>J.S.C.</i>
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MoFo starts a Twitter feed to promote the firm's female lawyers	<i>L.A.G.</i>
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NATIONAL PULSE: Cases challenging tax-exempt status are causing an almighty fuss in religious communities	<i>Lorelei Laird</i>
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NATIONAL PULSE: Courts are giving patent trolls First Amendment protection, despite unseemly methods	<i>Steven Seidenberg</i>
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SUPREME COURT REPORT: Experts sound off on Justice Thomas' long silence on the bench	<i>Mark Walsh</i>
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WORD: The backstory on the 10th edition of *Black's Law Dictionary*

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Business of Law

FIRM MANAGEMENT: Equity partners face higher demands for contributions, longer waits for payouts after departure

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AMBROGI ON TECH: Two new products provide peeks into billing rates charged by major law firms, all allowing benchmarking of their financial performance

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TECHNOLOGY: Responsive websites can reconfigure text and graphics to fit the screen of any device

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LAW BY THE NUMBERS: NALP study shows drop in lateral hiring for the second consecutive year

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RETIREMENT: Post-practice is a time to refocus priorities, but plan carefully to make sure there are plenty of options

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Your ABA

Search goes on for policies that pass Second Amendment muster and help prevent gun violence

Kristin Choo

House of Delegates announces nominees for leadership positions

James Podgers

As more Americans qualify for free civil services, the ABA steps up calls for increased LSC funding

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Columbia Journal of Law and Social Problems**Vol. 47 No. 2 Spring 2014**

Addressing structural racism in juvenile justice through experimentalism

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The abuse of incumbency on trials: Limits on legalizing politics

Patrick T. Roath

Tentative rulings in California Trial Courts: A natural experience

Alexander J. Konik

"As cats are drawn to cream": expanding debt settlement regulation to traditionally-exempt entities

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Commonwealth Law Bulletin Vol. 38 No. 3 September 2012

Defining the limits: the clash between a doctor's duty to preserve life and enforcement of a patient's religious belief

Chinedum I. Umeche & Pontian E. Okoli

Globalisation of the judicial education discourse

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A more modern crown: changing the rules of succession in the Commonwealth Realms

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International practice of Public Legal Education: a missing element in the justice system of Bangladesh

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Unification, simplification, amplification? An analysis of aspects of the British Equity Act 2010

James Hand & Bernard Davis

Commonwealth Law Bulletin Vol. 38 No. 4 December 2012

Law as a counterweight to politicisation in democratic public management

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The avoidance of *Non liquet* by the International Court of Justice, the completeness of the sources of international law in Article 38(1) of the Statute of the Court and the role of judicial decisions in Article 38(1)(d)

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What is worth rewording is worth rewording well: an analysis of the implementation of the Hague Convention on Civil Aspects of International Child Abduction in New Zealand

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Law, credit risk management and bank lending to SMEs in Nigeria

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Burying *Smith v Selwyn* [1914] 3 KB deep in the grave: the case for the abolition of the rule demanding prosecution of felony as a precondition to pursuit of civil action in Ghana

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<The> International Journal of Evidence & Proof Vol. 18 No. 2 2014

The prosecution of organized crime: removing the jury

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The privilege against self-incrimination from early origins to Judges' Rules: challenging the 'orthodox view'

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Judging, fast and slow: using decision-making theory to explore judicial fact determination

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Jambar Journal Vol. 27 No. 1 January – March, 2014

Reparations: FAQs

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Game changer? Creation of security interests in Deposit Accounts under SIPP

Julie Thompson-James

Protection for denied citizens

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Interview with Pamela Benka Coker, QC

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Hop on the omnibus for 2014!

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Case notes from the Court of Appeal

Hilary Phillips JA et al

Beyond Bob Marley: Jamaica's 'rights of personality for non-celebrities

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<The> Law Teacher Vol. 48 No. 1 March 2014

The Legal Education and Training Review: regulating socio-legal and liberal legal education?

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Values ethics and legal ethics: the QLD and LETR
Recommendations 6,7,10, and 11

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Professionalism in higher education: important not only
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The gap between law student career aspirations and
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Penny Childs & Nigel Firth

To prescribe or not to prescribe? That is the question

Melissa Hardee

Back from the future: did the LETR really prepare us for
the future?

Patricia Leighton

New Law Journal **Vol. 164 No. 7597** **March 7, 2014**

Comment

Clifford Darton provides a guide to the rising tide of flooding claims

Family: How do the courts treat post-separation earnings?

Robert Micklem & Lucy Marks

Personal injury: *Richard Score & Lizanne Gumbel QC* discuss
the liability of local authorities for foster carers

Property: A recent Court of Appeal ruling provides important
clarification on the validity of s 21 notices, as *Mathew McDermott*
reports

New Law Journal **Vol. 164 No. 7598** **March 14, 2014**

Comment

Why unelected judges get the vote of *Peter Thompson QC*

Family: Marriage – lite or a new set of rights? *Claire Clarke*
examines the legal options open for cohabitants

Personal injury: *Anastasia Karseras* illustrates the recent
crackdown on fraudulent activity

Property: Are property sales and letting agents under scrutiny, ask
Susanne Rab & Andrew Francis

Commercial: When will EU businesses be regarded as having
“directed” their business activities to consumers in another member state,
ask *John Doherty & Charlotte Eccles*

New Law Journal **Vol. 164 No.7599** **March 21, 2014**

Comment

Marc Weller reports on the legality of events in Crimea

Employment: *Ian Smith* investigates some rare sightings of dismissal law controversy

Property: Commercial rent arrears recovery: *John Sharples* asks are you ready?

Data privacy: *Tom Morrison* returns with his quarterly review of the world of information law

Insolvency: *Nigel Jackson* outlines the far-reaching consequences of *Reithatha v Williamson*

New Law Journal **Vol. 164 No. 7600** **March 28, 2014**

Comment

Roger Smith celebrates some seasonal highlights

Employment: *Michael Salter & Chris Bryden* re-examine the without prejudice rule

Family: *Kirstie Gibson* considers the approach taken by the court to determine the habitual residence of a child

Wills & probate special

Adrian Jack tracks the latest developments in EU succession law

Paola Fudakowska & Henrietta Mason provides will & probate round-up

Administering an estate in the republic of Ireland? *Karl Dowling* provides guidance

Commercial

Simon Duncan continues to explore who has the right to sue former directors under s 15(1) of the Company Directors Disqualification Act 1986

New Law Journal **Vol. 164 No. 7601** **April 4, 2014**

Comment

On year on, *David Greene* assesses the impact of Jackson

Family: *Jonathan Herring* explores a clear case of compassion from the courts

Commercial

Litigation: FOS awards cannot be used as a springboard for litigation, says *Adam Edwards*

New Law Journal **Vol. 164 No. 7602** **April 11, 2014**

Comment

David Corker considers the implications of ditching dishonesty from the criminal cartel offence

Property: Administrators of insolvent tenants are under a duty to pay rent owned to landlords, says *Siobhan Jones*

Employment: *Charles Pigott* highlights some of the hidden complexities of early conciliation

Commercial

EU: It's Grounding Day for HMRC as the ECJ again makes its presence felt, says *Adam Craggs*

New Law Journal **Vol. 164 No. 7603** **April 18 & 25, 2014**

Comment

Tom Walker & Richard Marshall explain why standard six-month restrictions may have run their course

Employment: does the *Johnson* exclusion zone apply to restrictive covenants? *Anna Macey* reports

Personal injury: Who bears the risk for a working prisoner's negligence? *Robert O'Leary*

Property: *Alexander Bastin* reports on the *Benson* paradigm

Mental health: *Sophy Miles & Beverley Taylor* put the spotlight on the Mental Capacity Act

Commercial

Insurance: Do you have the right to inspect a defendant's liability insurance, ask *Rawdon Crizier & Anthony Eskander*

Tax: *Peter Vaines* makes a plea for increased taxpayer security & some common sense

New Law Journal **Vol. 164 No. 7604** **May 2, 2014**

Comment

Roger Smith: looks at three issues that expose inconsistencies by the Lord Chancellor

Family: Is it impossible to apply the principle of compensation in financial remedy proceedings, asks *Ed Heaton*

Personal injury: *Sarah Crowther* examines practical guidance for assessing PI damages under a foreign law

Property: The decision in *Coventry v Lawrence* cannot be ignored, says *Andrew Francis*

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Litigation: The Court of Appeal has provided important authority on the scope of litigation privilege, says *Leonie Parkin*

New Law Journal Vol. 164 No. 7605 **May 9, 2014**

Comment

Jon Robins tackles the Justice Gap

Employment: *Ian Smith* considers the latest employment law developments

Family: When can a court order made in financial proceedings upon divorce be invalidated, asks *Sarah Hughes*

Personal injuries: Can claimants injured abroad sue insurers directly under the Motor Insurance Directives? *Nicholas Bevan* reports

Property: Has the whole purpose of introductory tenancies been defeated, asks *Nicholas Dobson*

Commercial

A constructive trust establishes beneficial interests in property, as *Rupert Butler & Thomas Horton* reports

New Law Journal **Vol. 164 No. 7606** **May 16, 2014**

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Will the issue of e-cigarettes & plain packaging re-ignite tobacco litigation, asks *Sarah Moore*

Employment: Should all workers be extended the same floor of rights, asks *Charles Pigott*

Family: *David Burrows* addresses the issue of set aside orders

Personal injury: Cathy Kelly is a living, breathing case for structured settlements, says *Richard Fraser*

Commercial: *Jim Sharkey & Helen Mulcahy* analyse a raft of recent fraud cases

New Law Journal **Vol. 164 No. 7607** **May 23, 2014**

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