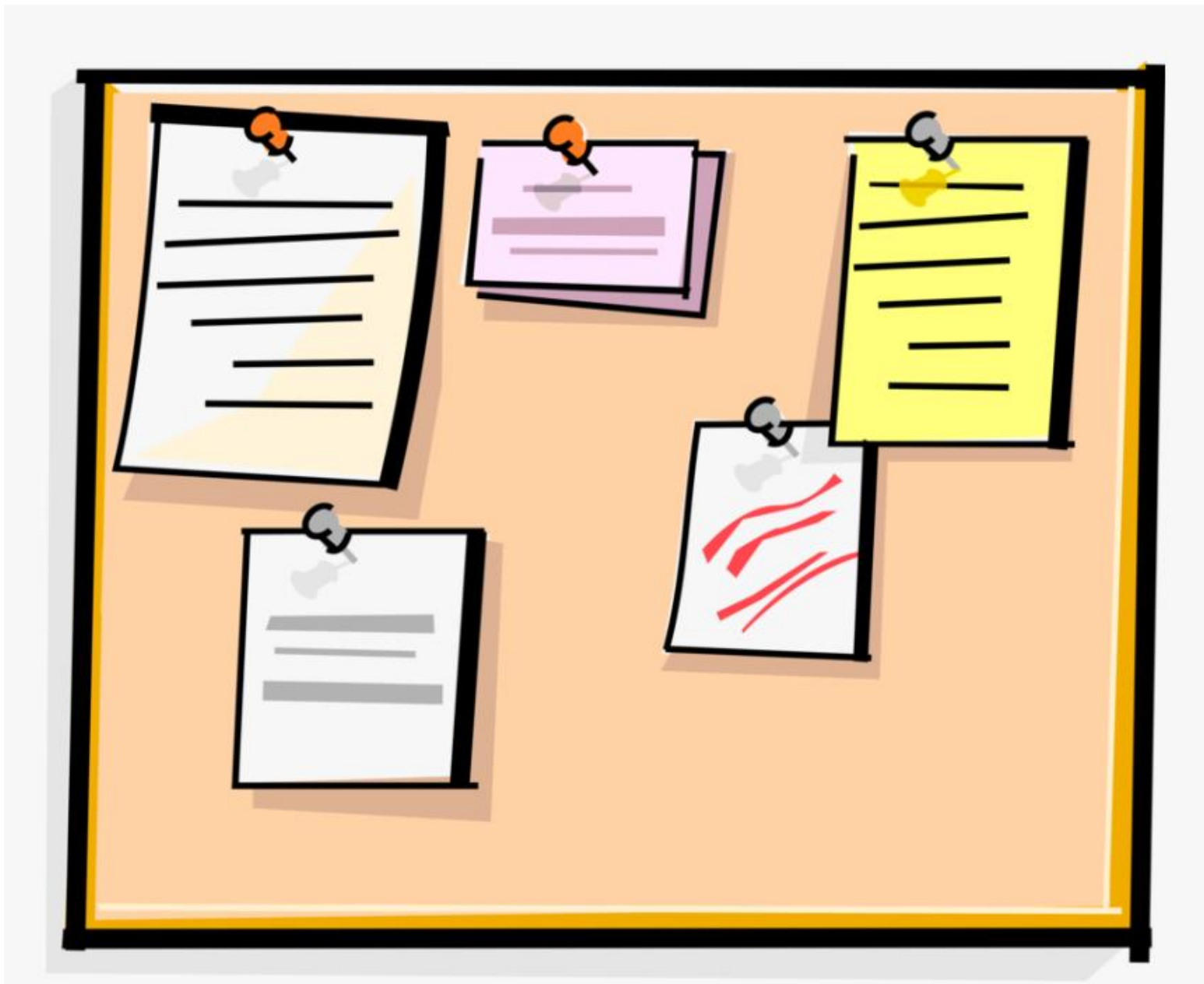


CURRENT AWARENESS BULLETIN

October- December 2014



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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

OCTOBER – DECEMBER 2014

JUDGMENTS

AKBAR LIMITED v Citibank NA
JMCA 14.11.2014

CONTRACT - Breach of contract - Inducement - Whether damages ought to be awarded to the appellant where not specifically pleaded - Should a trial judge enter judgment on liability if he is unable to assess damages

ARSCOTT, Jerome v R
JMCA 10.11.2014

CRIMINAL LAW - Assault with intent to rape - Indecent assault - Whether the acts complained of were consensual

BROWN, Andre v R
JMCA 24.10.2014

CRIMINAL LAW - Illegal possession of firearm - Shooting with intent - Faulty identification - Insufficient evidence - Unfair trial - Miscarriage of justice

BROWN, BARTHOLOMEW and Bridgette Brown v Jamaica National Building Society
JMCA 24.10.2014

CIVIL PRACTICE AND PROCEDURE - Taxation Order - Application to vary - Order for costs made in litigants' favour - Whether litigants are entitled to wasted costs, indemnity costs and costs where they are self-represented

CLUNIE, Owen K. v The General Legal Council
JMCA 22.09.2014

LEGAL PROFESSION - Disciplinary proceedings - Appellant struck from roll of attorneys - Appeal to Court of Appeal - Whether sanction imposed by the General Legal Council too harsh - Whether the Disciplinary Committee erred in not hearing from the appellant in mitigation - Matter to be remitted to the Disciplinary Committee

COMMISSIONER Of Police and Public Service Commission v Dwight Peters
JMCA 29.07.2014

ADMINISTRATIVE LAW- EXTENSION OF TIME- an appeal against a Supreme Court judge's order allowing a respondent to file an application for judicial review after exceeding the time prescribed by rule 56.6(1) of the Civil Procedure Rules, 2002, despite the judge having no jurisdiction to extend the time limit-The court ruled that the appeal had to be allowed, and the order of the trial judge set aside, with costs awarded to the appellants

CONTINENTAL BAKING Co. Ltd. v Super Plus Food Stores Ltd. and Tikal Ltd.
JMCA 17.09.2014

JUDGMENTS - Judgment debt - Leave to appeal judgment sum - Whether sum awarded was in excess of debt - Whether order for security for costs appropriate

DIGICEL JAMAICA Limited v The Commissioner of Taxpayer Appeals
JMCA 24.10.2014

REVENUE LAW - Taxation - Insurance proceeds - Whether insurance proceeds received by Digicel for loss of income during hurricane were caught by the General Consumption Tax Act, s. 18(4)

HALL, Erron v R
JMCA 17.10.2014

CRIMINAL LAW - Carnal abuse - Buggery - Whether the learned judge gave the requisite warning in relation to the evidence of children and young female complainants - Whether the judge erred in failing to uphold the no-case submission - Whether the judge erred in allowing an amendment to the indictment

HOFF, Sepp v R
JMCA 28.11.2014

CRIMINAL LAW - Indecent assault - No-case submission - Excessive sentence

HUMES, Birdie v Clive Wilson
JMCA 06.11.2014

DEFAMATION - Slander - Whether the claimant was present at the time and place that the words were said to have been uttered - Whether there was publication of the words

INTERNATIONAL ASSET Services Limited v Edgar Watson
JMCA 07.11.2014

CIVIL PRACTICE AND PROCEDURE - Order striking out statement of case - Whether statement of case disclosed no reasonable grounds for bringing the claim - Whether an abuse of process

JAMAICA TEACHERS Association v Georgia Waugh Richards
JMCA 16.10.2014

CIVIL PRACTICE AND PROCEDURE - Order for disclosure - Costs

JOHNSON, Evon v R
JMCA 24.10.2014

CRIMINAL LAW - Illegal possession of firearm - Wounding with intent - Insufficient evidence - Excessive sentence

LAMBIE, PAMELETA Marie v Estate Leroy Evon Lambie (Deceased)
JMCA 14.11.2014

REAL PROPERTY - Matrimonial property - Whether estate beneficially entitled to one half interest of family home - Property (Rights of Spouses) Act, s. 13(2)

LAWS, Ableton v The Attorney General of Jamaica
JMCA 07.11.2014

JUDICIAL REVIEW - Maintenance Order - Failure to make payments - Committal Order - Maintenance Act, s. 21

MCDONALD, Alistair v R
30.09.2014

CRIMINAL LAW - Bail - Bail pending appeal - Larceny of a valuable security - Whether exceptional circumstances exist to grant bail pending appeal

<THE> POLICE SERVICE Commission and The Commissioner of Police and The Services Commission v Donovan O'Connor
JMCA 17.10.2014

JUDICIAL REVIEW - Police officer - Declaration that the Commission's decision that respondent should retire as a matter of public interest was made ultra vires - Order to quash decision of the Commission - Police Service Regulations 1961, Regulation 26

POWELL, Anthony v The Attorney-General for Jamaica
JMCA 13.11.2014

CIVIL PRACTICE AND PROCEDURE - Appeal - Application for reinstatement of appeal and extension of time to file and serve skeleton arguments - Court of Appeal Rules, Rule 1.7

RANGLIN, GEORGE and Nipo Line Limited and Nipo Line Auto Imports Limited and Andrew Ranglin v Fitzroy Henry
JMCA 14.11.2014

CIVIL PRACTICE AND PROCEDURE - Striking out - Application to strike out notice of appeal filed out of time - Application for extension of time to file skeleton arguments - Court of Appeal Rules 2002, Rule 1.1

RECREATIONAL HOLDINGS (Jamaica) Limited v Carl Lazarus and The Registrar of Titles
JMCA 31.09.2014

LIMITATION OF ACTION - Adverse possession - Limitation of Actions Act, s. 30 - Whether the respondent had been in open and undisturbed possession in excess of 12 years

RICHARDS, Hugh v R
JMCA 21.11.2014

CRIMINAL LAW - Illegal importation of firearms and ammunition - Whether the appellant was wrongfully convicted

SCOTLAND, Patricia v R
JMCA 07.11.2014

CRIMINAL LAW - Embezzlement - Whether verdict unreasonable

SMALLING, Bobette v Dawn Satterswaite
JMCA24.10.2014

CIVIL PRACTICE AND PROCEDURE - Consent Order - Breach of - Order to set aside search and seize - Inquiry into damages on unlawful search and seizure of various files

SMITH, Mark v R
JMCA 28.10.2014

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

SMITH, Rohan v Elroy Hector Pessoa and Nickeisha Misty Samuels
JMCA 26.09.2014

CIVIL PRACTICE AND PROCEDURE - Default judgment - Leave to appeal - Order setting aside default judgment - Court of Appeal Rules, Rule 1.8(9) - Whether claim form validly served where it does not have the proper claim reference

STONE, Alwin v R
JMCA03.06.2014

CRIMINAL LAW - Incest - Indecent assault - Whether sentence manifestly excessive

SUPER PLUS Food Stores Ltd. and Tikal Ltd. v Continental Baking Co. Ltd.
JMCA 25.09.2014

CIVIL PRACTICE AND PROCEDURE - Pleadings - Amendment of pleadings to accord with the judgment on admission - Whether the pleadings may be properly amended to allow judgment entered to stand - Whether judgment should be varied or set aside

THOMPSON, Godfrey v Hentley Morrison
JMCA 31.10.2014

CONVERSION - Damages for fraudulent conversion - Leave to appeal judgment - Whether the cause of action of the tort of conversion was established

TURNQUEST, Lilieth v Henlin Gibson Henlin (A Firm) and Calvin Green
JMCA 24.10.2014

LEGAL PROFESSION - Professional undertaking - Whether appellant breached irrevocable professional undertaking to pay first respondent a certain sum of money upon completion of a sale in exchange for the photocopy of the duplicate certificate of title with the transfer endorsed thereon

WALKER, Damion v R
JMCA 09.10.2014

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

WILSON, Marc v R
JMCA 15.10.2014

CRIMINAL LAW - Conspiracy to defraud - Possession of forged document - Whether the magistrate had jurisdiction to indict the appellant for possession of a forged document

LEGISLATION

Bahamas

Acts

35/2014	Companies (Amendment) Act
34/2014	Excise (Amendment) (No. 3) Act
36/2014	International Business Companies (Amendment) Act
38/2014	Investment Condominium Act
37/2014	Investment Funds (Amendment) Act
31/2014	Persons with Disabilities (Equal Opportunities) Act
33/2014	Tariff (Amendment) (No. 3) Act
32/2014	Value Added Tax Act

Commonwealth of Dominica

Acts

9/2014	Customs (Amendment) Act
7/2014	Income Tax (Amendment) Act
10/2014	Magistrate's Code of Procedure (Amendment) Act
11/2014	Police (Amendment) Act
12/2014	Police Pensions (Amendment) Act
6/2014	Supplementary Appropriation (2013/2014) (No. 2) Act
8/2014	Value Added Tax (Amendment) Act

Jamaica

Acts

12/2014	Criminal Records (Rehabilitation of Offenders) Act
11/2014	Customs (Amendment) Act
13/2014	Disabilities Act
15/2014	Employment (Flexible Work Arrangements) (Miscellaneous Provisions) Act
10/2014	General Consumption Tax (Amendment) Act
14/2014	Insolvency Act
9/2014	Tax Collection (Miscellaneous Provisions) Act
8/2014	Tax Penalties (Harmonization) Act

Saint Christopher and Nevis

Acts

12/2014	Cluster Munitions (Prohibition) Act
14/2014	Criminal Records (Rehabilitation of Offenders) Act
8/2014	Insurance (Amendment) Act
11/2014	Protection of Employment (Amendment) Act
1/2014	Provisional Collection of Revenue (Amendment) Act
10/2014	Saint Christopher and Nevis and the Republic of China on Taiwan Extradition Treaty Act
2/2014	Travel Tax (Amendment) Act
3/2014	Unincorporated Business Tax (Amendment) Act

LAW REPORTS

Landlord and Tenant Reports	2014	Parts 1 & 2
Law Reports of the Commonwealth	2014	Vol. 5
New Zealand Law Reports	2014	Vol. 3
<The> West Indian Reports	2014	Vol. 83

TREATISES, DIGESTS ETC.

Atkin's Court Forms. 2nd ed. 2014 issue

Vol. 15	Defamation, Disclosure and Information Requests
Vol. 23(1)	Injunctions to Interim Remedies
Vol. 23(2)	Interpleader, Judgments and Order
Vol. 28	Mortgages, National Health Service

<The> Digest. 4th Reissue

Vol. 3(3)	Bailment, Banking
Vol. 3(4)	Banking, Barristers
Vol. 11(2)	Confidence and Informational Privacy
Vol. 11(3)	Conflict of Laws
Vol. 11(4)	Conflict of Laws, Constitutional Law

<The> Encyclopaedia of Forms and Precedents

Vol. 9(1)	Companies – commentary
Vol. 9(2)	Companies – formation and regulation
Vol. 10(2)	Companies – borrowing and debentures
Vol. 15(2)	Entertainment and Media
Vol. 23(1)	Landlord and Tenant (Residential Tenancies)
Vol. 26(2)B	Licensed Premises, Markets and Fairs
Vol. 28(3)	Mortgages – discharge, enforcement, specialist topics
Vol. 36	Sale of Land – Pre-contract documents, contracts, clauses for contracts
Vol. 40(1)	Trusts and Settlements
Vol. 40(2)	Trusts and Settlements – Administration matters

SERIALS

California Western International Law Journal Spring 2014 Vol. 44 No. 2

- An evaluation of the U.S. policy of "Targeted Killing" under international law: The case of Anwar Al-Aulaqi (Part II) *Jake William Rylatt*
- Comparing the trademark protections in comparative and keyword advertising in the United States and European Union *Lazaros G. Grigoriadis*
- The Chilean dictatorship and the judiciary *Judge Juan Guzmán*
- Punching above our weight: international legal studies at California Western School of Law *James Cooper*

<The> Cambridge Law Journal Vol. 73 Pt. 3 November 2014

- The quasi-entrenchment of constitutional statutes *Farrah Ahmed & Adam Perry*
- Data protection and the right to reputation *David Erdos*
- England's unique approach to the self-regulation of third party funding *Rachael Mulheron*
- Agreements to negotiate in good faith *Leon E. Trakman*

Charities Appeals Supplement Winter 2014

Upholding the law

Are human rights charitable or political? *James Maloney* and *Rachel Holmes* report

Building the brand buzz

Michael George Davidson explains why charities are top of the branding league

Fairer share?

Intestacy rules are changing, but making a will is still vital, as *Tony Millson* explains

Charitable or political?

Can charities campaign for political causes? *Alex Samuels* reports

Campaign countdown

Elizabeth Davis and *Kirsteen Hook* provide an update on charities' campaigning activities in the run-up to the general election

Turf wars!

Protection matters in an increasingly competitive charity market, as *Brian Miller* and *Robert Meakin* explain

Willing to change

Spencer Clarke and *Luke Campbell* outline the Law Commission's plans for will law reform

Navigating the legal minefield

Sarah Greendale and *Gerry Morrison* report on the pros and cons of social investment

DIY disaster

Matthew Evans investigates the fault lines in do it yourself probate

Columbia Journal of Law and Social Problems **Vol. 47 No. 4** **Summer 2014**

Choosing between saw and scalpel: FCPA reform and the compliance defence *Tamara Livshiz*

Dancing the two-step abroad: Finding a place for clean team evidence in Article III Courts *Feifei Jiang*

Square pegs and round holes: moving beyond *Bivens* in National security cases *Alexander Steven Zbrozek*

<The> International Journal of Evidence & Proof **Vol. 18 No. 4** **2014**

On the inadmissibility of the aggregated probabilities principle *Doron Menashe*

Mental health expertise in refugee status decision-making: judging or caring *Jill Hunter et al.*

Brief evidence and informer privilege: revisited in *Strasbourg* *Colin King*

International Review of the Red Cross **Vol. 95 No. 889 Spring 2013**

Violence against health care: insights from Afghanistan, Somalia, and the Democratic Republic of the Congo *Fiona Terry*

Making sense of apparent chaos: health-care service provision in six country case studies *Enrico Pavignani et al.*

The role of health-related data in promoting the security of health care in armed conflict and other emergencies *Robin Coupland*

The legal framework applicable to insecurity and violence affecting the delivery of health care in armed conflicts and other emergencies *Alexander Breitegger*

States' obligations to mitigate the direct and indirect health consequences of non-international armed conflicts: complementarity of IHL and the right to health *Amrei Müller*

A human rights approach to health care in conflict *Katherine H.A. Footer*

Medical ethics in peacetime and wartime: the case for a better understanding *Vivienne Nathanson*

Opinion Note: Can the incidental killing of military doctors never be excessive *Laurent Gisel*

<The> Journal of World Investment & Trade **Vol. 15 Nos. 1-2** **2014**

The ancestry of 'equitable treatment' in trade: Lessons from the league of nations during the Inter-war period *Mona Pinchis*

Globalization-driven innovation: The investor as a partial subject in public international law – An inquiry into the nature and limits of investor rights *Tillmann Rudolf Braun*

The probation against arbitrary conduct and the fair and equitable treatment standard under NAFTA Article 1105

Parick Dumberry

Investor-state arbitration: evaluating Australia's evolving position

Leon E. Trakman

The UAE's pilgrimage to international arbitration stardom – A critical appraisal of Dubai as a Centre of Dispute Resolution Aspiring to be a Middle East Business Hub

Ahmed M. Almutawa & A.F.M. Maniruzzaman

Keeping up with the changing climate: The WTO's evolution approach in response to the trade and climate conundrum

Avidan Kent & Vyoma Jha

<The> Law Society Gazette September 15, 2014

SRA silent over 'fake' bank law firm probe

John Hyde

City firms forecast corporate M&A surge

Monidipa Fouzder

Reform tactics were 'bullying', groups claim

Cartheine Baksi

Employment tribunal probe as claims slump

Michael Cross & John Hyde

How the law used to sound

Joshua Rozenberg

Bad parents in authority

Steve Broach

Pre-action disclosure

Simon Allen

<The> Law Society Gazette September 22, 2014

Keeping of the roll scrapped for 30,000

John Hyde

In-house counsel can be leaders, says ECLA chief

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Solicitors berate 'sham' victim plans

Catherine Baksi

'Community courts' call to revive local justice

Catherine Baksi

Lobbyist will protect legal privilege

John Hyde

Raising the bar

Marialuise Taddia

Criminal justice support gateway

Richard Atkinson

<The> Law Society Gazette October 13, 2014

E-conveyancing site is 'market-changing'

Michael Cross

US firms dominate global M&A rankings

Eduardo Reyes

Scots' fury over Troy HRA plan

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Court refuses withdrawal of NHS settlement offer

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Government to give LiPs help, pledges Hughes

John Hyde

Confidentiality and sex cases

Edmund Smyth

Leading from the front

Roger Smith

Policing tax evasion

Christopher Coltart

<The> Law Society Gazette October 20, 2014

Hong Kong law chief plays down crisis

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Ex-solicitor in £30m fraud gets 12 years

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Firms wary of external cash – Caan

John Hyde

Firms face red tape tangle in consumer credit work

Michael Cross

Non-lawyer lord chancellor is a 'positive benefit'

John Hyde

Giving victims a fair hearing

Mark Castle

<The> Law Society Gazette October 27, 2014

Firm acts against 'spy in the cab'

John Hyde

Hughes to set up LiP court advice centres

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Mackesys shut after 40 years

John Hyde

Landmark asbestos ruling offers new hope to victims

John Hyde

No justice for millions 'from birth'

Michael Cross (in Tokyo)

Manifesto calls for 'climate justice'

Michael Cross (inTokyo)

Human rights in imperative

Catherine Rayner

Corruption conundrum

Marialuisa Taddia

<The> Law Society Gazette November 3, 2014

Pro bono up as solicitors fill legal aid cuts void

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App allows use of digital signature on mobile device

Michael Cross

Halliwells partners in curt win

Paul Rogerson

Police and CPS criticised over inefficiencies

John Hyde

Putting a family on ice

Derek Dawson

In the zone: London is an increasingly important hub for offshore law firms, which are winning business from City-based

financial institutions and clients in Russia, Western Europe and sub-Saharan, Africa

Marialuisa Taddia

Keith Schilling has built a fearsome reputation in high-profile divorce, libel and privacy cases. But it's not too late to invent his firm

Jonathan Rayner

Phasing in new legislation

Anthony Edwards

Searching for answers

Suzanne Rab

Solicitors' liability and dishonest clients

William Irwin

<The> Law Society Gazette November 10, 2014

McKenzie friends body lays down law

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Labour set to back quotas for judiciary

Gazette reporter

Flight delay claims take off after ruling

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New targets for women partners

Monidipa Fouzder

Funding decision due for parents denied legal aid

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Warning for victims of bogus firms scam

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PI lawyers urged to take a 'leap of faith' on mediation

Rachel Rothwell

SRA promises 'flexible route' to profession

Jonathan Rayner

Confronting the constitution

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<The> Law Society Gazette November 17, 2014

Insurer in line of fire over client capture

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'Virtual' judge hears jury verdict via Skype

Monidipa Fouzder

Litigation deluge to follow banking fines

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LCJ: name defendants in all cases

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Agency wrong to deny legal aid in wrongful arrest action

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Criminal bar calls for 'level playing field'

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Barristers urged to seize litigation opportunity

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Lavender – advocacy fees row 'has turned a corner'

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<The> Law Society Gazette November 24, 2014

SRA to scrap flawed and slow online PC fee portal	<i>John Hyde</i>
Call for royal commission on prison policy	<i>Michael Cross</i>
Watchdog in limbo after Sampson goes	<i>John Hyde</i>
Call for pro bono rules exemption	<i>Paul Rogerson</i>
Local authorities forced to innovate by funding crisis	<i>Monidipa Fouzder</i>
“Self-lawyering’ the future, says consumer watchdog	<i>Michael Cross and John Hyde</i>
Former partner created false trail, court hears	<i>John Hyde</i>
Silence is golden: Should lawyers be alarmed by a new sentencing principle established in the Max Clifford case?	<i>David Corker</i>
Myths versus reality	<i>Gary Campkin</i>
Peace at any price?	<i>Eduardo Reyes</i>
Rights to information in the police station	<i>Anthony Edwards</i>

<The> Law Teacher Vol. 48 No. 2 July 2014

Duty to rescue? Exploring legal analysis through the lens of photojournalists’ storytelling dilemmas	<i>Iselin M. Gambert</i>
Law, culture and Euro-crime: using <i>Spiral</i> to teach French law	<i>Chloë J. Wallace</i>
Non-traditional narrative techniques and effective client advocacy	<i>Kimberly Y.W. Holst</i>
Training the Dragon: the use of voice recognition software in the legal writing classroom	<i>Maureen B> Collins</i>
The well-educated witness: witness familiarisation training in England and Wales	<i>Marcus Soanes</i>

<The> Law Teacher Vol. 48 No.3 December 2014

Legal academics, our creativity and why we do it: insights from Foucault	<i>Chris Dent</i>
A quality study of the impact of law clients on students’ perceptions of emotional labour expectations	<i>C. Westaby</i>
Selling intra-curricular clinical legal education	<i>Malcolm M. Combe</i>
Exploring legal ethics using student generated storyboards	<i>Stephen Colbran & Anthony Gilding</i>
Educating Humpty Dumpty: statutory interpretation in the first year of Australian law	<i>Gina Curró & Michael Longo</i>

Using virtual learning environments to add community to content *Mohsen al Attar*

New Law Journal **Vol. 164 No. 7622** **September 19, 2014**

Comment

Jon Robins raises a question over the Law Society's latest advertising campaign

Personal injury: Where should the victims of the Rotherham abuse scandal seek compensation asks *Richard Scorer*

Family: How can you protect shares in a family business on divorce, asks *Anna Heenan*

Property: *Donald Lambert* discusses not just any break clause, but an M&S break clause

Commercial: *William McCormick QC & Faisal Sadiq* report on *Patel v Mirza* & the dangers of relying on illegal contracts

New Law Journal **Vol. 164 No. 7623** **September 26, 2014**

Comment

Online fraud is the great challenge of the early 21st century, says *John Cooper QC*

Employment: *Jessica Corsi* examines attitudes towards discrimination in the workplace

Family: *Kirstie Gibson* considers the report of the Family Mediation task Force

Property

Nicholas Asprey addresses the issues arising in claims against fracking protesters

The judge's discretion on a 1954 Act tenancy renewal still carries a great deal of weight, says *Steven Woolf*

New Law Journal **Vol. 164 No. 7624** **October 3, 2014**

Comment

Nicholas Bevan suspects an unconstitutional influence in the motor insurance sector

Employment: *Ian Smith* salutes the end of some long running legal uncertain legal uncertainties

Family: A recent appeal court ruling highlights the flaws in a fault-based divorce system, says *Ed Heaton*

Commercial: *Simon Duncan* turns the spotlight on the swaps mis-selling litigation

New Law Journal **Vol. 164 No. 7625** **October 10, 2014**

Comment

Ruth Daniel discusses how best to provide access to justice for those most in need

Employment: should employees be paid to sleep? *Tom Walker* investigates

Family: *David Burrows* reviews the complexities & challenges of law making

Property: *Helen Sculthorpe* explains how the Upper Tribunal has put professional valuation in the spotlight

New Law Journal **Vol. 164 No. 7626** **October 17, 2014**

Comment

Dominic Regan salutes Sir Rupert's return

Employment: Section 15 of the Equality Act is starting to flex its muscles, says *Spencer Keen & Monika Sobiecki*

Personal injury: Who will pay for off-road vehicle accidents, asks *Sarah Crowther*

Commercial: *Rory Cochrane* provides an update on bribes, agents & principals

New Law Journal **Vol. 164 No. 7627** **October 24, 2014**

Comment

Roger Smith on the latest human rights news

Employment: The latest news from *Ian Smith*

Family: *Kim Beatson, Caroline Bowden & Ellen Lucas* chart the ongoing family law chaos

Personal injury: *Meghann McTague* issues a warning to defendants in cross-border claims

Property: Is it a happy birthday for s 2 of the LP(MP)A 1989, asks *John Sharples*

Public: *Lars Mosesson* consider the potential unintended consequences of repealing HRA 1998

Mental health: *Tim Spencer-Lane* reports on a ground-breaking mental Health Bill

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

Commercial

Tax: *Peter Vaines* on new guidance from HMRC

New Law Journal **Vol. 164 No. 7628** **October 31, 2014**

Comment

Vnuk has far-reaching implications for compulsory third party insurance, says *Nicholas Bevan*

Employment: What is the true price of defending an employment tribunal claim? *Clare Harrington & Daniel Hobbs* report

Family: Be aware of a party's capacity to enter into a negotiated agreement, asks *Elizabeth Carson*

Property: *Mark Sefton* discusses enfranchisement

Wills & probate: Probate practitioners need a reality check, says *Celia Fraser*

Data protection: the ECJ has further narrowed the definition of personal data, says *Peter Stevens*

Commercial

Does price parity mean price increase when it comes to MFN clauses, asks *Rebecca Owen-Howes*

Francesca Kaye & Mary Hodgson discuss the important changes to CGT & compensation

New Law Journal **Vol. 164 No. 7629** **November 7, 2014**

Comment

A recent study highlights the fragile & fractured nature of our justice system, says *Jon Robins*

Employment: *Spencer Keen* outlines some valuable guidance about the tax treatment of termination payments

Family: *Jonathan Herring* reports on a rare case of divorce fraud

Personal injury: *Laura Trezise* outlines a successful defence of an asbestos related claim pursued under the Occupiers Liability Act

Human rights: *Stephanie Cope* considers the Court of Appeal's stance on Equality Act assessors in *Cary*

New Law Journal **Vol. 164 No. 7630** **November 14, 2014**

Comment

Proposals for the SRA's compensation fund to meet uninsured firms' negligence claims seem oddly familiar, says *Philip McCormack*

Personal injury: When & how should the Ogden reduction factor be discounted, asks *David Regan*

Human rights: What's the point of the Human Rights Act? *Michael Zander* on an important lecture by Dinah Rose QC

Commercial: *Silke N. Kumpf* considers the significance of the worldwide rise in Islamic finance structures

New Law Journal **Vol. 164 No. 7631** **November 21, 2014**

Comment

Sarah Taylor explains why the Law Commission is recommending changes to the law of child abduction

Employment: *John McMullen* covers recent cases & developments in the law on TUPE

Property advertorial: SearchFlow – making lawyers lives easier

Human rights: Is the criminalization of excessive alcohol consumption during pregnancy possible, asks *David Locke*

Harassment: *Tim Lawson-Crutenden* examines the evolution of claims against unnamed defendants in non-land law cases

New Law Journal **Vol. 164 No. 7632** **November 28, 2014**

Comment

A more diverse judiciary requires a cultural change, says *Geoffrey Bindman QC*

Employment: *Ian Smith* reflects upon the impact of recent employment law developments

Family: New guidance has been issued on the use of *ex parte* orders, as *Clive Thomas* explains

Public: *Thomas Garner* explores the possibility of closed material procedures in extradition proceedings

Oklahoma Law Review **Vol. 67 No. 1** **Fall 2014**

Lessons from the NBA lockout: Union democracy, public support, and the folly of the National Basketball Players Association *Matthew J. Parlow*

Comments

Intending to confuse: Why preponderance is the proper burden of proof for intentional trademark infringements under the Lanham Act *Kelly Collins*

The ADA Amendments Act of 2008: Why the qualified individual analysis is the new battleground for employment discrimination suits *Andrew E. Henry*

Food choice: should the Government be at the head of the table? *Emily Semands*

Oxford Journal of Legal Studies **Vol. 34 No. 3** **Autumn 2014**

Nonreciprocity and the moral basis of liability to compensate *Adam Slavny*

Proportionality and parliamentary debates: exploring some forbidden territory *Aileen Kavanagh*

Taking a 'Hard Look' at 'Irrationality': Substantive review of administrative discretion in the US and UK Supreme Courts *Eric C. Ip*

New rationales for women on Boards *Barnali Choudhury*

Setting labour law's coverage: between universalism and selectivity *Guy Davidov*

Analogical reasoning in the common law *Grant Lamond*

Global legal pluralism: What's law got to do with it? *Michael Giudice*

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