

CURRENT AWARENESS BULLETIN

April-June 2016



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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 2016

JUDGMENTS

A1 LIMITED v Mary Grace Abrahams
JMSC 16.03.2016

CIVIL PROCEDURE AND PRACTICE - Application for summary judgment - Civil Procedure Rules 15.4 (4).

ABBAS, Kamran v Sheron Carter
JMCA 29.01.2016

NEGLIGENCE- Quantum of Damages- Loss of Earnings- Permanent Injuries- Excessive Damages.

ADVANTAGE GENERAL Insurance Company Limited v The Commissioner of Taxpayer (Jamaica)
UKPC 13.10.2016

REVENUE LAW - Accounts - Whether the claimant was entitled to restate its financial statements - Was the restatement of the company's accounts a result of fundamental change in accounting policy or due to a change in an estimate of an item in the accounts - Income Tax Act - Whether the Commissioner of Taxpayer Appeals barred from rejecting the restatement of the company's accounts for the year 2000 - Statute of Limitations

ALGIX JAMAICA Ltd. v J. Wray and Nephew Ltd.
JMCC 25.01.2016

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

ATKINSON, Anthony and Paulston Mairs v R
JMCA 05.02.2016

CRIMINAL LAW- ARSON-The judgment concerns an application for leave to appeal against conviction for the offence of arson, where the applicants were found guilty on two counts of setting fire to a shop and a bird coop, and were sentenced to imprisonment on both counts. The applicants argued that the verdict was unreasonable based on inconsistencies in the evidence and that an expert witness not presented in court rendered the trial unfair. The court rejected these arguments, finding that the way the prosecution addressed the absence of forensic evidence was adequate, and that the fresh evidence could not have an important influence on the case. The court refused the applications for leave to appeal against conviction.

BACCHAS, Errol v Westmoreland Parish Council and Charles Beharie and Opal Beharie
JMSC 12.02.2016

CIVIL PROCEDURE AND PRACTICE - Costs - Application for Leave to appeal an Order for Costs - Application to extend time to appeal - Whether judge has power to set aside an Order made by another Judge of equal jurisdiction - Whether appeal has a real prospect of success - Whether costs at Case Management must always be costs in the claim

BAILEY, Joycelin v Durval Bailey
JMCA 18.03.2016

STAY OF EXECUTION OF JUDGMENT. - Joint ownership of property. - Accounting and payment of sums. - Motor vehicles as property. - Injunction restraining the sale of the property.

BANTON, Clive and Sadie Banton v Jamaica Redevelopment Foundation Inc.
JMCA 05.02.2016

AGREEMENT FOR SALE OF REAL PROPERTY- Damages, Counter notice of appeal-Financial Prejudice- Expert Report

BARRINGTON CIGARS (Jamaica) Limited v The Minister of Finance and Planning and The Commissioner of Customs
JMFC 08.01.2016

CONSTITUTIONAL REDRESS-General Consumption Tax Act — Provisional Collection of Tax Act — General Consumption Tax (Validation and indemnity) Act — Special Consumption Tax-Whether Provisional Orders imposing Special Consumption Tax on unmanufactured tobacco pursuant to Provisional Collection of Tax Act invalid — Whether Minister acted Ultra Vires and improperly in amending General Consumption Tax Act Schedules-Whether imposition of tax breaches Claimant's Constitutional rights under Section 15 of Constitution

BITTER, Edward v R
JMCA 18.03.2016

CRIMINAL LAW- CIRCUMSTANTIAL EVIDENCE- The case concerns an appeal against conviction by an individual found guilty of murder based on circumstantial evidence. The main evidence against the applicant consisted of: (i) identification of the applicant seated around the steering wheel of a motor car that was in the possession of the deceased who had gunshot wounds; (ii) the applicant's attempt to flee when accosted by the police, (iii) his possession of a gun which was ballistically matched to the bullet taken from the body of the deceased; (iv) the presence of gunshot residue on the applicant's hands; and (v) the identification of the deceased's jewelry on the applicant's person. The applicant's defense was an alibi, and the Court discussed the legal requirements relating to the giving of an alibi warning. The Court ultimately held that none of the grounds of appeal were made out, and the application for leave to appeal against conviction and sentence was refused

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

EMPLOYMENT LAW- BREACH OF CONTRACT- The appellant challenges the quantum of damages awarded to the respondent by the lower court for breach of her employment contract. The court finds that the learned judge erred in awarding the respondent twice for the same breach of contract and sets aside the award of general damages. The court held that the respondent was entitled only to damages based on her contract, that is, two weeks' pay in lieu of notice. The court also addresses the question of costs under Section 131(1) of the Judicature (Resident Magistrates) Act.

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

LOAN DISPUTE- Breach of contract- Res judicata- Vexatious litigants- Abuse of court process

BROWN, Richard v The Queen
UKPC 09.02.2016

CRIMINAL LAW- APPEAL AGAINST CONVICTION AND SENTENCE IN JAMAICA- The case concerned an appeal against a murder conviction and sentence of life imprisonment with a minimum period of 25 years. The appellant alleged issues with his mental health during trial and the admissibility of certain evidence. The Board dismissed the appeal against conviction, but allowed the appeal against sentence for further consideration as to the calculation of his release date.

CARGILL, Morris v R
JMCA 19.02.2016

CRIMINAL LAW-Murder Conviction- Fresh Evidence- Sole Eyewitness- Unfair Disadvantage- Verdict of Acquittal

CARIBBEAN CEMENT Company Limited v Freight Management Limited

JMCA 15.01.2016

CONTRACT LAW. TENDER. The appeal concerns a dispute arising from a tender for shipping services submitted by the respondent to the appellant carrying cement from its plant to its depot. The court was asked to determine whether a concluded contract existed between the parties despite the tender being subject to the requirement of a written contract being signed. The court also addressed the issue of damages awarded for loss of use, determining that the evidence fell short of strictly proving it but nonetheless found that damages should be awarded. The court affirmed the judgment with respect to liability, but substituted a lower award of damages.

CHANG, William Andrew v The Commissioner of Taxpayer Appeals (Income Tax)

JMCA 18.03.2016

TAXPAYER APPEALS- Revenue Administration Act-Income Tax Assessment- Appeals Process

CHANDLER, Mary v Patrick Marzouca

JMCA05.01.2016

CIVIL PROCEDURE AND PRACTICE - Extension of time - Application for extension of time to file defence - Delay - Application for entry of judgment - Procedural error - Civil Procedure Rules 2002, Rules 2.4, 10.3(9), 12.10 and 26.1(2)

CHUNG, June v Shanique Cunningham

JMCA 19.02.2016

SLANDER-Libel- Malicious Prosecution-Default Judgement- Extension of time

CITY PROPERTIES Limited v New Era Finance Limited

JMCC 29.01.2016

LANDLORD AND TENANT — Agreement for a lease — Draft lease not executed as some terms were found objectionable by the tenant — Parties operating under the agreed terms of the draft lease — Claim by lessor for rent and outstanding maintenance — Whether maintenance properly charged to the tenant as additional rent — Whether tenant obliged to pay insurance and depreciation on the building as a component of maintenance

CIVIL PROCEDURE AND PRACTICE — Pleadings — Counter Claim for refund of monies inappropriately charged for maintenance — Claim made in witness statements and submissions for refund of overpayment on rent — No corresponding claim for overpayment made-whether overpayment

RECOVERABLE-Claim for damages for compensation for expenditure on chattels after destruction by fire — No basis shown for the claim -negligence and occupiers liability not specifically pleaded — Declaration sought for parties to be declared joint occupiers — No basis shown for such a declaration-Whether there is sufficient evidence to ground a cause of action in Damages for Negligence or Occupier's Liability or for a claim for compensation for fire damage

EVIDENCE — Expert Evidence-No permission sought by defendant at case management to rely on expert evidence — Quantity surveyor called at trial to give evidence of costs of materials and labour — Whether evidence given

BY QUANTITY SURVEYOR FACTUAL EVIDENCE AND ADMISSIBLE AS SUCH-WHETHER EVIDENCE INADMISSIBLE AS HEARSAY — Applicability of the civil procedure rules 2000, part 32 and section 31g and f of the evidence act

COLEMAN, Audley v R

JMCA 26.02.2016

DANGEROUS DRUGS ACT- Breaches-Possession of ganja- Dealing in ganja- Motor Vehicle search- No case submission

CONSTRUCTION DEVELOPERS Association Limited v Renaissance property Homes Limited and Jeremy Brown and Jamaica Mortgage Bank

JMCC 12.02.2016

SUMMARY JUDGMENT — Whether Receiver and Debenture Holder liable under a Continuing Contract — Whether Receiver Negligent — Whether Debenture Holder Vicariously Liable — Whether Claim has Real Prospect of Success.

CROWN MOTORS Limited and Key Motors Limited and Executive Motors Limited v First Trade International Bank & Trust Limited (In Liquidation)

JMCA 29.01.2016

CIVIL PROCEDURE AND PRACTICE- Stay of Execution- Judgment Debt- Bank Loan- Car Dealers, Summary Judgment

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

JMSC 15.01.2016

REAL PROPERTY - Title - Claim by Executor - Dual registration of Title - Whether second registered Title eclipses the first - Whether registration obtained by fraud - Possessory Title - Limitation of Actions - Whether one party obtained a possessory Title

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

JMCA 11.01.2016

POWER OF SALE- Mortgage debt. Accounting- Enquiry- Damages

FRANK I Lee Distributors Limited v Mullings & Company (A Firm)

JMCA 12.02.2016

CIVIL PROCEDURE AND PRACTICE-Default judgment - Acknowledgment of Service - Civil Procedure Rules - Set aside - Procedural appeal

GARDENER, Charles and Inez Walker v Edward Lewis (By Representative Harris Augustus Lewis)

JMCA 19.02.2016

PROBATE-. Title to land- Originating summons procedure- Allegations of fraud- Adverse Possession

GIBBS, Pearline v Vincent Stewart

JMCA 26.02.2016

COMMON LAW RELATIONSHIP- Equitable Ownership- Beneficial interest- Division of property- Legal title.

GREEN, Ian v R

JMCA 01.02.2016

CRIMINAL LAW- RAPE

GUYAH, Omar v The Commissioner of Customs and The Attorney General of Jamaica

JMCA 26.02.2016

CUSTOMS LAW. SEIZURE OF VEHICLE. The case concerns an appeal against a judgment declaring that the 2007 Suzuki Swift motor car seized by customs officials constituted "uncustomed goods" and thus subject to seizure. The court had to determine whether the vehicle had been released according to the provisions of the Customs Act and whether its disposition was authorized by the Minister. The court also addressed the respective claims for costs.

HAWKINS, Lois (Administratrix of Estate of William Walter Hawkins, deceased, intestate) v Linette Hawkins McIniss
JMSC 29.01.2015

REAL PROPERTY. EXTINCTION OF TITLE. The case concerns a dispute between co-owners of a property, one of which claimed extinguishment of title of the other co-owner during the lifetime of the deceased common owner. The court had to determine whether the property belongs to the estate of the deceased common owner, or solely to the surviving co-owner. The court also addressed issues regarding the evidentiary requirement for cases concerning the extinguishment of title, declaration of a family home, and ownership of joint property.

JAMAICA PUBLIC Service Company Limited v Union of Clerical, Administrative and Supervisory Employees, National Workers Union, Bustamante Industrial Trade Union and The Industrial Disputes Tribunal

[Consolidated with]

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

INDUSTRIAL DISPUTES TRIBUNAL - Negotiated Settlement - Heads of Agreement - Court Orders - Supreme Court

LAING, Delroy v R
JMCA 18.03.2016

CRIMINAL LAW- Causing Grievous Bodily Harm with Intent

MILLER, HAROLD and Ocean Breeze Hotel Limited v Charlene Miller
JMCA 15.01.2016

CIVIL PRACTICE AND PROCEDURE- Order of Costs. Stay of Execution. Declaratory Order. Valuation of Property. Sale of Property

MINOTT, Andre v R
JMCA 19.02.2016

CRIMINAL LAW- Murder Conviction, Eyewitness Testimony, Self-defense, Lucas direction, Inconsistent Statements

MITCHELL, Merell v Lyndon B.N. Johnson
JMSC 15.03.2016

CIVIL PROCEDURE AND PRACTICE- Admission - Application to withdraw admission - Whether an admission was made - Whether admission should be withdrawn - Whether judgment on admission is to be set aside - Civil Procedure Rules 2002, Rules 1.1, 1.2, 14.1(6)

NATIONAL COMMERCIAL Bank Jamaica Limited v Humphrey Lee Mc Pherson
JMCC 05.02.2016

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

PREBLE, DAVID (T/a Xtabi Resort Club and Cottages and Xtabi Resort Club and Cottages v Elita Flickenger (Widow of the deceased Robert Flickenger)
JMCA 12.02.2016

CIVIL PROCEDURE AND PRACTICE-Security for costs-Her Majesty in Council- Xtabi Resort litigation- Order in Council. General vs specific statute

PRINCE, Conroy v R
JMCA 22.01.2015

CRIMINAL LAW- Assault occasioning actual bodily harm- Unlawful wounding- Alibi-Burden of proof- Identification

R v Jogee and Ruddock v The Queen
UKPC 18.02.2016

CRIMINAL LAW- ACCESSORY LIABILITY- Joint Enterprise Liability- Chan Wing-Siu Principle, Accessories and Abettors Act 1861-Principal Offender- Criminal Law

ROBINSON, Richardo v The Attorney General and Constable Mark Grant
JMCA 15.01.2016

TORT - Malicious prosecution — False imprisonment — Probable cause — Malice — Appeal — Whether there was probable cause to arrest and charge the appellant — Whether the arrest and charge was actuated by malice — Whether detention was legally justified — Appeal dismissed.

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

JMCA 29.03.2016

CIVIL PRACTICE AND PROCEDURE- Stay of Execution- Judgment- Appeal Pending- Property Dispute-Estoppel.

SINCLAIR, Rayon v Edwin Bromfield
JMCA 05.02.2016

TORT- Motor vehicle collision- Claim for negligence- Liability and damages- Findings of Fact- Resident Magistrate's court decision

SMITH, Hubert v The Board of Management of The Queen's School and The Appeals Tribunal
JMCA 19.02.2016

ADMINISTRATIVE LAW-JUDICIAL REVIEW OF TRIBUNAL DECISIONS-Judicial review- Termination of employment- Education Regulations 1980- Board of Management of the Queen's School- Teachers' Appeals Tribunal

STONA-LEWIS, Bevolyn v The Attorney-General and Dr. Winston Dawes
JMCA 18.03.2016

MEDICAL NEGLIGENCE- FAILURE TO COMMUNICATE PREGNANCY- Pregnancy misdiagnosis- Negligence claim- Surgical procedure- Ectopic Pregnancy- Medical malpractice

SYMSURE Limited v Kevin Moore
JMCA 09.02.2016

CIVIL PROCEDURE AND PRACTICE-SECURITY FOR COSTS- Security for costs application - Breach of employment contract- International jurisdiction - Bona fide concern- Appeal dismissal with costs

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

JMCA 19.02.2016

INJUNCTION - Interlocutory — Balance of convenience — Prejudice — Delay — Relative strength of each case — Whether Learned Judge wrongly exercised his discretion in refusing to grant an interim injunction — Whether damages were an adequate remedy for either party — Whether there was substantial delay in seeking interim relief — Whether status quo ought to be maintained — Appeal allowed

WEIR, Dalfel v Beverly Tree
JMCA 04.03.2016

MATRIMONIAL PROPERTY- Right of First Refusal- Family Home- Valuation Report- Exercise of option

WILLIAMS, Kevon v R

JMCA 05.02.2016

CRIMINAL LAW- MURDER

WILLIAMS, Sherine v The Attorney General of Jamaica

JMSC 15.01.2016

DAMAGES - Motor vehicle accident - Personal injuries - Application to amend Particulars of Claim after close of evidence and at time of filing submission but before judgment

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

JMSC 05.02.2016

COMPANY LAW - Shares - Allotment of - Whether allotment in accordance with the Articles of Association - Whether allotment valid - Whether allotment should be set aside - Whether register should be rectified

LEGISLATION

Bahamas

Acts

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

LAW REPORTS

Law Reports of the Commonwealth 2016 Vol. 2

TREATISES, DIGESTS ETC.

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

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

<The> Digest. 2016 4th Reissue

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

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

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| Vol. 14(1)B | Employment |
| Vol. 17(3) | Guarantees and Indemnities, Health and Safety at Work |

SERIALS

ABA Journal April 2016

President's Message

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

Paulatte Brown

Opening statements

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

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

Leslie A. Gordon

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

Jenny B. Davis

Docket

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

Ellen Rooney Martin

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

Jie Jenny Zou

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

Mark Walsh

Practice

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

David L. Hudson Jr.

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

Bryan A. Garner

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

Sean Grennan

Business of Law

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

Jason Krause

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

Richard Acello

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

Victor Li

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

Dennis Kennedy

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

David L. Hudson

Your ABA/ Midyear Meeting report

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

James Podgers

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

Lorelei Laird

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

Molly McDonough

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

J.P.

ABA leadership slate reflects the increasing diversity of the wider society

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Precedents

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

Allen Pusey

<The> Cambridge Law Journal Vol. 74 Part 3 November 2015

Parliamentary rewards and the evolution of the patent system

Robert Burrell & Catherine Kelly

The enforceability of arbitration clauses in trusts

Matthew Conaglen

Mens Rea in joint enterprise: a role for endorsement?

Beatrice Krebs

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

Eve Micheler

The availability of proprietary restitution in cases of mistaken payments

David Salmons

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

Christopher Alexander Thomas

The certainty of term requirement in leases: nothing lasts forever

Ian Williams

Charities Appeals Winter 2015

My will, my way

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

Making a splash

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

Wills and probate update

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

A rightful claim?

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

Liberty matters

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

Against the odds

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

Promises, promises

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

Compete: Fair Trading Commission Vol. XX January 2016

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

Crumbs of truth: misleading advertising in the marketing
of bread *Wendy M. Duncan &
Marc S. Jones*

Content explosion crowns the consumer King *Cordel Green &
Jodi-Ann Jackson*

Consumer demand: the driving force of the motor vehicle
insurance market *Verlis Morris*

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

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

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

Romancing principles and human rights: are humanitarian
principles salvageable? *Stuart Gordon & Antonio Donini*

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

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

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

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

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

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| The Sexual Offence Act - | <i>D. Joevion Fuller</i> |
| Strategic investments in child care and protection | <i>Alexis Robinson</i> |
| The labour relations code: When is a law not a law | <i>Emile Leiba</i> |
| Acts of Jamaica 2015 | |
| Comparative considerations of cybersecurity legislation | <i>Mark Reynolds</i> |
| Tribute to The President Hon. Mr. Justice Seymour Panton, OJ | <i>Donovan C. Walker</i> |
| Relief from sanctions | <i>Sidia Smith & Sundiata Gibb</i> |
| Interview with The Hon. Justice Seymour Panton, OJ | <i>Cieanna Thasa Smith</i> |
| Case notes from the Court of Appeal | <i>Hon. Miss Justice Hilary Phillips</i> |
| The DNA Evidence Act, 2015 | <i>Ian G. Wilkinson QC</i> |

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

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| Should the State be able to examine the files of attorneys' clients | <i>Donovan Jackson</i> |
| Relief from sanctions | <i>Sundiata Gibbs & Sidia Smith</i> |
| <i>The Disabilities Act: An exploration of the legal underpinning and practical implications</i> | <i>Khadrea Folkes</i> |
| Wise words about the law | <i>Lord Anthony Gifford, QC</i> |
| The constitutional right to timely civil justice | <i>Hugh Small, QC</i> |
| A step-by-step guide to making applications under section 29 of the <i>Mental Health Act</i> | <i>Jeanelle Knibb</i> |
| Interview with Ms Sherry Ann McGregor | <i>Stephanie Forte</i> |
| Case notes from the Court of Appeal | <i>Carla Thomas</i> |

<The> Law Society Gazette February 22, 2016

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

<The> Law Society Gazette February 29, 2016

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

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

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

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

Comment

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

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

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

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

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

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

Comment

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

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

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

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

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

Commercial

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

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

Comment

Roger Smith embarks on some legal time-travel

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

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

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

Wills & probate

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

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

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

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

Comment

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

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

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

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

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

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

Comment

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

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

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

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

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

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

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

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

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