

FACULTY OF LAW

Mona

Year ending July 31, 2018



DR. LEIGHTON JACKSON

LLB UWI, LLM Sydney., D.JUR Barry, Osgoode

Dean

– Dean’s Overview –

Dr Leighton Jackson began his second year as the second Dean of the Faculty of Law at Mona. Under his leadership, the Faculty continued to enrich the students’ experience, provide continuing legal education activities and to impact the wider society through outreach initiatives.

The Faculty hosted its Fourth Annual Weekend Symposium on Law, Governance and Society under the theme “Development: As the World Turns So Should the Law” from June 15–17, 2018 at the Spanish Court Hotel in Kingston. The symposium featured speakers from the United Kingdom, the United States of America, South Africa and Jamaica. The local presenters included students in undergraduate and graduate programmes in the Faculty, members of academia, the judiciary and others in the legal fraternity. The keynote speaker was Professor Trevor Munroe, Executive Director of National Integrity Action (NIA).

The third volume of the *Journal of Law, Governance and Society* was published. This Faculty journal which was launched in 2017, comprises articles based on papers presented at the annual symposium.

The Faculty published the fifth volume of the MonaLaw Report: *Opinio Juris*, showcasing some of the activities in the Faculty during the 2016/2017 academic year. The MonaLaw Report is used as an outreach and marketing tool for the Faculty and is widely circulated.

TEACHING, LEARNING, STUDENT DEVELOPMENT AND ACHIEVEMENT

The Faculty had its first graduates from the Master of Laws (LLM) programme offered by the Faculty. Two students completed the requirements for the LLM in Corporate and Commercial Law and Public Law, respectively. The Faculty also graduated 143 undergraduate students, 21 of whom were awarded the LLB with First Class Honours.

For the 2017/2018 academic year, the Faculty welcomed its largest intake of 251 Bachelor of Laws (LLB) students; 11 of these students completed year one of the programme at the Western Jamaica Campus. During the year, the Faculty continued to identify and implement strategies aimed at improving the students' experience and equipping them to perform at their optimum. These initiatives included providing additional tutoring and revision sessions for students who were identified as being 'at-risk'.

In an effort to provide greater support for students, the Faculty sanctioned the award of Mona Law Bursaries valued at approximately thirty-three million dollars (\$33,000,000) during 2017/2018.

The Faculty prepared five teams to participate in international and regional mooting competitions. This initiative was introduced under the leadership of the first Dean of the Faculty (Dr Derrick McKoy) and has continued. This opportunity allows for greater exposure and development of the team members and wider recognition for the University. In 2017/2018, the Faculty participated in the Frankfurt Investment Arbitration Mooting Competition with the team coached by Mrs Caprice McFarlane-Morrison; the Inter-American Moot Competition with coach Mr Jermaine Case; the International Criminal Court (ICC) Moot Court Competition with coach Mrs Kamille Adair-Morgan; the Caribbean Court of Justice (CCJ) Moot Competition with coach Dr Emir Crowne and the Price Media Moot Competition with coach Ms Gabrielle Elliott-Williams.

The MonaLaw team was placed in the top 6 out of 41 teams at the Price Media Moot Competition and at the CCJ Moot Competition was

awarded ‘Best Academic Institution’ of the 5 law Faculties in the Caribbean, who competed. It is noteworthy that all members of the Norman Manley Law School (NMLS) moot team, which was the overall winner of the CCJ Competition, comprised recent graduates of UWI, the majority of whom were from MonaLaw.

The Faculty continued to work closely with the executive body of the Mona Law Society (Law Faculty students’ association) to effect changes in the best interest of the students and to ensure the best opportunity is created to produce a well-rounded graduate. From this partnership, a mentorship programme was re-introduced; funds were raised for a needy students fund through various initiatives such as an OpenEar Concert, the hosting of a drama production by Mr and Ms Law 2017 and other activities.

NATIONAL, REGIONAL AND INTERNATIONAL ENGAGEMENT

Papers Presented

- **Ali, S.**, “Attorneys-at-Law: To Be or Not To Be...an AML Guardian”, Hart, Muirhead and Fatta, Attorneys-at-Law, Training Workshop Kingston, JAMAICA, April 21, 2018
- **Ali, S.**, “Inspecting the Price Tag: The Real Cost of Financial Crime to Jamaica” Ministry of Finance and the Public Service/Financial Investigations Division Conference on Taking the Profit Out of Crime, Kingston, JAMAICA, January 31, 2018
- **Ali, S.**, “Fighting Financial Crime: Failure is not an Option” 35th Cambridge International Symposium on Economic Crime, Cambridge, UNITED KINGDOM, September 6, 2017
- **Ali, S.**, “Banking on a Challenge” Banking Law Workshop, UWI, St. Augustine, TRINIDAD, December 8, 2017
- **Biholar, R.**, “Economic, Social and Cultural Rights. The International Covenant on Economic, Social and Cultural Rights”, Presentation at the United Nations Office of the High Commissioner for Human Rights (OHCHR) Workshop for Jamaica government officials “Reporting to CESCR”, Kingston, JAMAICA. March 20, 2018

- **Biholar, R.**, “Reporting Mechanisms under International Human Rights Treaty Bodies”, Presentation at the United Nations Office of the High Commissioner for Human Rights (OHCHR) Workshop for Jamaican NGO representatives “Alternative Reporting to UPR and Treaty Bodies”, the UWI Mona Campus, JAMAICA. May 3, 2018
- **Biholar, R.**, “Alternative Reporting to the Human Rights Committee. 2016 Jamaican CSOs Report”, Presentation during the roundtable “Sharing good practices about Treaty Body and UPR reporting” at the United Nations Office of the High Commissioner for Human Rights (OHCHR) Workshop for Jamaican NGO representatives “Alternative Reporting to UPR and Treaty Bodies”, the UWI Mona Campus, JAMAICA. May 3, 2018
- **Biholar, R.**, “The Right to Development: between the international and the regional recognition” – Paper presented at the 4th Annual Symposium on Law, Governance and Society ‘Development: As the World Turns, So Should the Law’, Kingston, JAMAICA. June 17, 2018
- **Biholar, R.**, “Imagining Caribbean Development. The right to development and the reparations nexus” – Paper presented at “Regional Perspectives on the Right to Development” Conference, University of Pretoria, SOUTH AFRICA. September 28–30, 2017
- **Biholar, R.**, “The CEDAW Convention and Its Substantive Articles”, Presentation at the Human Rights Based Approaches and the Convention on the Elimination of all Forms Discrimination against Women Workshop for Suriname government officials, organized by the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Suriname Ministry of Foreign Affairs, Paramaribo, SURINAME. October 26, 2017
- **Biholar, R.**, “Procedural Matters: the CEDAW Reporting Cycle”, Presentation at the Human Rights Based Approaches and the Convention on the Elimination of all Forms Discrimination against Women Workshop for Suriname government officials, organized by

the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Suriname Ministry of Foreign Affairs, Paramaribo, SURINAME. October 27, 2017

- **Biholar, R.**, “State Reply to the CEDAW List of Issues”, Presentation at the Human Rights Based Approaches and the Convention on the Elimination of all Forms Discrimination against Women Workshop for Suriname government officials, organized by the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Suriname Ministry of Foreign Affairs, Paramaribo, SURINAME. October 27, 2017
- **Biholar, R.**, “Towards a Southern Vision on Human Rights – a Caribbean perspective” – Paper presented at the 6th Cross-Cultural Human Rights Seminar ‘Building a community of shared future for humankind in the area of human rights’, Centre for Human Rights Studies, Shandong University, Qingdao, CHINA. December 4–5, 2017
- **Brown-Blake, C.**, “Judges as language referees for Caribbean English vernacular speakers: How do they score?” Keynote Address, 1st South African Regional Conference of the International Association of Forensic Linguists, Cape Town, SOUTH AFRICA. April 16–17, 2018. 36 pages
- **Brown-Blake, C.**, “Language and Access to Justice” Caribbean Judicial Dialogue, Port of Spain, TRINIDAD AND TOBAGO, November 30–December 1, 2017. 10 pages
- **Coore, A.**, “Challenges and Opportunities for extending regional activities to Areas Beyond National Jurisdiction (ABNJ) and the role of science cooperation in implementing elements of the new agreement” Presented at the Marine Genetic Resources/Oceans Governance Regional Workshop organised by the governments of Jamaica and Norway and the International Union for the Conservation of Nature – Kingston, JAMAICA, March 2018.
- **Coore, A.**, “The Role of Necessity and Non-Precluded Measures clauses in Protecting the Essential Security Interests of Developing

States” Presented at the 4th Annual Symposium on Law, Governance and Society, Kingston, JAMAICA, June 2018.

- **Coore, A.**, “The Implementation of United Nations Security Council Resolution 1540 and Its Impact on Trade in Jamaica” Presented at the Jamaica Customs Agency Business Partnership Forum – Kingston, JAMAICA, November 2017.
- **Myrie, T.**, ‘Substantive Equality, Reproductive Rights, and Constitutional Reform in Jamaica’, paper presented at the international conference “Beyond Human Rights? Rethinking Gender Equality in Law and Politics”, Bogotá, Colombia, organized by Oxford Human Rights Hub, Oxford University, UNITED KINGDOM, October 19–20 2017
- **Robinson, T.**, “The Inter-American System of Human Rights for all The Americas”. University of Technology Distinguished Public Lecture, Kingston, JAMAICA, 25 April 2018 (PowerPoint presentation, 40 slides).
- **Robinson, T.**, “Emancipation, the Lessons and the Legacy: From the ‘Chattel House’ to the ‘Family Home’, Property and the Law after Emancipation”, Churches’ Emancipation Lecture, Bethel Baptist Church, JAMAICA, July 29, 2018. Published in the Churches Emancipation Lecture Magazine, July 29, 2018, 14–25 (17 pages).
- **Robinson, T.**, “A right to health as a human right and its relationship to health inequalities and equity in the Americas”. Paper presented at the Fifth Meeting of the Commission on Equity and Health Inequalities in the Americas, TRINIDAD, January 23–25, 2018.
- **Robinson, T.**, “Sexual and Reproductive Health and Rights: Making Sense of, Moving Through and Managing Crisis”, Paper presented at panel discussion ‘Reducing maternal mortality: a human rights-based approach’ organized by Pan American Health Organization (PAHO) Regional Office for the Americas of the World Health Organization (WHO), Washington DC, USA, December 8 2017.

- **Robinson, T.**, “Towards Sexual Equality: Dismantling Discrimination in Laws and Practices”. Feature presentation at panel discussion, Joint Activity of the Faculty of Law The UWI St. Augustine and the European Union, St. Augustine The UWI, TRINIDAD. September 28, 2017 (10 pages)
- **Robinson, T.**, “Commentary, The Austerities of Independence”. Presentation at Mona Law Seminar, “The Austerities of Independence”: Norman Manley, Human Rights and the End of Colonial Rule in Jamaica, 1955–1962, The UWI Mona, Kingston, JAMAICA, November 17, 2017 (6 pages)
- Bulkan, A. and **Robinson, T.**, “Equality and Social Inclusion”, Working Paper 5, Caribbean Judicial Dialogue, JEITT, Faculty of Law The UWI, St. Augustine, PANCAP, IGDS St. Augustine, Port-of-Spain, TRINIDAD, November 30–December 1, 2017. (31 pages)
- **Sheckleford, A.**, “Jamaica’s National Identification System and the Right to Privacy” presented at the Mona Law Series, Kingston, JAMAICA April 2018; and General Legal Council Continuing Legal Professional Development Series, Kingston, JAMAICA, May and June 2018.
- **Sheckleford, A.**, “The Nature of the Right to Regulate in International Investment Law” Presented at the 4th Annual Symposium on Law, Governance and Society, Kingston, JAMAICA, June 2018.

RESEARCH OUTPUT

Referred Journal Articles

- **Ffolkes Abrahams, S.**, “Real Change in the Justice System of Jamaica” (2018) *Journal of Law, Governance and Society* Vol. 3, 162–172.
- **Biholar, R.**, “‘Being seen, but not heard?’ (2017) The Principle of Children Participation under CRC’, *Journal of Law, Governance and Society*, Vols. 1&2, 54–62.

- **Blake, C.**, “Supporting Justice Reform in Jamaica through Language Policy” *Caribbean Studies* Vol 45 Nos. 1–2. 183–214.
- Bulkan, A. and **Robinson, T.**, “Enduring Sexed and Gendered Criminal Laws in the Anglophone Caribbean” (2017) 11 *Caribbean Review of Gender Studies* 229–240.

INCOME GENERATION

- The Faculty of Law, UWI, Rights Advocacy Project (U-RAP) coordinated by Arif Bulkan (STA) and **Tracy Robinson** (Mona), received an Open Society Foundation Grant of \$150,000 USD. These funds are geared towards work in relation to the “Caribbean Rights Litigation Program”.
- The Faculty continued to earn from the Annual Symposium on Law Governance and Society and other Continuing Legal Education events hosted by the Faculty.
- Rental of space in the Faculty Building to external entities continued to bring in a revenue.

PUBLIC SERVICE

Rose Cameron

- Member, Jamaican Bar Association
- Member, Jamaican Bar Association, Continuing Legal Education Committee
- Member, Executive of the UWI Alumni Association, Jamaica Chapter
- Member, Advisory Council, University College of the Caribbean
- Moderator, The Jamaican Bar Association’s ‘Probate Workshop’, Mona Visitors’ Lodge, May 6, 2018
- Moderator, The Jamaican Bar Association’s workshop ‘Obligations of Attorneys under the Proceeds of Crime Act’ Mona Visitors’ Lodge, February 28, 2018

- Moderator, The Jamaican Bar Association’s workshop ‘Understanding Tax Types: The TAJ & You’ Mona Visitors’ Lodge, February 12, 2018
- Moderator, The Jamaican Bar Association’s workshop ‘How to Choose & Work with Lawyers and Clients’ Mona Visitors’ Lodge, January 31, 2018

Natalie Corthesy

- Member of the International Trademark Association (INTA), 2017
- Consultant, Business of Music in the Caribbean 3 day Development Workshop – ‘Negotiating and Managing Contracts in the Music Industry’, Jamaica Association of Composers, Authors and Publishers, the Association of Caribbean Collecting Societies, the Ministry of Culture Gender, Entertainment & Sports, and the Caribbean Development Bank, August 29–31, 2017, Spanish Court hotel, Kingston, Jamaica.
- Member, WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications; Thirty-Ninth Session and Information Session on the Protection of Country Names. Geneva, Switzerland. April 23–26, 2018.

Suzanne Ffolkes-Goldson

- Member, Ministry of Finance and Planning Implementation Oversight Committee to Monitor Implementation of Strategic Priorities of the Corporate Governance Framework for Public Bodies.
- Member, Private Sector Organization of Jamaica (PSOJ) Corporate Governance
- Committee Member and Chair of the Corporate Governance Code Sub-Committee

Tracy Robinson

- Member, Committee on Judicial Appointments established by the Law Association of Trinidad and Tobago (2017–18). The seven-person Committee was chaired by Justice Desiree Bernard, former

judge of the CCJ. The purpose of the Committee was to examine the constitutional and other arrangements pertaining to the selection and appointment of judges of the High Court and the Court of Appeal and to make recommendations. The Committee's 67-page report was handed over in June 2018.

- Commissioner, Independent Review of Equity and Health inequalities in the Americas established by PAHO/WHO (2016–18). This two-year commissioned review, launched in May 2016, was the first large-scale effort to gather evidence on health inequities in the Region of the Americas. It was overseen by a panel of expert Commissioners chaired by the renowned Professor Sir Michael Marmot, UCL Institute of Health Equity.
- External Advisor, Governing Council, International Planned Parenthood Federation (2017– present)
- Director, Board of Directors, Synergia-Initiatives for Human Rights (Incorporated in United States and Nigeria) (2018–present)

Shazeeda Ali

- Member, International Association of Prosecutors (IAP), 2016–Present

Malike Kellier

- Moderator, 'Video links in Civil and Criminal Cases – The Evidence (Special Measures) Act' Jamaican Bar Association Mid-Year Conference, June 2018
- Crown Counsel, Office of the Director of Public Prosecutions, Jamaican Bar Association Bar Council Member (April 2018-Present)
- Member, Jamaican Bar Association Continuing Education Committee, 2017

Andre Sheckleford

- Member of the Jamaica Bar Association publications committee

Ramona Biholar

- Chair and Co-coordinator, The preparatory CEDAW Mock Session for Suriname government officials, held at the Suriname Ministry of Home Affairs, Paramaribo, Suriname. January 29, 2018.