

# THE VERDICT

THE OFFICIAL NEWSLETTER OF THE EUGENE DUPUCH LAW SCHOOL



PICTURED ABOVE - Madam Justice Ruth Bowe-Darville (Retd)

## The 2021 Smokey Joe Awardee - Madam Justice Ruth Bowe-Darville (Retd)

**TAMARA A.C. PINDER - Year 1 Student**

The Honourable Madam Justice Ruth Mary Lorraine Bowe-Darville, recently retired Justice of the Supreme Court of the Commonwealth of The Bahamas and former Associate Tutor at the Eugene Dupuch Law School, is this year's Smokey Joe Award Recipient. The Smokey Joe Award is given to a person who has distinguished himself/herself in the legal profession and has provided outstanding service to the Council of Legal Education and/or the Eugene Dupuch Law School (EDLS). The Smokey Joe 2021 awardee has poured much into the lives of many people and has made a positive impact on many of EDLS' former students some of whom are now competent practising attorneys and others of whom are in the judiciary.

Justice Bowe-Darville began her legal journey articling at the law firm of Bostwick & Bostwick under Sir Henry Bostwick Q.C. After she was called to The Bahamas Bar in 1985, she worked as an Associate firstly with Bostwick & Bostwick and from 1990 - 1994 with the law firm of Graham Thompson & Co. Between 1994 to 1998, Justice Bowe-Darville served as the Senior Executive Assistant to former Prime Minister, the Right Honourable Hubert A. Ingraham. In 1998 she joined the law firm Commonwealth Law Advocates (formerly Bannister & Co. and The Law Partnership) where she served as the Managing Partner. As a private practitioner, her areas of practice included commercial, transactional and banking law, real estate matters, civil litigation, probate matters and family law – the latter is an area of law in respect of which Justice Bowe-Darville has always been quite vocal.

When asked “if there is one thing you would change in the Bahamian legal system, what would it be?” Justice Bowe-Darville’s simple, yet loaded, response was - “revising and updating ALL laws as it relates to women, children and family”. This was not surprising. The response spoke to Justice Bowe-Darville’s legacy of passionate advocacy for the rights and protection of women and children which saw her deep in the battle for statutory reforms that led to the enactment in 2002 of the Inheritance Act and the Status of Children Act. The response was also both a recognition and a challenge that there is more to be done. Throughout her legal career Justice Bowe-Darville has made presentations to various audiences on women’s and children’s rights including the Women’s Suffrage Movement. She lent her voice for women in her capacity as Chairperson of the Women’s Advisory Council.

In addition to professional pursuits, Justice Bowe-Darville has served on many governmental and non-governmental boards and commissions such as the Judicial and Legal Services Commission, Nursing Tribunal, Prices Control Commission, Hospitals Licensing Authority Board, the Securities Commission of The Bahamas and The Bank of The Bahamas.

Apart from the law, Justice Bowe-Darville has a special passion for the classroom. She began teaching at the College of The Bahamas in 1982 as a part-time teacher of Bahamian History. A few years later, in 2002, she joined EDLS as Course Director and Associate Tutor for the Year 1 course of Civil Procedure and Practice 1 which had a Family Law component.

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## Message from the Principal

**TONYA BASTIAN GALANIS**

Some years ago, a former student remarked that one of the things that he really missed about the Law School was the food. Those were the days when a Law School Dinner, Brown Bag lunch, or other gathering where food featured was neither an uncommon occurrence nor a scary proposition.



It is with fond recall that I reflect on the meals that we shared together as a Law School family. My sentimental recollection is less about a tasty or bountiful spread but rather on the gathering itself, the meeting of students and colleagues in a convivial space.

Research shows that family meals have many benefits for the family as a whole and more particularly for the emotional and physical well-being of children of the family. Some benefits of the family meal include achieving better communication, building stronger relationships and the improvement of mental well-being.

I miss the EDLS family gatherings, especially with students. Such mealtimes present other opportunities to get to know each other, to share experiences, hopes, dreams, to encourage and receive encouragement, to say thanks (in person), to learn even. The vagaries of the COVID-19 pandemic have stolen most of those occasions and it is unlikely that this will soon change.

Over the 2021 year-end holidays, many of us will be carefully gathering, around tables and elsewhere, with friends and family. I trust that even amid the festivities, there will be appropriate acknowledgements and expressions of gratitude to God, family, friends, colleagues, for all the many blessings and gifts that we had bestowed upon us. Let us try to avoid the grumble about what is going wrong. Let us try to set aside the heaviness of loss suffered. Instead, let us reflect on the good that we give and that we receive, often as the result of another person’s effort.

Lawyers trained by the Council of Legal Education are not only service providers in the law simpliciter, but are mandated by the Council, having regard to the privileges that our

# Message from the Principal

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**TONYA BASTIAN GALANIS**

profession affords to us, to also respond to the social needs in our communities. This is the perfect time of year to do so.

I applaud the editorial team of *The Verdict* for another outstanding publication. I wish them and all readers of this issue sincere compliments of the Season and best wishes for a happy and healthy New Year.

## The 2021 Smokey Joe Awardee Madam Justice Ruth Bowe-Darville (Retd)

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**TAMARA A.C. PINDER - Year 1 Student**

During her tenure at EDLS, Justice Bowe-Darville was loved and appreciated by her colleagues and her students. Mr. Darron Ellis, a Tutor at EDLS and Course Director for the courses Law of Remedies and Civil Procedure and Practice II, remembered first encountering Justice Bowe-Darville in 2007 as a student in her class. Mr. Ellis, who is also an Acting Magistrate, reminisced that Justice Bowe-Darville “*was one of the finest lecturers and leaders of the Faculty of the Law School*” and viewed her as a “*stern but kind, and erudite woman*”.

Justice Bowe-Darville’s passion for her students was also recognised by Mr. Ellis as he stated that she fought tirelessly to instil various principles of success in her students. Acknowledging the accomplishments and impact Justice Bowe-Darville has made throughout her life, Mr. Ellis stated, “*If one day I could achieve ten percent of what Justice Darville has achieved in her legal career, I would consider myself to be successful beyond measure.*”

When asked “*what is your most memorable moment at EDLS?*” Justice Bowe-Darville recounted an incident that occurred during one of her tutorial sessions. Having previously informed her students of the work they were to prepare for that session, several students, including one Mr. Tecoyo Bridgewater, had done nothing and were unprepared. As one could expect, Justice Bowe-Darville became irate. She marched out of the classroom but not before admonishing the students not to waste her time or the government’s money.

Although no class was held that day, a valuable lesson was taught and learnt. A lesson not taught in any law book but a lesson nonetheless important for life about the value of time, respect, doing one’s best and being prepared. The following week, every student came prepared for the tutorial. Justice Ruth Bowe-Darville’s words of wisdom for aspiring attorneys is to “*Always Be Prepared*”.

Notably, at the 2010 EDLS’s graduation ceremony Mr. Bridgewater in delivering the Valedictorian Speech reflected that if Justice Bowe-Darville had not done and said what she did during that session, he would have failed Law School. Embedded in Mr. Bridgewater’s words was a sense of gratitude and appreciation for a teacher who saw her task not just to teach but to inspire others to be better. The sentiments of Mr. Bridgewater formed part of Justice Bowe-Darville’s greatest memories of her time at EDLS.

Justice Bowe-Darville reflected that EDLS not only impacted her through teaching but it has also allowed her to develop relationships with local, regional and international colleagues.

Justice Bowe-Darville served The Bahamas Bar Association in many different capacities and was eventually elected as its President from 2009 to 2013. She is credited with the purchase and establishment of the permanent home for The Bahamas Bar Association at Mackey Street, new Providence. As President, Justice Bowe-Darville also served as a member of the Council of Legal Education.

On 30 May 2019 Justice Bowe-Darville was appointed as a Justice of the Supreme Court of the Commonwealth of The Bahamas and she demitted office on 3 December 2021. Apart from being appointed to serve as a Justice of the Supreme Court, Justice Bowe-Darville considered her life’s greatest accomplishment to be the rearing of her daughter, Mrs. Ian-Marie Darville-Miller, who now sits as a Stipendiary and Circuit Court Magistrate.

When asked “*what advice would you give to women aspiring to ascend to the Bench?*” Justice Bowe-Darville started by saying, “*Be prepared for the challenge*”. She continued by saying a Judge must always “*know the law*”.



**Pictured left to right - Tonya Bastian Galanis, and Justice Bowe-Darville**

More importantly, she stated that a Judge must be willing and able to listen, all while having an open mind. She ended by advising women who wish to ascend to the Bench that they must adjudicate and in doing so they have to be mindful of the words they say because those words will impact someone’s life. It was clear to me as I interviewed her that the Honourable Madam Justice Ruth Bowe-Darville is a woman full of passion and wisdom. Although Justice Bowe-Darville gardens in her down-time and cannot wait to give her garden more attention, she acknowledged that she is at

the pinnacle of her career and she thanks God that she is still here.

Congratulations to Justice Bowe-Darville, our 2021 Smokey Joe Awardee! We borrow these words from Mr. Ellis and join with him as we “*... salute Justice Ruth Bowe Darville on her many achievements and her contributions to the development of the jurisprudence of The Bahamas. May our God continue to bless her and her family.*”



**Justice Bowe-Darville with EDLS Faculty**

**Pictured left to right - Kevin Farrington, Nicole Sutherland King, Raquel Williams, Justice Rhonda Bain, Carla Card-Stubbs, Justice Ruth Bowe-Darville, Gerald Sawyer, Tonya Bastian Galanis, Darron Ellis, Justice Ian Winder and Clive Guy**



**Pictured left to right - Pierre Dupuch, Justice Bowe-Darville and Tonya Bastian Galanis**

## PUBLICATION COMMITTEE

# Message from the Publication Committee

As 2021 draws to a close and we await the hope and promise that a New Year brings, we know that online learning will inevitably continue in 2022. Nearly 2 years after the start of the COVID-19 pandemic, the emergence of the new Omicron variant has many countries reassessing their border restrictions, lockdown measures and safety protocols.

For some, the COVID-19 pandemic imposed an unwanted isolation into the world of remote learning. For others, a remote learning environment presented an unpredicted gain as they were now able to attend Law School and achieve a goal previously denied or seen as unfeasible due to a requirement of daily, physical, in-class attendance.

Face to face instruction and physical interaction are important to the creation of a caring learning environment; however, online learning has given us a new dimension of interaction and caring through our virtual lenses. Our actual backgrounds or personalized virtual backgrounds provide glimpses into our personalities. Distractions from a child, family member or pet who is unexpectedly seen or heard in the virtual classroom provide glimpses into our personal lives. These glimpses open the doors to conversations.

In addition, online learning has caused us to rethink the use of phones in the classrooms as we now use them for example to instantly communicate difficulties due to loss of electricity or internet services and to access learning platforms and apps such as Poll Everywhere.

No doubt, Law School, without more, is a challenging experience, and it has only been exacerbated by COVID-19. In these pages, our students share their experiences and struggles with online legal education. We hear from students who are parents, spouses, children, caregivers and

employees and who each day commit, show up and keep working towards their goals. The thread of taking care of our physical and mental health weaves through our pages as we strive to manage various stressors and find that seemingly elusive but not unattainable balance in our lives.

That we are survivors who are motivated to succeed and resilient in the face of our challenges is clear. The pages tell the story of our hope in the promise of the potential we see in ourselves and in the future we want for ourselves. We see hope and promise in each other as we hold each other up through words of encouragement, guidance and support. Our daily affirmations remind us never to lose sight of our hopes and promises.

As we get ready for the start of 2022, let us take some time to relax and renew our energies. Let us begin the New Year with renewed hope and promise ourselves anew that we will strive always to do our best and to give of our best. As we work hard towards the attainment of our personal goals, let us also work hard to be of value to others and to make our world a better place not just for ourselves but for others and for the future.

Wishing you a safe, healthy and happy holidays!

Peace and Blessings,  
Publication Committee 🙏

## Message from the Eugene Dupuch Law School Students' Association President

KARINA ROLLE - Year 2 Student



*"Every morning, the sun rises with endless possibilities that give you endless opportunities to begin again and to create a brand-new life."*

**Debasish Mridha**

*"Mind is its own place and in itself can make a heaven of a hell and a hell of a heaven."*

**John Milton**

Thoughts are significant things and more often than not shape our lives. What we contemplate and imagine, for the most part, becomes a reality for us. The hidden process going on inside our heads that we call thinking can produce objects as real as the ground that we walk on to the food that we eat. I guess this is why we al-

ways hear the saying that *"the mind is a serious thing"* and we should never underestimate the power of our minds!

Although things have radically changed due to COVID-19, and we are engaged in learning in an environment the world refers to as *"the new normal"*, we still face a lot of challenges and anxiety balancing school and everyday life; but I just want to let each of you know that no matter the circumstances you are faced with, there is great wealth and invaluable treasure lying within you waiting to be unearthed. It is like the most

precious gemstones lying at the bottom of the sea or a priceless diamond buried deep in mines under the earth. If you dig deep within yourself, you will discover that you possess a storehouse of incredible potential and energy and this potential and energy is only waiting to be seen and realized by you!

Great men became great not because they were born great but because they dug deep to discover their true potential and used that to work towards reaching their goals. I say that to say don't squander away your energies and vast potential by engaging in negative thoughts of self-doubt, low self-esteem and self-rejection.

We are fortunate to be enrolled in the prestigious Eugene Dupuch Law School, which provides a conducive environment for learning despite *"the new normal"*. Enrolment in the Eugene Dupuch Law School provides an opportunity for each of us to realize and find our true potential through its academic programme and allows us to realize our creativity and imaginative powers by providing many other opportunities.

Take advantage of the opportunities presented to you by both the Law School and the Eugene Dupuch Law School Students' Association! Use those opportunities to motivate you to make record breaking achievements to bring out the best in you in all spheres of your life - academics, advocacy, community and social outreach, development of your personality; and to groom yourself into healthy, happy, responsible and proud citizens of your respective countries.

Always bring excellence in your thoughts and actions because *"as a man thinks in his heart so is he"* (**Proverbs 23:7**). The possibilities are endless!!

I pray for each and everyone's success and that each of you shine brightly and emanate light, learning and excellence. 🙏

*Karina Rolle*

President EDLSSA

# A New, Yet Unexpected Beginning

**TROY BENJAMIN - Year 1 Student**

My acceptance into the Eugene Dupuch Law School (EDLS) manifested itself as a plot twist like in the famous R.L. Stine's Goosebumps novels I enjoyed reading during my childhood. In no way had I addressed my mind that, as a Guyanese national, I would be studying at EDLS in Nassau, The Bahamas. For me, this was unexpected because Guyanese students from time immemorial were zoned to the Hugh Wooding Law School (HWLS) in Trinidad and Tobago. So, when I received the surprising yet exciting news of being offered a spot at EDLS to read for my Legal Education Certificate (L.E.C.) I was pleasantly surprised.

I recalled ministering to my church family on a message *"Soaring into Your Destiny"* and emphasizing to them that God is about to do a *"New Thing in this Month for You."* Funny, right? I started to chuckle to myself because I had walked right into the manifestation of the very word that I was declaring. Admittedly, it was unexpected, but I believe that EDLS was my *"new thing."* EDLS was my destiny – and I was about to be born into a kind, super supportive, and loving family.



After being accepted into EDLS, despite some minor setbacks, I was elated to finally start my journey to the Bar. I said to myself: *"Troy, you would have prayed tirelessly for this. You would have waited for this. Troy, this is your time and turn to shine. You are finally walking in your prayer."* As the time drew closer to Orientation Week, a detailed schedule with the various activities and their respective allotted times was sent by the Registrar, Mrs. Dawn Burrows, to prepare us for the week ahead. If I am to be honest, when I read the cover of the orientation schedule I started to laugh uncontrollably because the first ground rule was **"no eating allowed during sessions, but you may sip your coffee."** This was funny to me and my Guyanese counterparts because we were coming from a more relaxed learning environment where eating in the classroom was permissible. So, I thought to myself this school must be extremely strict and have a no-nonsense environment. I knew I had to pull my socks right up!



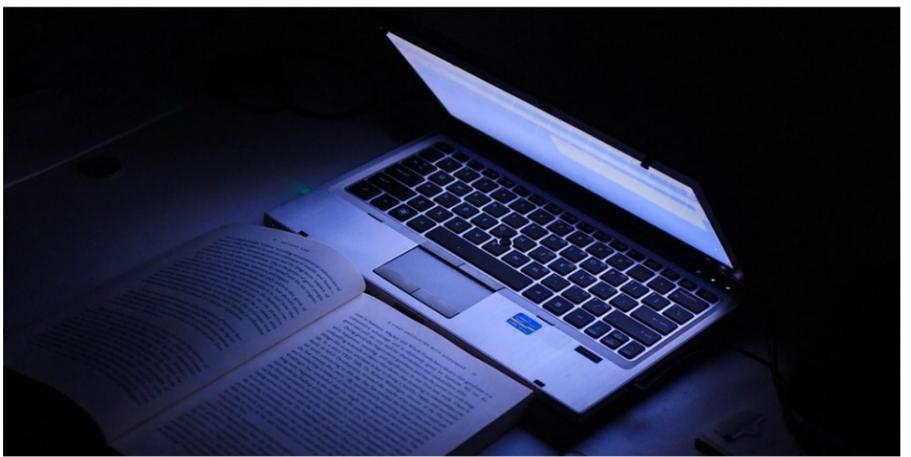
Now fast forward to Orientation Week, I was ready to begin Law School. Orientation began at 9:00 am sharp and would end most days between 4:00 pm and 5:30 pm. On the first day, a creative and warm welcome to EDLS was done by the Registrar, who got us indoctrinated into EDLS with DJ Khaled's *"All I Do Is Win"* featuring Ludacris, Rick Ross, T-Pain

and Snoop Dog. How cool, right? In no stretch of my imagination would I have foreseen that a hip-hop song would be played at the welcoming remarks and moreso by the Registrar of the Law School. That to me was very cool and I was taken aback by the fact that I can be professional and still have clean fun.

Additionally, on the first day, we were introduced to the Course Directors and Tutors, and we discussed matters relating to student affairs, and getting involved with the Eugene Dupuch Law School Students' Association (EDLSSA). Subsequently, we commenced a few introductory lectures. To me, this already felt like a lot of work and sleepless nights. Nevertheless, it was the start that I needed to transition my mind from the LL.B programme way of thinking to what was required at Law School.

At the flick of a switch, it was the second day of the orientation pilgrimage. We commenced at 9:00 am again. During that time, we were given an all-comprehensive training on Information Technology at EDLS, which provided us with training on online platforms such as Zoom, Microsoft Office 365, Teams, V/Lex Platform and using the e-library. Then, of course, we continued with some more introductory lectures. At this time, I already felt as though I was lagging behind and the real work had not started yet; but I had to remind myself that *"success aggressively requires discipline, dedication and determination."*

On Wednesday, we were bombarded with more introductory lectures scattered throughout the day. This made it dawn on me the level of commitment that was necessary and the volume of work that I was colliding head on into. On that same day, we were given in-depth training on navigating and using LexisNexis and then we ended the day with a



much-needed talk on tips for the transition from LL.B to L.E.C.

On Thursday, the polls were opened for the election of the incoming Executive Board of the EDLSSA for the academic year 2021/2022. I was saddened on this day because I was vying for one of the positions on the Board, but I had to withdraw due to reasons beyond my control. Later in the day, we looked at opportunities for participation at EDLS and then ended the day with the election results around 7 pm.

Friday was the last day of orientation, and it was my personal favourite of the days. During this time, we were afforded the opportunity to receive expert advice on eating healthy, easy-to-do exercises at home and simple de-stressing exercises to help us maintain good mental health, and a healthy lifestyle through diet and exercise. To me, this showed that EDLS was the right place for me as they focused not only on their students' academic performance but were also concerned with the health and social well-being of their students. To end the day, we were given great advice and strategies on how to be successful in the courses for the academic year.

The Orientation Week ended on Saturday with a Dine-Around hosted by the EDLSSA. I was incredibly grateful for the opportunity to meet up with my Guyanese friends since we were not able to for a while due to COVID-19. I was able to chill with my friends, enjoy great music and make memories over laughter, food, and drink. This was the perfect way to end the hectic week so that I could unwind and mentally prepare for the fundamental changes that were about to take place in my life. 😊



# Human Trafficking: 21st Century Modern Slavery

**DURANDA K. MINUS - Year 2 Student**

Article 4 of the Universal Declaration of Human Rights states, “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”. Yet, globally modern slavery continues to exist today.

Modern slavery is the exploitation of vulnerable persons for profit and power, whether personal or commercial. There are estimated to be 40 million victims of modern slavery (*International Labour Organization and Walk Free Foundation, 2017*). Human trafficking is one of the main forms of modern slavery and remains one of the fastest growing criminal enterprises. According to a 2014 *International Labour Organization publication on “Profits and Poverty: The Economics of Forced Labour”*, modern slavery is categorised as one of the top three most lucrative forms of illegal activity and generates about US \$150 billion annually in illegal profits.

## The Bahamas’ fight against human trafficking

In a 2021 *Trafficking in Persons Report: The Bahamas* (the 2021 Report), the United States Department of State iterates that The Bahamas is a Tier 1 country in that it is fully compliant with “the minimum standards for the elimination of trafficking” as set out in the United States’ Trafficking Victims Protection Act.

The Bahamas has ratified the 2000 United Nations Convention against Transnational Organized Crime which is supplemented by the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. In its fight against human trafficking, The Bahamas has developed robust national anti-trafficking strategies to bring awareness to human trafficking.

The Bahamas enacted the Trafficking in Persons (Prevention and Suppression) Act 2008 (TIPA). *Section 3 TIPA* criminalizes any person(s) who “... engages in or conspires to engage in, or attempts to engage in, or assist or otherwise facilitates another person to engage in “trafficking in persons”. Included under TIPA are other offences such as those pertaining to the use of travel or immigration documents, providing transport and knowingly benefitting from trafficking. Under TIPA, the penalties imposed on persons for trafficking include fines, imprisonment, forfeiture of property, and restitution to victims.

Additionally, several national bodies have been established to protect and support victims of human trafficking such as the Trafficking in Persons Unit, Trafficking in Persons Unit Committee, Inter-Ministry Committee on Trafficking in Persons and Trafficking in Persons Task Force, and the **Special Prosecutorial Unit on Trafficking in Persons**.

The landmark case of *Cheveaneese Sasha Gaye Hall and The Attorney General* [2016] UKPC 28 marked the first time an individual in The Bahamas was charged before the court on trafficking offences under TIPA. Ms. Hall’s conviction was quashed by the Court of Appeal on a jurisdictional and procedural issue. The Attorney General’s appeal to the Privy Council was dismissed. The Privy Council found that Sections 3 and 4 of TIPA, with which Ms. Hall had been charged, created hybrid offences triable either summarily before the magistrate

or on information before judge and jury in the Supreme Court. The power to determine the mode of trial belonged to the magistrate. As a result, the Attorney General could not prefer a voluntary bill of indictment for Ms. Hall to be tried in the Supreme Court.

In its 2021 Report, the US Department of State further commended The Bahamas on its continued efforts in demonstrating serious reporting of trafficking in persons. Notably, The Bahamas was acknowledged for its significant efforts placed on prosecution, protection, and prevention, particularly during COVID-19. Such efforts included: the conviction of one trafficker, increased training of government officials, a restitution award in the amount of \$10,000 Bahamian dollars given to a victim (for the first time), the continued safe housing for victims, closed trafficking court hearings, permitted victim testimony via live television links, the acceptance of the reading of written statements into evidence, the maintenance of a national anti-trafficking annual budget funded by the Bahamian government for anti-trafficking initiatives and the drafting of two (2) memoranda of understanding to assist in human trafficking investigations and information sharing with Mexico and Colombia.

However, while The Bahamas is making strides in combatting trafficking in persons, there is additional work to be achieved. In the 2021 Report the US Department of State prioritized its recommendations of measures that The Bahamas should seek to undertake. Some of the recommendations included the provision of a dedicated shelter for trafficking victims, “increased efforts to prosecute, convict, and sentence convicted traffickers, including officials complicit in sex or labour trafficking, reducing court delays, and the development, execution, and publishing of a robust monitoring and evaluation framework for anti-trafficking policies and efforts.”

Moreover, the 2021 Report indicates that there was an increase in the number of investigations conducted during the reporting period compared to the previous years. In 2020, there was one trafficking conviction in the Magistrate’s Court through a plea agreement, compared to 2019 where there were no convictions. The convicted individual was a female sex trafficker from the Dominican Republic who was sentenced to two years’ imprisonment. However, her sentence was reduced to sixteen (16) months, which she served and she was subsequently deported to her home country as she did not have any legal status to reside in The Bahamas.

## Trafficking Profile Awareness

The 2021 Report on The Bahamas’s statistics reveal that human traffickers have exploited domestic and foreign victims in The Bahamas and have taken victims from The Bahamas abroad. The Report further stated that traffickers recruit migrant workers from countries such as Colombia, Venezuela, the Philippines, Haiti, Jamaica, the Dominican Republic, China, Costa Rica, Cuba and the United States. Moreover, these persons are exploited through false offers of employment

advertised in foreign newspapers and social media. Upon acceptance of such offers and the victim’s arrival, into the country, the traffickers subject them to forced labour (particularly in the domestic services sectors that provide for low-skilled employees) and sex trafficking.

Additionally, the 2021 Report indicates that the following group of persons are vulnerable or have been victims of human trafficking: “individuals born to a non-Bahamian father in The Bahamas, to a female citizen, or to foreign born parents who do not automatically receive Bahamian citizenship or documentation..., unaccompanied migrant children, individuals lured for employment, persons involved in commercial sex and exotic dancing, irregular migrants, stateless persons, LGBTQI+ individuals (particularly from poor communities), and migrants displaced by Hurricane Dorian...”

In a publication titled the *Impact of the COVID-19 Pandemic on Trafficking in Persons*, the United Nations Office on Drugs and Crime promulgates that human trafficking is the result of the failure of societies to protect the rights of the most vulnerable. Indeed, some United Nations human rights experts aver that the pandemic created the perfect opportunity for traffickers to exploit vulnerable persons. The experts have indicated that this frontal attack by traffickers requires a stronger response from government to hedge-off their advances (United Nations, 2020). The United Nations’ *Global Report on Trafficking in Persons 2020* highlights that it expects that there will be an increase in trafficking brought about by the sharp increase in unemployment due to the COVID-19 pandemic. The high level of unemployment is corroborated by the *International Labour Organization* which projects that global unemployment will trump 2019 level of 187 million by reaching 205 million people in 2022. In *The Bahamas the rate of joblessness according to the Central Bank stood at 25.6% in May 2020*.

These statistics point to the increased vulnerability of groups such as, low wage families that have been severely impacted and seriously disadvantaged by the COVID-19 pandemic. Additionally, due to many school closures, children are at a high risk for exploitation where they are forced to go on the streets in search of food, money, and shelter. Moreover, as many children globally attend virtual school, this also makes them vulnerable to online predators.

Globally, there has been an increase in forced labour and sexual exploitation, as persons find themselves facing desperation and poverty (United Nations, 2020). This makes them even more vulnerable to exploitation in illegal, informal, or unregulated sectors including petty crime, sex industry, domestic settings, drug cultivation and trafficking. Global measures adopted such as curfews, air and sea border closures, quarantines, lockdowns and travel restrictions have placed limitations on economic activities and public and social life. Criminals have used this crisis to shift their criminal activities online, and hence there has been a huge increase in the amount of fraud and other illegal activities. While lockdowns, confinements and curfews are implemented to help reduce the spread of COVID-19, unfortunately they can be seen as a double-edged sword for trafficking

# Human Trafficking: 21st Century Modern Slavery

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**DURANDA K. MINUS - Year 2 Student**

victims. In one instance it stifles the movement of the victims and in another, where victims were already in transit, it increases their isolation period, and reduces the likelihood of such victims being identified and located. Overall, this pandemic has brought to light, the systemic and deep-rooted economic and social injustices that contribute to the causes of human trafficking.

Whilst facing issues such as displacement and unemployment amidst the effects of COVID-19, The Bahamas continues to spread awareness and implement the necessary measures as it remains committed to its 2019-2023 national anti-trafficking action plan. 🇧🇸

## The Struggle is Real: Women's Work-life Balance and COVID-19

**GAYVELLE DAVIS - Librarian**

After a long commute and long office hours, a woman arrives home to the mouth-watering smell of a nice meal being prepared by her husband; the children have already showered and are doing their homework while being supervised by daddy as he cooks. *Hold-up! Stop! Wait a minute!* Sadly, this scenario is still a figment of many women's imagination.

A 2008 study by Reddock and Bobb-Smith on *Reconciling work and family: issues and policies in Trinidad and Tobago* found that women were primarily responsible for managing and maintaining the family. While the study acknowledged that more men had taken on caring responsibilities, the division of labour was still one where the household responsibilities rested heavily on the woman. In fact, an International Labour Organization (ILO) publication on *Women in the World of Work (2019)* while agreeing that men were contributing more towards household work, indicated that women still devote "more than twice the amount of time as men to unpaid domestic work".

When the COVID-19 pandemic hit, forcing both public and private businesses to close their doors only those organisations and workers deemed as essential were required to be at their workplaces. Some workers were sent home with the expectation of them attending online training courses and webinars, while others responded to virtual queries and attended Zoom meetings. For many women, this may have been easily doable, but for some, the only time they got to attend to work matters was in the late hours of the day when they were already bone-weary from dealing with the family for the day. With everyone home, the demands on women's, especially mothers', time became more persistent and unending.

The work-life balance necessary to ensure that women can effectively work from home escaped many persons. This was driven in part by the disproportionality in the sharing of household work and family care responsibilities.

Given that the COVID-19 stay-at-home orders forced many women workers and their families to stay in confined spaces for extended periods in dysfunctional environments the United Nations Population Fund predicted that the COVID-19 pandemic would undermine efforts to end gender-based violence by disrupting preventative and protective measures. Startlingly, they predicted thirty-one million additional cases of gender-based violence if coronavirus lockdowns persisted for six months (UNFPA, 2020).

We are now well past the six months considered by the UNFPA and still grappling with the COVID-19 pandemic and new variants. Some employers have begun to examine their business models and to assess the value of maintaining a work at home model post-lockdown. However, the negative effects of working from home on women's productivity and their ability to telecommute cannot be underestimated. Some of the major effects are increased mental health issues, increases in injuries arising from gender-based violence, increases in drug abuse, increased alcoholism, and increases in stress-related diseases. These aforementioned factors lead to decreases in productivity.

While many employers, rightfully so, are primarily concerned with preserving the lives of their employees in dealing with COVID-19, they must also be keenly aware of the need for an empathetic approach to managing their staff due to the psychosocial impacts of the virus. In doing so, the ILO encourages that strong and effective leadership can be demonstrated by a series of measures ranging from: staying informed, setting out a clear business plan and safety protocols, consulting with workers and their representatives, sharing purpose and values with their workers, communicating that management is committed to protecting workers' physical and mental health and planning for after COVID-19 (ILO, 2020).

The struggle for an effective work-life balance for many women is real and will continue for some time, however, employers must continue to work towards ensuring that everyone emerges from the COVID-19 pandemic as good as or better than they were before Coronavirus. 🇧🇸



# On-Line Learning: Balancing School, Work and Children

**KARINA ROLLE & KRISTEN BUTLER-BENEBY - Year 2 Students**

Our education is important to us. Trying to balance Law School, work, and children can be a difficult task. We must be careful not to neglect one aspect of our lives to the detriment of another. While we each have our own personal challenges and the fabric of our lives is patterned to our unique circumstances, there is much we, as law students, share in common as we juggle school with work, children, family commitments and other obligations along with life's surprises.

We hope that by sharing our personal stories and experiences with you, this article will show not only how much we have in common but will also encourage and help you through Law School. Let's start the conversation, keep the conversation real and keep the conversation going.

*"I am a single mother with two children – my 10-year-old daughter who has a social calendar out of this world and my very active one year old toddler. I am also employed as a legal assistant and am fortunate that my employers allow me to work flexible hours while I complete my studies to achieve my Legal Education Certificate. Although I am a mother, employee and student, I am also the President of the Eugene Dupuch Law School Students' Association, a member of the Criminal Law Clinic and a member of Alpha Kappa Alpha Sorority Incorporated. With everything that I have going on, I sometimes feel that there are not enough hours in the day and I sometimes become overwhelmed, but I manage to pull myself back together and remember the task at hand. The personal mantra that has driven me through the years is if I set my mind to it, I can do it!"*

**Karina Rolle**

*"My name is Kristin Butler-Beneby. I am married with one child who is 11 months old. I am currently employed with The Bahamas Court of Appeal and manage a small business. My job has been more than accommodating, finding ways to fulfil my dreams. For that, I am grateful. As someone living with Sickle Cell Disease, I have faced bouts of hospitalization and had to be bedridden for long periods of time all while pursuing of my dreams. Since starting EDLS in 2020, I was hospitalized twice. However, I attended classes during hospitalizations, completed tutorials, and got the work done. In my opinion, this is how I benefited from COVID-19.*

*Outside of work and school, I am an advocate for Sickle Cell disease. I am the current Vice President of The Bahamas Sickle Association having previously served from 2018 - 2020 as the Assistant Treasurer of The Bahamas Sickle Association. Yes, I have a full plate! Nonetheless, I've learned how to prioritize and balance my work, school, and family life through it all. I may have Sickle Cell disease, but Sickle Cell disease does not have me! Because of that, I am still here today."*

**Kristin Butler-Beneby**

## How do we balance school, work, family and everything else?

To stay somewhat sane with everything that is going on, **time management and planning are key**. Plan and prepare for the week by putting together a to-do list and try your best to stick to it. Be patient, flexible and adjust if things do not go as planned.

Live life in the moment, focusing on the tasks at hand. Like the Bible says *there is a time and place for everything under the sun* so when you are in school or studying, try not to think or do anything else. Some things that we have both found to work for us are to focus on assimilating the new information when it is being shared during lectures; complete as much as we can when we go in to the office; set time aside to complete tasks before a given deadline; and commit a portion of our weekends to get tasks completed for the upcoming week. Similarly, do not let school or work interfere with spending quality time with family and friends. There must be a balance between work, school, family and friends as none should be neglected.

**Try your best to prioritize tasks and set small goals** so that you are not consumed by the amount of schoolwork. When these goals are accomplished, you should reward yourselves in a small way to keep motivated; for example, an evening spent boating, a movie, dinner date or even a "staycation". We are human and we constantly remind ourselves that we are of no use to ourselves or anyone else if we become emotionally and physically drained. Staying in control of your physical and mental health keeps you in a positive headspace to deal with everything that life throws at your way. Like any normal person, from time to time we experience the stresses of life, but when this happens, we take a step back, breathe and take the necessary breaks to enjoy our loved ones in order to pull ourselves together.

We utilize the support systems we have at home and work to help ease some of the load while studying to obtain our Legal Education Certificate. We certainly could not do this on our own, our support systems have helped with the children in so many ways, from school pick up, to feeding and getting the children dressed for bed, to helping with homework, school projects, and financing a nanny. Our support systems have just been **AWESOME** and we could not ask for anything more. Our children's fathers took "daddy duties" to a different level and for them we are truly appreciative. Our ability to balance life is fueled by the amazing support system we are blessed with and their willingness to step in when we need help. The reality of it is although we are managing to balance school, work children and a social life, we could not do it on our own. Our support system has never stopped supporting us from day one of our journey and for that we will forever be grateful. **Do not be afraid to say you need help and rely on those around you.**

So, for anyone reading this who may be experiencing self-doubt or think because you also work and have a family that you cannot educate yourself, think again. We are living proof that whatever you put your mind to you can achieve despite the speedbumps you may encounter along the way. It won't be easy but it will definitely be worth it!

**YOU CAN DO IT ALL** - Children, Family, Friends, School & Work! Be encouraged. 🙌



# Tips for Surviving Year One at Law School

NICHOLAS PENNERMAN - Year 2 Student

**LLB NO MORE!** Law School is a challenging but exciting experience. The purpose of this article is to shed some light on how to get through your first year at the Eugene Dupuch Law School (EDLS) in one piece.

Having survived the demanding realities of what it takes to make it through the first year at EDLS, my first piece of advice is that you need to accept that you are no longer an LLB student and the expectations are different. Much of the work we as students do at the Law School is from a practical standpoint as opposed to a theoretical one. You will be presented with common issues that you are likely to face during your life as an attorney and you will be expected to provide advice, opinions and solutions as well as draft documents as if you were in practice. You must now think practically and not provide LLB essay style answers, but ones that deal with the practice and procedure of fixing a legal issue!



**Start studying NOW!** My second piece of advice is do not procrastinate on studying. The workload is very voluminous, and you have to take it in as it comes. Do not assume you will be able to cover the syllabus and remind yourself of a year's worth of content weeks before the exam. In light of the COVID-19 pandemic and exams being online, you may think that you will not need as much time to study as you have access to the material at your fingertips. This is not true!



Speaking from the experience of having done six online 24 hour exams, it is no joke and in no way is it easier than an in-person exam. I do not say this to make you fearful of what is to come but rather to ensure your success! So be sure to consolidate your work and understand the course material early in the year, so that when it comes down to studying before exams you will have ample time to focus on the areas you may be unsure of. A good piece of advice is to begin seriously studying for exams during the Christmas break, so that you are on top of everything you have learned in term one and are ready to take on term two.

**Practice Practice Practice!** Although tutorials do provide a great opportunity for demonstrating your understanding of the course material in a more intimate setting, I suggest getting one on one feedback as well. The best way to do this is to email or ask your tutors questions that you may not have been able to address during class hours. Additionally, take the time to submit past paper questions that are accessible on SharePoint! The individual feedback you get from these past papers will be extraordinarily helpful and give you even more insight into how to approach upcoming assignments and exams.

*With that said, do not be scared to ask your tutors questions in class. There are no dumb questions and it is likely that if you are thinking it someone else in class is as well!*

**Take time to relax!** Perhaps one of the most important pieces of advice I have to offer is to make sure you are taking breaks and making time for yourself. It is easy to get sucked into devoting 100% of your time to study but this is not best practice. Make sure you make time to relax, see friends, sleep, exercise and eat healthily! You will not function at your optimal if you do not give yourself a chance to recharge.

**Have a great year!** Finally remember to enjoy the experience and get involved! It may seem very hard now, but the outcome will be very rewarding, and you should look back on your first year with fond memories of challenging experiences, great learning and making new friends who you will rely on throughout your entire time at EDLS and potentially into your professional careers!

I hope all of the readers have an enjoyable first year experience and take some of this advice to ensure you survive year one at EDLS. 🙌

# You, Yoga, and the Law - Building a Healthy Life & Legal Career with Yoga

AQUELLE TULETTA - Year 2 Student

Yoga? Hmm ... Lifestyle?! Before reading on, some of you may already be thinking - “*what does yoga have to do with legal studies and a legal career?*” or “*it’s impossible to have any other lifestyle outside of the law!*”

As most of us are aware “*the law is a jealous mistress*” - indeed. No matter what stage we are at in our legal journeys, the law demands our time, requires much focus and in return stress levels can tend to be high. This is especially so when coupled with the fact that we are in a pandemic, and we all have our own personal responsibilities away from school or the office.

As an avid yogi, I can say that yoga brings along many benefits not just for your studies or career, but also for your health.

I sat down recently with my yoga instructor, Mr. Antonio Weech, and discussed several of the benefits of yoga to one’s health, legal studies, and career. Here are 6 takeaways.

1. Yoga can improve **LISTENING** skills. Listening is important for law students and attorneys to effectively execute their responsibilities. The practice of yoga assists with improving one’s listening skills as during a yoga session one becomes still and mindful. One’s listening skills are heightened as one learns to become present and engaged in the moment and to filter out distractions.
2. Yoga can improve **FOCUS**. There may have been a time when you wondered why you just could not focus the way you wanted to in your last lecture. Yoga clears the mind of any clutter caused by daily stress or even “Lady Anxiety” who just would not leave you alone as you worked on your last graded assignment. Besides removing the clutter, yoga adds clarity that can assist with processing the large amount of reading required of students and attorneys and can improve focus while in tutorials, lectures, meetings, or court hearings. Yoga also improves concentration required for critical thinking, analysis, and writing.
3. Yoga can improve the **MANAGEMENT** and **REDUCTION** of **STRESS** – Stress! Can we have a break from it?! After a long week of classes, the Legal Aid Clinic, meetings, court hearings, and managing your personal responsibilities you can often be left feeling overly exhausted and stressed. Whether it is five minutes of yoga breathing exercises or one hour of a yoga session, yoga can assist with reducing and managing one’s stress levels.
4. Yoga can introduce and improve **BALANCE**. Let’s face it, balancing one’s personal life with either school or work can be daunting. Yoga can introduce and assist with improving the balancing of one’s responsibilities. With its assistance in reducing stress, a person would be able to better prepare and plan by prioritizing tasks without feeling guilty and would learn how to be flexible in doing the same.
5. Yoga can improve **HEALTH**. The load of work can be intense and if we are not careful, our health can be affected. With the current pandemic, most of us are stuck behind a desk for long hours and at times may feel a pain in the neck or back or need a mental break from the words on the computer screen. Yoga is essential to one’s physical and mental health because it helps with the stretching, strengthening and flexibility of the body’s muscles and limbs that can lead to relief and better posture (whether standing or sitting). Yoga can also be beneficial to one’s mental health because it aids in relaxing the mind and brings about tranquility.
6. Yoga can assist with **MANAGING CONFLICTS**. Sometimes tensions can become high during group projects/assignments, exam season, or contentious legal matters. In practicing yoga, one can learn how to effectively manage conflicts by remaining calm with and respectful to others and assessing the issue with the aim of finding a solution. Yes, yoga teaches this! Give it a try.

So, during this holiday season, why not incorporate yoga or any other fitness and well-being regime into your lifestyle. You will not regret it! 🙌

# Servant Leadership

CLIVE GUY — Senior Tutor



It is often asked what one can advise a new student entering law school that will hold true when that student graduates and is admitted to practice. One thing that comes to mind is “Servant Leadership.” It is often said that in order to be a good leader one must also be able to be a good servant.

The Purdue University Global Greenleaf Center gives Robert Greenleaf's definition of Servant Leadership as “*The servant leader is servant first. It begins with the natural feeling that one wants to serve first.*”

The Purdue University Greenleaf Center for Servant Leadership further defines servant leadership as “*a philosophy and set of practices that enriches the lives of individuals, builds better organizations and ultimately creates a more just and caring world.*”

At the Eugene Dupuch Law School, we embrace the ideals of servant leadership. It is an essential ingredient of what we expect of attorneys that we produce. It provides a foundational element of the Law School's concept of ‘*Excellence in Legal Education and Commitment to Social Service*’.

Therefore, we at the Law School believe our students are duty bound to understand and practice the ideals of servant leadership not only in law school but upon admittance to practice. I exhort all students and graduates to bear the areas hereafter outlined at the forefront of their minds and practice.

**The goal of the leader is to serve.** If you are not able to serve then how can you expect to lead? It is important that as a leader your task is not to be a boss or to seek power or applause, rather it is to achieve authority. Authority must be earned. It means that others have confidence in you to put their time, energy and effort into following you. They see that you care for them and their success so they are willing to give you the authority to make decisions that will affect them and their success. Your classmates will expect that of you and so too will your colleagues in the office and in particular your clients. Render stellar service to yourself, your colleagues, your client and the court and you will not have any problem that is insurmountable.

**Build a creative team.** You will be or were faced with Group Assignments in law school. The need to learn to work collaboratively is exceedingly important in this super connected world. You will not only have to work as part of a team with persons in your own jurisdiction, but also with attorneys located all over the world. They may have different views, cultures, and values than your own, but you must be able to work collaboratively not just across borders



but cross-culturally with others. The intention is always to keep yourself goal centered, and the needs of the client are always first and foremost.

**Always give the best of yourself.** Ensure that you always give the best service possible. Whether it is in a lecture, tutorial, seminar or workshop you must always give your best. You are your own client at that time, and you want to ensure that you do all that is necessary to ensure that your client, you, receives the best service possible. In law school you learn how to prepare for lectures, tutorials, and other experiential learning exercises. Likewise, in practice you will need to do the same to ensure that the service rendered to your client is always quality assured.

**Develop great morale and earn the respect of others.** In both the classroom and in practice do all that is needed to earn the respect of others. No one respects a sycophant, NO ONE. All people who interact with you must feel that you are genuine and forthright in all that you say and do. Develop a good character and be known as someone who will not waste the time of others. Your classmates will hate it when you waste their time, and so too will your colleagues at the office, and so too will your clients.

**Listen to others and engage in practices that enrich the team.** Be real, create real relationships and real connections. The world hates fakes. You can only fake it for so long. It is better to be always the real you. If you continually mask your emotions, concerns, or other issues then eventually they get the better of you. Avoidance is no cure. You need to speak up and speak out. Persons respect honesty rather than passive aggressive behaviour. In the classroom and in practice the same holds true.



The core values that you get at EDLS (Eugene Dupuch Law School) will serve you well at law school, in legal practice and in your life.

Make the best possible decisions so that you are able to retain customers and acquire new ones. I advise always try to make the best decisions. Assess all evidence in your possession and be able to make the best

decision for yourself, colleagues, and clients. Seek authority rather than power. Think beyond small tasks and communicate the larger goals and why they are important. What is your motivation to learn to succeed in practice and in life?

**Understand the importance of your responsibilities.** Ensure that you work hard, arrive on time and are dependable. This will not only help you in the classroom but in practice. The bench needs to know that it can depend on you to assist in the administration of Justice. You are an essential element to its efficacy. You must understand your role as an officer of the court



and to your client. **DO YOUR PART.**

**Lead by example.** Ask nothing of someone else that you are not willing to do yourself. A good general leads from the front and does not hide in the bunker. You are an active participant in your legal education and training. Always ensure that you set the example as in practice the same holds true. If you are not willing to work the hours and give the time and



dedication, then do not ask nor expect your team to do so.

**Servant leadership requires you to serve in order to lead.** 😊

**A leader is one who knows the way, goes the way, and shows the way.**

—JOHN MAXWELL

## ACLI Corner

The American Caribbean Law Initiative (ACLI) is a membership organization of legal educational institutions in the Caribbean and the United States of America (USA). The membership has a shared goal of establishing a network that will be a resource for reviewing and evolving the law of participating nations. The Eugene Dupuch Law School is one of the educational institution members.

From November 10, 2021 to November 11, 2021, the ACLI conducted a virtual Caribbean Law Clinic (CLC). Law students worked collaboratively on live legal problems based in American jurisprudence which covered the areas of civil, criminal and constitutional law. The CLC required students, working as a multi-law school team, to prepare and present oral arguments to the bench and bar of the host jurisdiction.

At the 2021 Clinic, First Year students Troy Benjamin, Diana Ferreira and Yolanda Hilton represented EDLS. The students were guided and coached by Carla D. Card-Stubbs, Tutor. In this ACLI corner, the students share their ACLI experience and reflect on the differences and similarities of American and Bahamian Law. These brief comparative law reflections are based on the legal problems that each student had to present on.

### ABOUT THE ACLI EXPERIENCE

#### By Troy Benjamin

*“For me, the ACLI Clinic was an invaluable experience and if I had the opportunity to do it again I definitely would.”*

At first when the call for applicants was opened for the American Caribbean Law Initiative (“ACLI”) Winter 2021 Clinic I was somewhat hesitant to apply. I was not hesitant because I was scared to take up the challenge. In fact, it was quite the opposite, I wanted a challenge. So, guess what? I signed up for the ACLI Clinic. If there is one thing that I thoroughly enjoyed during my LL.B. days was Mooting. I personally believe that mooting teaches you invaluable lessons and skills that you would not learn in the classroom. Mooting teaches students written advocacy as well as oral advocacy and most importantly equips you with research and analytical skills which will prove useful in your legal career. The aforementioned were some of the reasons why I decided to participate in the ACLI Winter 2021 Clinic Moot.

ACLI is a membership organization of legal educational institutions in the Caribbean and the United States of America (USA). Some of the educational institution members which make up this initiative are the Eugene Dupuch Law School, Norman Manley Law School, Florida International University College of Law, and Nova Southeastern University Shepard Broad College of Law. The main goal of the membership is to establish a network that will be a resource for reviewing and evolving the law of participating nations.

The ACLI Virtual Caribbean Law Clinic (CLC) was scheduled for 10 November 2021 to 11 November 2021. ACLI through the CLC provides Year One law students with the opportunity to work collaboratively on live legal problems referred to the CLC by the Attorneys General from American and Caribbean

Jurisdictions. This year’s ACLI moot problems were based in American jurisprudence and covered three areas of law; namely, criminal, civil and constitutional law.

At the time of signing up for the Clinic, prospective participants had to indicate the area of law that they were interested in researching and making oral submissions for the moot. Well, of course, most people selected criminal law, but for some reason I decided to tackle the constitutional law problem, which I did not regret. The Constitutional problem was a matter involving the **United States v Charles Hunter**, where Mr. Hunter was charged with four counts of charges which alleged that he violated certain provisions of the Constitution of the USA. The issue before the court was whether the provisions that Mr. Charles had allegedly violated was void for vagueness and violative of the due process clause of the Constitution.

Now fast forward to day one of the Clinic. It was 10 November 2021, and my anxiety was skyrocketing. The Virtual Clinic commenced at 9:30 am sharp but I had technical difficulties with signing into the meeting. What a first day, right? Luckily for me, I had the best Team Coach Madam Carla Card-Stubbs, who walked me through the frustrating period of gaining access to the meeting with the kind assistance of the technical assistant. Upon gaining access to the meeting, I was placed into a breakout room with my other teammates to discuss the Moot problem and work on our written and oral submissions.

On or around 2:00 pm, the Mock Moot commenced and it was time for us to showcase our best oral advocacy skills to persuade the judges on the merits of our arguments. In no way, shape, or form was I prepared for the questions thrown at me by the bench as well as the bench’s tenacity. I was torn to pieces by the bench, literally. I felt defeated but still had the willpower to dust myself off and go again. However, I must say that the judges’ advice was sound and constructive; and as we know how the old saying goes *“a word to the wise is sufficient”*. So, I took the judges advice and returned to the drawing board.

With the unwavering support and guidance of my coach and mentor Madam Card-Stubbs, I was able to reconstruct my arguments and fashion them in the way that was required to make me successful at the official moot the next day. Did I forget to tell you that I didn’t sleep that night? My work was cut out for me. That night I toiled through the night rewriting my submission to reflect arguments for the Prosecution because I was initially representing the Defendant. I had to make major tweaks to my submissions, complete a proper analysis and application of the law to the facts, edit and then re-edit and practice to fit my oral submissions within eight (8) minutes. I was tired but Madam Stubbs encouraged us with Jim Rohn’s quote *“don’t wish it was easier, wish you were better.”* Therefore, I knew I had to put in the hard work even if it cost me some sleep.

I would say at the flick of a switch it was the 11 November 2021, but there was no reason for me to click any switch because I did not sleep. The virtual clinic commenced at 9:15am and there was a welcome and instructions on the presentation done by Professor Phyllis Kotey. Subsequently, the presentations to the panel of judges began at 9:30 am. I was shaking. I was super nervous to present before a panel of real USA judges. However, what boosted my confidence and made me

transform into beast mode and ready to represent my school was when I saw so many of my classmates and EDLS family logged into the meeting to support us. It was at that point that I knew it was either *“Go Big or Go Home”*.

As I started to make my submissions before the bench, without saying six complete sentences the bench already started to pose questions to me. But thanks to my amazing team coach and the preparations that I made during training I was able to adequately answer all the questions posed by the judges. This made me feel satisfied that I would have not only pleased the judges but that I would have made my Coach proud, my teammates proud, and the Eugene Dupuch Law School proud. The judges’ feedback was pleasant and satisfying as they were pleased with the level of in-depth research, the understanding of the law, the level of application and analysis demonstrated, the skilled oral advocacy showcased and the convincing arguments put forward by myself and teammates.

*For me, the ACLI Clinic was an invaluable experience and if I had the opportunity to do it again I definitely would.* The Clinic taught me great time management skills and balance, it honed my research and analytical skills, it improved my application of the law to any given facts and helped me with my confidence and self-esteem. The experience taught me that there is great reward and greatness outside of my comfort zone. It also taught me that I should continue reaching for the stars and not be afraid to fail because I will be cushioned by the clouds. Moreover, it accentuated my written and oral advocacy skills to help me succeed in my legal academic journey.

It would be remiss of me not to say a heartfelt thank you to the best teammate that I could have asked for Ms. Diana Ferreira. She was encouraging, kind, faithful, and cooperative. Also, thank you to Madam Carla Card-Stubbs who went above and beyond her call of duty. She is the epitome of service above self and should be given a badge of honour for her hard work, ambition and encouragement. It was an absolute honour sharing this experience with them.

### ABOUT THE ACLI EXPERIENCE

#### By Diana Ferreira

*“Overall, the ACLI Clinic was perfect for me as a first-time mooter since there was no opposing side and that eased some of the pressure.”*

The American Caribbean Law Initiative Clinic is a collaborative effort between law schools across the Caribbean and United States. When I first saw the sign-up sheet being circulated I was hesitant to sign up. I always wanted to try mooting during my LLB program but always dissuaded myself from signing up. However, with a little coercion from a friend, I bit the bullet and signed up for the Clinic!

I was given the Constitutional question to work on. My team for the Constitutional question was comprised of students from different schools. My team consisted of another student from the Eugene Dupuch Law School, as well as students from the Norman Manley Law School, Florida International University and Nova Southeastern University. Scheduling meetings and online technical issues proved difficult for my team but at the end of the day we were able to make it work. We have exchanged contact information and plan to keep in touch!

# ACLI Corner

Continued from page 10

The experience of the moot itself was challenging but interesting. We spent many long nights researching and preparing our arguments. The questions this year were on American law which added another hurdle, since I am unfamiliar with American law. However, with the assistance of our coach, we were able to prepare sound arguments for our appearance before the Judges.

At the actual moot, the judges did not shy away from bombarding us with questions and challenging us to see if we truly knew what we were presenting on. However, I appreciate that they challenged us, as it only made us better in the long run and more equipped for when we enter the real court room.

Overall, the ACLI Clinic was perfect for me as a first-time mooter since there was no opposing side and that eased some of the pressure. I participated in the moot for the experience and to gain knowledge. I'm glad that I pushed myself to commit to mooting this time. Will I moot again? Maybe. I do not regret participating in the moot and I recommend it to others who might be interested in signing themselves up for the ACLI moot next year.

## ABOUT THE ACLI EXPERIENCE

By Yolanda Hilton

*"I would encourage any student who may be presented with such an opportunity to not think twice – just do it!"*

I was honoured to have been selected to represent the Eugene Dupuch Law School at the 2021 American Caribbean Law Initiative Clinic from November 10 to November 11, 2021. This year, the program was hosted by the Florida International University School of Law. My participation allowed me to synergize with other American and Caribbean law school

As the sole participant representing Eugene Dupuch Law School in the Criminal Law moot question, it meant that I had to be exceptionally well rounded on every aspect of the problem question. Being well rounded meant the ability to pivot whenever and wherever required to complement my colleagues from the NMLS, FIU and NSU law schools. We collectively presented our case before a panel of judges from the Florida judiciary. The moot problem concerned the legality of an individual's right to a speedy trial who was charged with a felony during a time when the Chief Justice of the Florida Supreme court suspended the constitutional right to a speedy trial as well as all procedures connected thereto as a result of the COVID-19 pandemic. A determination had to be made across three distinct areas of concern: (i) whether the trial court erred by granting the defendant a motion for discharge where the State failed to file charges within 175 days of his arrest; (ii) whether the COVID-19 orders provided for extenuating circumstances by which time may be extended in a case where a witness fell ill with COVID-19 and became unavailable for trial and (iii) whether the Florida Supreme Court exceeded its authority in suspending the speedy trial procedure.

In preparation, this meant there was a great amount of legal research and case analysis to be done, including aspects of comparative law as the matter was based on US law and jurisprudence. This in itself required a higher level of commitment and dedication.

While the clinic was not a competition, it required participants to exhibit skills necessary for a moot, including the need to negotiate effectively and to demonstrate advocacy skills. Perhaps the more notable talent was the ability to be flexible as a team player and to be able to work collaboratively with others as one cohesive team, even though the participants spanned across three different countries within the American and Caribbean Law Schools' Association. *I would encourage any student who may be presented with such an opportunity to not think twice – just do it!*

## Due Process and Procedural Fairness - USA

The purpose of the doctrine of due process is to allow for procedural fairness. Due Process is enshrined in the Fifth Amendment of the American Constitution. The Fifth Amendment requires that "due process of law" be part of any capital proceeding that denies a citizen "life, liberty or property" and requires the government to compensate citizens when it takes private property for public use. The Constitution is considered the superior law of the land, and since the due process clause is enshrined in the Constitution, any statute that violates due process can be held null and void.

One way in which due process may be violated is through the void-for-vagueness doctrine. Where a criminal offence is involved, the court requires that the statute creating the offence provides a definition of the offence with "sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement." (*Kolender v Lawson*, 461 U.S. 352, 357(1983)). Clear standards for enforcement avoids resolution on an ad hoc and subjective basis. This is to prevent law enforcement officers from using too much or too little discretion based on their own proclivities on a moment to moment basis. Where these requirements are not met, the statute is held to be void-for-vagueness.

The reasoning behind these doctrines is that the common man should be able to read and understand what they have been charged with so that they would know how to plead: either guilty or not guilty. Having a clear definition and standards of enforcement allows the public to know what the law is and what actions or omissions would be considered in breach of that law. This is especially important where a person's rights and liberties are at stake.

## Protection of the Law and Procedural Fairness – The Bahamas

It is recognized that the concept of due process is not explicitly mentioned in the Constitution



students who participated this year from Norman Manley Law School (NMLS), Florida International University (FIU) and Nova Southeastern University – Shepard Board College of Law (NSU). It was a truly invaluable experience that catapulted my confidence and knowledge in legal representation, legal interpretation of the law and research skills.

## COMPARATIVE LAW REFLECTIONS

### *The American Due Process & The Bahamian Protection of The Law*

Diana Ferreira & Troy Benjamin – Year 1 Students

of The Bahamas. However, the doctrine of due process is not completely foreign to our jurisdiction. Elements of the doctrine of due process may be found in Article 15(a) of the Bahamian Constitution which provides for various rights and freedoms, including life, liberty, security of the person and the protection of the law. The presence of "the protection of the law" in Article 15(a) allows

# ACLI Corner

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for procedural fairness that is recognised in the American Constitutional due process. Since this “protection of the law” allows for procedural fairness, it may be argued that the addition of an explicit due process clause in the Constitution of The Bahamas is not necessary. Furthermore, procedural fairness has been observed and applied to safeguard against arbitrary enforcement of the law and the protection of rights and liberties of citizens.

## Conclusion

In conclusion, while The Bahamas does not have an explicit reference to due process in the Constitution, the concept of procedural fairness that comes with due process is recognised by virtue of the protection of the law found in Article 15(a) of the Constitution of The Bahamas.

### *What Happens To Speedy Trials When A Pandemic Slows Everything Down?*

Yolanda Hilton - Year 1 Student

#### The Threat to The Delivery of Justice

The COVID-19 coronavirus pandemic created the need for many foundational transformations to societal norms. Impulsively, to curb the spread of the virus, social distancing, reduction in business activities and travel limitations have been widely employed. Rules and restrictions necessitated a heavy reliance on information technology and remote access in an effort to adapt to this new normal. Judiciaries around the globe also had to respond to the changed environment. Limited movement, closed businesses, social distancing etc. had implications for the delivery of justice. For example, the prevailing conditions could lead to an ineffective justice system which could mean injustice for the accused (as well as victims and members of the public) especially where an accused person was entitled to a trial within a reasonable time.

#### The Bahamas Experience

In March 2020, the Chief Justice of The Bahamas, Sir Brian Moree, indicated during a press conference the initiatives to address the conduct of court proceedings, stating: *“Our underlying approach to this matter has been to try and maintain the operations of the courts with regard to its essential service.”* He went on further to state; *“It is not a viable option to completely close down the criminal justice system, and it is very difficult to close down the civil justice system, so we will have to develop protocols as we move forward to ensure that the public continues to have access to the administration of justice in the essential core service that we deliver under our democratic system of government.”*

The release of the first phase of the Coronavirus mitigation protocols for the Courts outlined how the courts would effectively manage its day to day operations in the face of COVID-19 coronavirus. These orders were continuously updated to reflect the court's position. While there was a suspension of some services which were aimed at limiting in-person appearances as a public health measure, these were supplemented with the implementation of technology with approval to introduce video conferencing, virtual hearings, telephone conference calls and the ability to conduct online video applications and submissions.

At the time, the Chief Justice gave further directions that all current trials must conclude within seven days and that all new jury trials would be

suspended. This protocols were put in place notwithstanding the entrenched right to a hearing within a reasonable time frame as provided by **Article 20(1) of the Constitution of the Commonwealth of The Bahamas**. There are no statutory provisions that specifically allow for time periods to be suspended in The Bahamas, further bringing into the discussion how long is a reasonable time of suspension and to what extent does this affect an individual's access to justice.

#### The Florida Experience

Comparatively, during the same period at the onset of the pandemic, Florida's Chief Justice Charles Canady issued statewide emergency Administrative Orders of The Supreme Court, mainly order AOSCO20-13 on jury trials outlining the court's intent to suspend not only jury trials but also to toll the time periods within the speedy trial procedure in the manner described in **Sullivan v. State**, 913 So. 2d 762 (Fla. 5th DCA 2005), and **State v. Hernandez**, 617 So. 2d 1103 (Fla. 3rd DCA 1993).

These two landmark cases were synonymous with the suspension of time periods during hurricanes. Similar to an individual's constitutional rights in The Bahamas for a fair trial within a reasonable time, the Sixth Amendment of the United States Constitution and Section 16 of the Florida Constitution both guarantee the right to a “speedy and public trial.” The speedy trial rules are prescriptive and provide a mechanism by which

individuals are entitled to access to justice within a certain time period, or they may apply to the court to be discharged of the crime at no fault of their own, providing there are no limitations which exist to bar him from this entrenched right.

The resulting impact of this was that there was no statutory limitation that could have been applied under the speedy trial procedure once time had been tolled. As obtained in The Bahamas, the federal courts in Florida have been under a series of COVID-19 emergency orders that restrict certain courts' activities as a matter of public health and safety concerns. The doctrine of tolling time refers to delaying or pausing the running of time periods that otherwise may have been subject to the statute of limitations. As mentioned, tolling time has successfully been invoked during periods of state of emergencies, as in situations during hurricanes where such potentially destructive events may impede the delivery of access to justice.

#### Considerations For The Bahamas

Given the above permutations resulting from the COVID-19 coronavirus, several things come to mind. Should The Bahamas' Parliament consider abridging constitutional rights in instances of Acts of God or in cases such as the COVID-19 coronavirus pandemic where public health and safety of court participants became a concern? What if statutory tolling existed in The Bahamas? What would the impact be on civil and criminal jurisprudence if the statutory time limits were suspended? In civil matters, what would the consequence be where contractual force majeure clauses set out time periods on which a party could rely as it concerned the fulfilment of an obligation? Given the Florida experience, would enacting similar provisions in The Bahamas – provisions to suspend time periods in criminal matters - serve as a mechanism to strengthen or weaken our justice system? Would implementing similar provisions in The Bahamas be considered as buttressing the right of access to justice and a fair trial system or would suspending the time periods be viewed as having the effect of denying justice? Whatever the determination, it is clear that, two years post the emergence of the COVID-19 coronavirus, the justice system will have to pivot and respond to emerging conditions in an effort to uphold justice for all. 🙏



# Protecting a Creator's Rights

**BETTY WILSON — Year 2 Student**

Imagine writing and composing a song or play, finding a cure for COVID-19 using a combination of Bahamian bush medicine, or designing a symbol or registered trademark that becomes a household name such as the Nike logo. After your creation, you observe that others are using your creation without your consent and furthermore you have experienced little to no financial enjoyment because of unlawful use.

Exclusive rights can be granted over your creation and in law these are referred to as intellectual property rights (IP rights). Simply put, like the land you own, you have the right to exclude all others from trespassing upon your property and you are entitled to bring an action for trespass when such a matter arises. This article explores some of the history and the background surrounding the issue of the protection of IP rights in The Bahamas.

According to the World Intellectual Property Organization (WIPO), "intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce." Accordingly, the owner is usually given exclusive rights over things they have created, for a specific period. There are several areas of intellectual property including copyright, trademarks, patents, and trade secrets. The applicable protection is dependent upon the specific type of work under each category.

- **Patents** protect inventions. According to Helen Norman, *Intellectual Property Law Directions (2014, p. 4)*, this area is related to applied technology, with how things work, not with abstract ideas. The subject matter of a patent is called an invention which can be either a product, a process or a design. Patent law promotes the sharing of new developments with others to foster innovation. The patent owner has the right to protect others from producing, using, distributing or importing the protected invention. Patent owners have the exclusive right to commercially make, sell, distribute, import and use their patented inventions within the territory covered by the patent during the period of protection.

- **Copyright** is a legal term used to describe the rights that creators have over their literary and artistic works. Works covered by copyright range from books, music, paintings, sculpture and films to computer programmes, databases, advertisements, maps and technical drawings. "Copyright is protected by a mixture of national and international laws. These recognize the cultural and social importance of creative endeavor as well as its considerable economic value. The underlying aim of copyright law is to strike the right balance

between the interests of content creators, developers and investors and the public interest in being able to access and use creative content." (WIPO, 2020).

- **Trademark** is essentially a branding or sign capable of distinguishing goods and services of one enterprise from those of another. "Legal protection allows the owner of a mark to control who uses it. This means that enterprises can develop and promote their goods and services without having their reputation undermined by counterfeiters, and consumers can rely on trademarks being genuine" (WIPO, 2020)
- **Designs** are concerned with the appearance of products, that is, with how things look. Section 30(1) of the Industrial Property Act, Chapter 324 of the Statute Laws of The Bahamas defines design as "features of shape, configuration, pattern or ornament of an article or features of pattern or ornament applicable to articles in so far as such features appeal to and are judged solely by the eye". Industrial design law only protects those aspects of a product that are ornamental; its technical features may be protected by patent, if they meet the requirements for patent protection. A design may consist of three-dimensional features, such as the shape or surface of an article, or two-dimensional features such as patterns, lines or color. To qualify for protection as an industrial design under most national laws, the design must be new and show a degree of originality or individuality, meaning that it is not identical or very similar to any previous design. Moreover, it must be capable of being produced industrially, so unique artworks are not covered.

Perhaps the most public case involving IP rights and Bahamians was the September 2010 incident involving several Bahamian straw vendors who were arrested in New York and charged with trafficking in counterfeit goods in violation of Title 18 Section 2320(A) (1) of the United States Code. Upon inspection, their checked luggage was alleged to be filled with counterfeit Gucci and Louis Vuitton bags and other goods including jewellery. Representatives from the two high-end designers were present during the trial seeking compensation. During the hearing of the nine straw vendors in October and November 2010, most were sentenced to time served and ordered to leave the United States immediately. Additionally, at least two of the vendors were also placed on three years' probation and ordered by the judge to pay restitution.

On the heels of that case and in an effort to prevent similar acts, the Bahamian government enacted the Customs Management Act, 2011 which created measures allowing Customs officials to confiscate counterfeit goods at the border or detain and dispose of them if they were imported into The Bahamas and later found.

Also noteworthy is that on June 14, 2016 WPTV news reported the seizure by the U.S. Customs and Border Protection, at the Port of Palm Beach, of counterfeit goods coming from China and heading to The Bahamas. The goods were allegedly worth more than \$2 million and included counterfeit footwear,

handbags, and electronics.

In The Bahamas, concerns relating to IP rights are not unique to goods but also extend to broadcasting rights. In *Performing Right Society Ltd v Barbary Beach Development Ltd T/a Viva Wyndham Fortuna Beach Hotel (2014/CLE/gen/FP/00219)* the Supreme Court had to determine (1) whether by virtue of assignments the Performing Right Society (PRS) was the owner of the exclusive right to authorise the broadcast, performance and transmission of certain works in The Bahamas and (2) whether the defendant by playing, performing or allowing certain works, including the song "Rehab" by Amy Winehouse, to be played or performed infringed the PRS' copyright.

The PRS is a company incorporated in England whose membership comprises composers, lyrics-writers and music publishers with affiliated societies in most countries of the world where there is a copyright law. By assignments from its members, and reciprocal representation agreements with affiliated societies, the PRS claimed to own or control the copyright in the musical works of its members, and of the members of the affiliated societies.

The Supreme Court concluded that the PRS was the exclusive owner of the works and the defendant's action infringed their copyright.



Similarly, in *Performing Right Society Ltd v Galleria Cinemas Ltd, SCCivApp No. 198 of 2016*, the specific allegation of infringement was that the Respondent, Galleria Cinemas Ltd., repeatedly authorized or permitted public performances at its Cineplex of films containing musical works in the PRS' repertoire without their licence or consent. The issue for determination by the Court of Appeal (COA) was whether on a proper interpretation of the Copyright Act of The Bahamas, the exclusive right of public performance associated with a musical work is extinguished when that musical work is embodied in a sound recording and that sound recording is subsequently embedded in a motion picture.

The COA answered the question in the affirmative and allowed the appeal on the basis that the learned trial judge fell into error in finding that the Copyright Act of The Bahamas does not provide the owner of a copyright in musical work the exclusive right to authorize the public performance of the musical work when it is embodied in a motion picture and the motion picture is shown in public.



# Protecting a Creator's Rights

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## BETTY WILSON - Year 2 Student

We have also seen the level of protection that effective IP laws afford in many famous cases such as *Dr. Dre v Dr. Dre*, and *Rihanna v Topshop* [2015] EWCA Civ 3. In *Dr. Dre v Dr Dre*, Dr. Dre., the rapper, tried to prevent use of an alleged trademark from Dr. Dre, a gynecologist, arguing that the public would be confused at the similarity of the names. The U.S. trademark office, however, sided with the real doctor, quite reasonably arguing that the public would be unlikely to confuse a rapper with a gynaecologist.



In *Rihanna v Topshop*, Rihanna, the famous singer, actress and fashion designer, brought a claim against Topshop for damages of \$5,000,000 following the sale of t-shirts featuring her photograph. The photograph in question was taken during a 2011 video shoot by an independent photographer who, as the owner of the copyright in the photograph, had licensed the use of the image to Topshop. Rihanna did not consent to the use of her image and asserted that the presence of her image on the t-shirt amounted to a misrepresentation that she was associated with it which encouraged members of the public to buy it, and thereby resulted in damage to her reputation and goodwill as a 'fashion icon'. The Court of Appeal upheld the High Court's ruling and concluded that the sale of the t-shirts bearing Rihanna's image amounted to a representation that Rihanna had endorsed it; and many of her fans would regard that endorsement as sufficiently material to cause them to buy the T-shirts.



In conclusion, The Bahamas is generally not regarded as a prolific offender of IP rights when compared to other countries. Nevertheless, it is submitted that greater awareness, knowledge and enforcement are required not only to ensure that people are aware of their rights to the protection of their creations but also of the laws that exist to prevent the violation of the IP rights of others. 😊

# New Year New Me!

## DIANA FERREIRA - Year 1 Student

Many people look forward to the New Year with hope and anticipation that great things will happen in their lives in the upcoming year. Many people make New Year's resolutions promising to make changes in their lives or to accomplish a personal goal for example, weight loss, eating healthily, exercising more, breaking a bad habit or improving relationships.

We decided to conduct a survey of students at the Eugene Dupuch Law School (EDLS) to get a sense of their thoughts, goals and resolutions for the New Year.

**Here are some of our students' thoughts, goals and resolutions as they look forward to welcoming 2022.** A few students are looking forward to exercising and eating healthily and maintaining good health. Others are looking forward to spending time with family. Some students are not particularly looking forward to anything. However, the vast majority are looking forward to being one step closer to becoming Attorneys-at-Law. Whether that means being one step closer to finishing Year 1 or completing the Legal Education Certificate (LEC) and being called to the Bar, it appears that almost everyone is excited to continue their legal journey. One student, in particular, wants to finish the programme so badly so that they can feel free and live their life! Hopefully they find that freedom once they are in practice.

**Along with the New Year comes the New Year's festivities! Here's what students plan to do to bring in 2022.** A few students plan to party and a handful want to travel. However, the vast majority of students simply want to spend time with friends and family. This could be going out for dinner and drinks with a significant other, watching fireworks with friends or watching movies with the family at home. Students want to catch up on lost time with family as much as they can before the new semester rolls in. However, a few students still worry about preparing notes and completing assignments over the holiday.

**An area of life that students want to improve upon in the New Year is their academics. How do students plan to do this?** Many students plan to read ahead and make time to study. Others want to finally kick their procrastination habit to the curb! However, the vast majority plan to pass all of their exams and assignments, complete their LEC and finish strong!

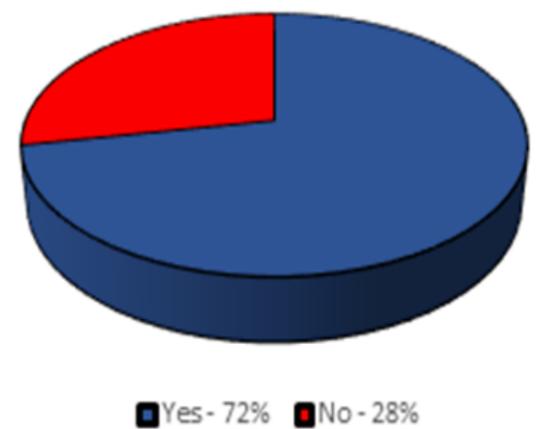
**All work and no play makes Jack a dull boy! Here's how our students plan to achieve a work-play balance.** Many of the students plan to make more time for friends that they have not seen in a while. Others plan to take themselves out to dinner! Some plan to attend more events and do more networking, while others aim to head to the gym more often. However, one inspirational student aims to start a non-profit organization geared to helping children in need. We wish everyone all the best with their endeavours!

**Health is wealth! Our mental and emotional health are important aspects of health that can often be neglected, however, students plan to make their mental and emotional health a priority in 2022.** Many plan to exercise and get physically fit. Others want to take more breaks during

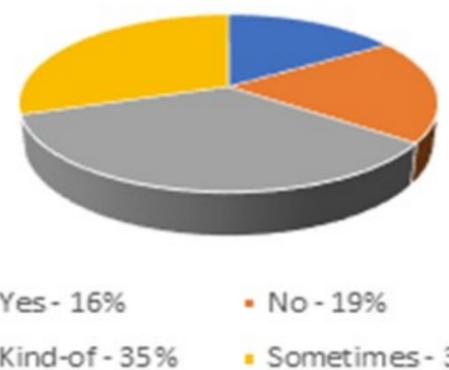
work and not stay up late doing work every night. Some aim to achieve a peace of mind through reflection and meditation. Other students aim to stop pouring too much of themselves into others without making time for themselves. Finally, a few students want to stop sweating the small stuff and instead enjoy the little things in life.

**Of our student population of 92 students, 45 - students responded to our survey.** While the majority of survey respondents typically make New Year's Resolutions, the majority appeared to make efforts to keep them albeit with varying levels of success, with some 16% accomplishing their resolutions.

Do you typically make a New Year's Resolution?



Do you follow through with your New Year's Resolution?



We hope that in the New Year students are able to stick to their goals and resolutions and become better versions of themselves by the end of 2022. May the New Year bring the "new You" that you desire and deserve.

We take the opportunity to wish you a wonderful 2022. 😊



# “You Can Do This” - Affirmations to get you through Bar School

TAMARA A.C. PINDER - Year 1 Student

If you are like me then you understand that despite how much we try to stay positive and be happy, Life can sometimes get in the way. This thing called Life does not care who you are or where you are, it will make itself known to you however it wants to be made known.

For most of us, if not all, Bar School can get heavy and stressful, especially when it comes to understanding and keeping up with the material, all while trying to remain active whether in our social lives or some other part of our lives. However, each of us has the ultimate goal to one day wear that white wig and drape ourselves in

the black long robe. Thus, it is imperative to remain positive and not give up. There are many ways to stay positive and sane. One way that keeps me from breaking down when Life gets in the way is the use of Affirmations.

Affirmations are simply positive statements or phrases that can help a person get through a difficult moment. They are helpful in instances when we may self-sabotage or linger on the negative thoughts. Overall, it enhances our inner-self and takes us through Life. A well-known affirmation that is still repeated today is the words of Aibileen Clark (played by Viola Davis) when she comforted baby Mae Mobley in the 2011 drama “The Help”. At the toddler stage, Clark instilled self-worth in Mobley by saying “you is kind, you is smart, you is important”.

Apart from movies, affirmations can also be seen in songs, biblical verses or in our daily speech. A popular single that hit the music charts in 2020 is “I Am” by Yung Baby Tate (featuring Flo Mill). The song begins with the singer standing in front of the mirror affirming that she is wealthy and healthy. Throughout the chorus the singer further affirms: “I am protected, well respected, I am a Queen, (Yeah) I am dream... And I’m who I wanna be, cause I am me.” At the end of the song Tate tells her listeners how to boldly affirm the positive things in life by saying “Look in that mirror. Tell yourself everything that you want to hear... Never stressing, never lacking, got no fears (ain’t got no fears).”



Following the words and actions of Tate, we do not have to wait on others to tell us what we want to hear. We can put the smile on our own faces and boost our self-esteem by telling ourselves what we want.



Another well-known song that helps listeners to affirm the things they want in life and that reminds them of the positive and not to dwell on past mistakes is ‘Level Up’ by Ciara. The title of this song vividly reflects the content of the song where she constantly reminds her listeners to level up. Verse two of the song says:

*Them old mistakes are gone, I won't do them no more  
That's old news, there's new news,  
I done did that before  
I turned nothing to something,  
my comeback on one hunnid  
Less talking, more action, you just gon' see Ci coming  
I just keep elevating, no losses, just upgrading  
My lessons, made blessings, I turned that into money  
Thank God I never settled, this view is so much better  
I'm chilling, I'm winning, like on another level*

*Oh, you can talk all you want  
See me as the greater  
Nothing I'm afraid of  
And I can have it all*



Some of us can be very hard on ourselves when we make small errors, whether they are intentional or not; but we should look in the mirror and hear ourselves say the words of Ciara in this verse. We cannot let past mistakes affect us in anyway because “that’s old news”, so we should just learn from it and “level up”. More importantly, we must tell ourselves that we will not allow them to bother us. These mistakes are already in the past - what more can we do about it other than learn and turn it into something better? After all, “the view is so much better”.

From a Christian standpoint, affirmations can be seen in almost every part of the Bible. To be honest, it is a book of affirmations. Repeating verses such as “greater is He that is within me than he that’s within the world” (1 John 4:4) or the classic “I can do all things through Christ who strengthens me” (Philippians 4:13) can dig you out of the holes you sometimes place yourself in when Life makes its appearance. Affirming these verses to yourself helps you to remember “who you are and whose you are”. If God brought you here, He definitely will take you through it.

In closing, sometimes no matter where we are in our journey, things will happen that will cause us to feel overwhelmed. Nonetheless, a means that can help us get through these feelings are Affirmations. We can simply stand in front of a mirror and say “I am okay” or “today is going to be productive” and repeat these sayings throughout the day. Some may say that we are tricking our brain into believing that everything is okay, which helps to decrease stress. In reality, sometimes our days are going smoothly until we perceive something to be going wrong. Affirmations bring us back to those positive moments.

As you go throughout your day, I encourage you to “tell yourself everything that you want to hear” and to affirm what you want in your life. 🙏

LET YOUR  
FAITH  
BE BIGGER  
THAN YOUR  
FEARS

# A Few Reminders for a Careful COVID -19 Christmas

**GAYVELLE DAVIS - Librarian**

**OU PA GEN MASK, OU PA ANTRE – NO MASK, NO ENTRY**

This sign was posted on the window of a number 19 bus. It is a fitting reminder as the yuletide season approaches, that we all need to remember that we are still in the throes of a pandemic, therefore remembering to wear your mask is critical. The Bahamas is doing well by lulling the COVID -19 infection rates and by increasing vaccinations; but lest we forget, COVID-19, the sleeping giant, can be awakened whenever we forget to do some key things. So, don't forget:

**1) Wear your MASK**



**2) Wash your hands**



**3) Watch your distance**



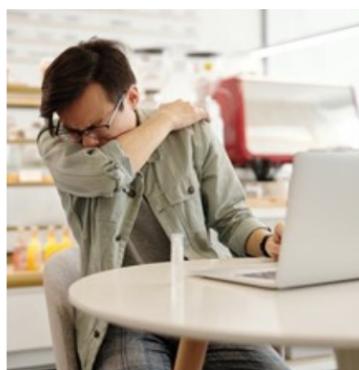
**4) Elbow bounces are okay**



**5) Clean and disinfect your spaces, especially frequently touched areas**



**6) Cover your coughs and sneezes**



**7) Avoid large gatherings**



**8) Stay home if you are ill**



**9) Getting vaccinated, might save your life.**



## A Brush With COVID-19

**KARINA ROLLE — Year 2 Student**

The year 2020 and life as we once knew it changed right before our eyes as COVID-19 became a widespread phenomenon throughout the world. In The Bahamas, we were faced with nationwide lockdowns and the implementation of safety protocols such as remaining socially distant from family and friends, the wearing of face masks and the washing and sanitizing of our hands - all in an effort to help control the spread of COVID-19.

It was no longer business as usual. We were faced with long lines everywhere and leaving home most times seemed like a task. We had to adjust to what the world called “the new normal”. Persons were forced to work from home and conduct business online or over the telephone. Children and persons pursuing higher education were forced to receive instructions in a virtual classroom which presented many challenges.

I'm sure most would agree that it was a very stressful time dealing with all the changes and trying to follow the safety protocols in an effort to keep safe. It was also a very scary time because every day there was some new development about the virus.

We have all been affected in some way by COVID-19. Many persons we knew and loved battled with the virus - some overcame the battle and some lost the battle. In September 2020, despite COVID-19 and all that was going on in the world I was very excited to begin my journey to pursue my Legal Education Certificate. I was not particularly happy about being in a virtual space because it was new to me and I thought it took away from the Law School experience; however, by the end of Orientation Week I was assured that it was for the safety of both staff and students. The first few weeks of Law School were intense but exciting. I was motivated and enthusiastic to start the year off strong, but that would soon

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# A Brush With COVID-19

*Continued from page 16*

prove to be challenging as my health began to decline in early October 2020.

Initially, I felt like I was just coming down with a flu and thought that rest and some much-needed Vitamin C would do the trick; but the more I lay down the worse I began to feel. My body was extremely painful for about two days before I decided to go to the hospital. When I arrived at the hospital, I went through the normal temperature screening and was asked a series of questions about possible symptoms. However, the only symptom I experienced at that moment was the body aches. I was not running a temperature nor did I have a cough, so I did not suspect it was anything. However, out of an abundance of caution, and especially because I had two young children at home, I decided to have a COVID blood test done. The results came back negative.

I returned home that evening but my body was still plagued with pain. I woke up the next morning and attended class. It was the longest most uncomfortable day as my body was still pain-stricken. Every time I had a break between classes, I used that opportunity to lay down to rest. When classes were done that day, I decided to have a PCR test done. I was extremely anxious as I waited on my results because I was not sure what to expect. I was particularly afraid because I was in constant contact with my children.

Twenty-four hours later, my results came back and I had tested positive for COVID-19. I experienced a myriad of emotions because I was not sure what this meant for me and exactly how I would be affected. Questions such as, “*Am I going to conquer this or will this conquer me?*” started to consume me. “*What would happen to my children if I had to be hospitalized?*” I was stressed because there were so many horror stories about COVID-19 and people dying, but I quickly came to the realization that worrying was not helping me and that I had to get through this for my children, no matter what.

Following my positive result, I lost my sense of taste and smell and was still consumed with pain. It was a very nerve-racking time for me because I struggled to stay on top of my school work. I could not physically sit up at my laptop for long hours to attend class. Additionally, I had to be isolated from my daughter and other family members and still had the responsibility of nursing my one-year-old son who exhibited symptoms as a result of being in direct contact with me. I was physically and emotionally drained. Being isolated was difficult because I could no longer indulge in the simple pleasures I enjoyed. I was heavily dependent on my family to do my grocery shopping. Oftentimes out of fear, they just simply left the groceries on my porch and fled like they were leaving a crime scene.

After a few days my symptoms began to improve, and I started functioning a little better. I was able to attend classes because I felt a lot better physically. I am thankful that by God’s grace and my family’s prayers I was able to conquer COVID-19 and not allow COVID-19 to conquer me! 😊

# The Destruction of Christopher Columbus

**MIRELLE MONDELUS - Year 2 Student**

“*In 1492 Columbus lost his shoe*”. This line from a short rhyme was precisely how I recall the genesis of my knowledge of Christopher Columbus and the tales of his “discovery” of The Bahamas. What I never anticipated, however, was that in October 2021, Christopher Columbus would not only lose his shoe but an entire arm and leg. Well, not literally.

On October 9, 2021, a man by the name of Shervandaze Smith (Smith) was arrested for damaging the Christopher Columbus statue located at Mount FitzWilliam, Government House, the official residence of the Governor General of The Bahamas. It is alleged that as Smith, who dubbed himself “archangel”, pounded away at the statue with a sledgehammer, he shouted, “let’s go Bahamas”. This eccentric act took place just two days shy of the observation of National Heroes Day, on a day which was, just eight years ago, previously known and celebrated as Discovery Day. Smith has since been charged with trespassing and causing damage and his matter is pending before the Magistrate’s Court.

Social media platforms such as Twitter, Facebook, and Instagram were all set ablaze with reactions from Bahamians and regional spectators to the news of such a daring act. Some Bahamians expressed disdain for the lack of security enforcement at Government House which led to the vandalization of the statue, while others praised Smith and called the act heroic. The statue has since been covered, shielding its disfigurement from the eyes of public scrutiny.

While the destruction of the Christopher Columbus statue may have come as a surprise to some, the historical structure has been the subject of a controversy that has been bubbling at the surface for quite some time. Last year, a petition calling for the statue’s removal was launched, and it garnered over 9,000 signatures. As of today, the petition has been signed by over 16,000 individuals.<sup>1</sup> Thus, it is no surprise that the act was applauded by many social media users and was considered a demonstration of national conviction. Posts on Twitter such as “good riddance”, “long live the Sledgehammer Hacker” supported the desecration of the statue. Some Twitter commentators even encouraged the creation of a ‘GoFundMe’ account to assist Smith with funding his legal costs.

The incident seems well-timed, not only because it took place shortly before what was once a public holiday honouring Columbus’ “discovery” of The Bahamas, but because it coincided with international demonstrations of activists and revisionists regarding the removal of primordial structures that remain symbols of what is considered as colonial tyranny in the modern world.

The current global climate regarding the revision of historical symbols presents an ideal opportunity to have a bigger conversation about the removal of colonial figures that are planted in strategic locations throughout The Bahamas, and most specifically, the removal of the now damaged Christopher Columbus statue. By no means am I implying that the statue should be completely uprooted and extinguished from Bahamian society. To do so would be to blatantly undermine the role that Columbus played in the history of The Bahamas, which is a reminder of “from

whence we came”. Nevertheless, the role he played is principally the reason many have advocated for the removal of the statue.

Let us take a short trip down memory lane. You would recall that in primary school we were taught that in 1492 Christopher Columbus, an Italian explorer, and his crew set sail from Spain on the Niña, the Pinta, and the Santa Maria on a westward path searching for a passage to China and India. Instead, the crew accidentally stumbled on The Bahamas. This unexpected encounter would mark the time known to Europeans as the discovery of the ‘New World’. While Columbus is remembered as the audacious explorer who transformed the ‘New World’, his discovery also unleashed the beginning of centuries of exploration and exploitation of the Americas.

Decades following his death, Columbus’ public perception began to shatter bit by bit as historians directed their focus on the atrocities committed by Columbus under his governance of the indigenous people of the Caribbean in particular, the depopulation of the natives due to enslavement, cruelty, and European diseases. The intricate revelation of Columbus’ domination has sparked controversy and cast doubt on Columbus’ legacy as a hero. In the United States of America, protests have taken place around the country in an effort to eliminate Columbus from the school curriculum, remove monuments honouring him, and change the name of the federal holiday, Columbus Day.

While I would not support rewriting Bahamian history by excluding Columbus from the classroom curriculum, I am of the view that history should be realigned to reflect its true events. Additionally, I believe that the Christopher Columbus statue should be removed completely from the steps of Government House. Many oppositions to its removal are in honour of Governor Sir James Carmichael Smith, an abolitionist, who during his time installed the statue at Government House. While I have a deep appreciation for this view, I nevertheless believe that colonial monuments of this kind should be housed in museums where residents and tourists alike can indulge in a wealth of historical knowledge. Moreover, this can be a source of revenue to the country while equally protecting against similar attacks on colonial monuments by individuals who may harbour deep-seated radical passions.

The change in the name of the public holiday from Discovery Day to National Heroes Day is a testament to our national recognition of the need to promote our very own historical heroes who played significant roles in correcting some of the damage caused by colonialism. It is on this premise that I anchor my view that colonial monuments should be replaced with monuments of Bahamians that are identified as National Heroes. The legacies of our National Heroes equally deserve to be taught and admired by both locals and tourists alike.

Nevertheless, in the interim, what is of major significance is what will become of the Christopher Columbus statue. Will it be repaired and remain at the steps of Government House, thus defying the cries of thousands of Bahamians for its removal? Or, will we witness the turn of leaf in our history where the man we were taught was worthy of admiration no longer deserves a public place in our society? Only time will tell. 😊

# Think PINK: The Duality of One Reality

GARY ROLLE III - Year 2 Student

What does it mean to *think pink*? To think pink is more than just a color, it is symbolic, it is representation for those that we love both present and departed. According to the World Health Organization's statistics, in 2020 there were approximately 2.3 million women diagnosed with Breast cancer around the world. Specifically, there were 166 women in The Bahamas who were diagnosed with Breast cancer in 2020 (Global Cancer Observatory, 2021). Although the incidence is not as prevalent in men as they are in women, men also suffer a great deal from this type of cancer.



\*Phone rings: \* ... Sorry to inform you, but you have been diagnosed with breast cancer.

**\*SILENCE\***

I am scared, shaken, and enraged. **HOW WILL I TELL MY FAMILY?**  
I am absent-minded, cold, in disbelief; weighed down with feeling of defeat, regret and grief.

This can't be true, there must be a mistake; an error, you must check again.  
My mind is racing, my pulse is fainting, my heart aching. **HOW WILL I TELL MY FAMILY?**

Question after question, thoughts of depression, at this point I have no direction.  
Will my hair fall out, am I still beautiful, how will society view me?  
I digress as I listen to what the doctor is saying, trying to understand,  
but my mind won't let me.

I am scared! I am confused! How did this happen? Why me? What next?  
What did I do wrong?  
Once again, a barrage of questions runs through my mind but evaporates from my lips  
never to be heard.

Emotions seen; Words unheard; **HOW WILL I TELL MY FAMILY!**

What have I done? What haven't I done?  
My faith is written, I am trapped never to be free again.  
My body aches as my organ is under attack, this vicious cycle will never end.  
When will I die, tomorrow? The day after? My life is now a disaster!  
**HOW WILL I TELL MY FAMILY!**



THIS is tough, I am scared, happy, sad, grateful, and thankful for you.

My seesaw of emotions has split me in two.

Sometime up and sometimes down.

But the love I have for you will always be present. **YOU CAN BEAT THIS!**

How do you do it? How do you continue on? How do you stay so strong?

With the Weight of it all on your shoulders, and still, you carry on!

Vulnerable but guarded, I am sure you're heavy hearted but still you protect, nurture and care.

**YOU CAN BEAT THIS!**

I don't want to believe it; this can't be true I can't imagine a world without you ... in it.

The signs are blinding, it's only a matter of time, yet still you smile. **YOU CAN BEAT THIS!**

You are not a number; you are not a statistic; you are resilient you are the epitome of strength ... you are the yardstick.

Although uncertain, there is hope for your future ... there is hope for my future, with you in it.

Let's take it day by day, moment by moment, life is a gift that's why each day is called the present. **YOU CAN BEAT THIS!**

Dear, wife, mother, sister, daughter, aunt, niece; and even, husband, father, nephew, son, uncle, you are not alone in this fight you are strong; you are beautiful; you are loved. **YOU CAN BEAT THIS!**

Your strength was, is, and always will be graceful. **YOU CAN BEAT THIS!**



# Thanksgiving - An Attitude of Gratitude featuring the Executive Board of the 2021/2022 Eugene Dupuch Law School Students' Association

We proudly introduce the 2021/2022 Executive Board of the Eugene Dupuch Law School Students' Association (EDLSSA). This team of Year I and Year II students has hit the ground running with various activities and initiatives for the student body they represent. They pause now to say "thanks" to persons near and dear to them ... persons on whose shoulders they stand or just to say thanks period.



**Karina Rolle, President**

When I think about all those persons whose shoulders I stand on, I forgot to say thank you to E'Thegra Symonette, my sorority sister. I am thankful that she never gave up on me and continuously pushed me to strive for excellence; she saw my true potential, gave me a chance and stood by my side when everyone else counted me out. She is the true definition of a sister and friend and someone I can always feel free to be myself around without the fear of being judged and for that I'm forever grateful. So, I want to say thank you E'Thegra! You made the difference!



**Gary Rolle III, Vice-President**

I have so much to give thanks for. However, because of the many tragedies and vicissitudes of life that have been triumphing lately, the good can be overshadowed. The irony is that, as bad as things have been recently in my life, at this point, I have the most to be gracious and thankful for. So, instead of complaining and focusing on the negative, I am acknowledging the many positives and blessings I have during this Thanksgiving season, some being: family, friends, health, strength, sound mind, perspective, opportunity, love, and compassion.



**Nicholas Pennerman, Treasurer**

When I think about all those persons whose shoulders I stand on, I should have said thank you to Mary Lee, my senior law lecturer at the University of Sussex. Mrs. Lee was instrumental in opening my eyes to how I thought about the law and piquing my interest in areas of law I thought I would have no interest in. She always kept lectures lively and challenged us to think critically about the law whilst also making time to speak to students one on one. So, thank you Mary Lee. You made the difference!



**Ja'Nay Deveaux, Secretary**

When I think about all those persons whose shoulders I stand on, I forgot to say thank you to Da'Rian Deveaux, my baby boy. He always motivates me, brings a smile to my face on hard days and reminds me of why I am doing this. So thank you Dari Ari! You made the difference!



**Stanley Burnside, Constitution Committee Chairperson**

When I think about all those persons whose shoulders I stand on, I forgot to say or should have said thank you to Ken Knowles, my former co-worker. When I think of the person I have grown into and the man I aim to be, I see much of what he taught me reflected in these goals. This person taught me so many things. He taught me to remain humble and helped me to find my voice. I can honestly say I would not be here without his advice and guidance. So thank you



**Tammie Knowles, Publications Committee Chairperson**

When I think about all those persons whose shoulders I stand on, I should have said thank you to the Honourable Madam Justice Camille Darville-Gomez, my former employer and forever mentor. Justice Darville-Gomez has always been the one to pull me from my shell and encourage me in more ways than one. Every time I doubted myself and thought I could not study law because I felt that I was not good enough or that I was 'too old' to start, she was the one to say, "*girl what are you waiting on, stop wasting time, I know you can do this!*". Justice Darville-Gomez taught me that in life, if you want something, it is your responsibility to push and fight for it because it will never be handed to you freely and no one will do it for you. For this, I am forever grateful. Every time I get discouraged and feel like giving up, I always remember her words "*Tammie, you can do this!*" So, thank you Madam Justice Camille Darville-Gomez for always believing in me! You made the difference!



**Aquelle Tuletta, Moot Committee Chairperson**

When I think about all those persons whose shoulders I stand on, I should say thank you to the Honourable Madam Justice Donna Newton, my mentor and former tutor. My Lady has truly motivated me to give it my all, to embrace the challenge and to stand strong through the pressure because at the end greatness will emerge. Thank you Justice Newton! You made the difference!



# Thanksgiving - An Attitude of Gratitude featuring the Executive Board of the 2021/2022 Eugene Dupuch Law School Students' Association

*Continued from page*



**J'Nae Hopkins, Public Relations Committee Chairperson**

When I think about all those persons whose shoulders I stand on, I should have said thank you to the British Virgin Islands Government, specifically the Scholarship Department, my sponsor, for my Legal Education Certificate. There were many persons interviewed for the limited scholarship spots and amongst all those students the Scholarship Department chose

me. If I did not receive this scholarship, it is my opinion, I would not be able to finance my legal education. So, thank you Virgin Islands Scholarship. You made the difference!



**Rayshon Deleveaux, Year II Student Representative**

When I think about all those persons who assisted me throughout my journey, I cannot forget to say a special thank you to Crisonna Andrews, my girlfriend and life partner for several years. Throughout these long and daunting years, she has been there to uplift and encourage me at my lowest and has never failed to always find the right words to coach me through the worst moments.

Words cannot justly describe how much I appreciate her but at the very least I want to say thank you Crisonna Andrews, you made the difference!



**Diana Ferreira, Year I Student Representative**

When I think about all those persons whose shoulders I stand on, I should have said thank you to Ms. Adderley, the secretary at my father's firm, turned family friend and second grandmother. I've known Ms. Adderley since I was in primary school. Although I can't remember my first time meeting her, I know she has always made me feel special and loved. She has supported me through all the ups and downs of my life. She has been a cheerleader for

Team Diana for decades. So, cheers to you Ms. Adderley! Thank you for all you have done for me. You made the difference!



**Tamika Roberts, Library Representative**

There are many solid and broad shoulders that I stand on and often may have thought to say thank you but never did. As I reflect on Thanksgiving, I feel the need to pause and say thank you to Dr. Kester J. Nedd, my daughter's neurologist. This giant of a man, with his gift, has brought hope and rehabilitation to my daughter. As a result of this, he brought extreme happiness to my family and I

so thank you, Dr. Nedd! You made a difference! 🙏

Other members of the EDLSSA are -

**Bryan Bastian, Social Affairs Chairperson**

**Sean Baird, Six-Month Student Representative**

**William McFord, Legal Aid Representative**



Eugene Dupuch Law School  
**STUDENTS'**  
**ASSOCIATION**

## 3 Keys to Balancing Rest and Virtual Success

**RAYSHON DELEVEAUX, DURANDA MINUS & BETTY WILSON - Year 2 Students**

The new norm of virtual learning has transformed today's educational system at an unheard-of speed. Students from different jurisdictions and areas codes can now load up their laptops, convene within the same classroom, and share the same lessons. Virtual learning has assisted many students in a variety of areas, such as the reduction in the overall cost of learning without compromise to the quality of the desired degree or certification from the institution of one's choice.

It is without a doubt that virtual learning has in fact provided many benefits for students around the world. However, as Newton's Third Law states "for every action, there is an equal and opposite reaction." To put this into context, while there are many pros of virtual learning as Newton would prescribe, there are just as many cons which adversely affect students around the world, such as distractions, internet disconnections, technical issues and Zoom and Microsoft Team meetings fatigue or overload.

In addition, in her article "How online learning can affect student health" published in the Johns Hopkins newsletter Amrita Balram wrote that one of the major consequences of virtual learning is the impact on student health, specifically getting sufficient rest. On this point, Matthew Walker, a sleep scientist at Google and Professor of Neuroscience at the University of California at Berkeley, explained "that sleep deprivation causes deficits in the prefrontal cortex, which normally keeps our amygdala, the emotional and impulse region of the brain, in check". In further support of this position, *the American Journal of Managed Care* provides that there is a correlation between adequate rest and positive outcomes including improved grades, better memory, and a stronger immune system.

The cons of virtual learning can be overwhelming at times and can daily weigh down and drain students at the various universities and learning facilities. In this regard, this article seeks to offer students some simple tips and advice on how they can truly balance rest and virtual learning so as to achieve virtual success (pun intended).

**Schedule "Blackout" Times** As second-year law students at the Eugene Dupuch Law School, we know from first-hand experience what it feels like to have a packed, clustered, and stressful class schedule with lectures and tutorials sometimes spanning from 8:00 am to 4:00 pm with virtually no breaks in between.

Therefore, having experienced this, the first piece of advice is to permit yourself to have "blackout" times. Blackout times are simply allotted time periods which you have assigned yourself after a long day of classes. Essentially, you step away from your laptop and refuel either by eating and drinking whatever you wish, or simply unwinding by laying in the couch or bed. During these intervals, you should try your best not to think about school and the heavy work load you need to complete – whether it is reading cases, preparing for tutorials or writing group discussions on Canvas. Instead spend this time breathing and reflecting on how far you have come on your legal journey and the sacrifices and effort made.

Additionally, during these blackout times, make positive affirmations (preferably aloud) such as "I can do this" or "I will be victorious". The affirmation(s) you choose should reflect your goals, who you are and aspire to be. Research has shown that little words of positive encouragement tend to boost an individual's morale and allows one to complete tasks with greater efficiency.

**Days Off** In addition to creating blackout times, it is equally as important that you also take a day off for yourself. As stress levels climb and days become indistinguishable from one another, taking time away from school is more crucial than ever. The combination of the consistent feeling of "always being on" and the blurred lines between school and personal life can yield a five-star recipe for inevitable burnout.

For many persons, one of the best cures for burnout or potential burnout is to take a vacation. However, unfortunately as law students we are not provided with such a luxury, due to the amount of time we have to take to properly read and brief cases, complete assignments and read textbooks, as well as the need to prioritize the allocation of funds towards tuition and school materials. Therefore, the next best thing would be taking a Day Off. This Day Off is meant for you to take a brief, yet satisfying breath of relief, and will aid in the recharging of your academic battery.

The best way to take full advantage of your Day Off is to fully disconnecting from your work. Close out all your browser tabs and open windows, put an out of office message on your email, and tidy up your workspace. Turn off all notifications, reminders, or alarms, that will tempt you to look at your work while you are on your "sabbatical". This helps

you mentally transition out of work mode and into "vacation" mode. During your Day Off, make time to get out of the house, whether it is just to go for a simple drive down the road, a walk in your neighbourhood or a stroll on the beach - a change of scenario always helps to decrease the stressful thoughts that reside within the mind.

**Scheduling** Lastly, though rest is an important component, as students you should also prioritize habits which assist you in having a healthy and successful academic life as well. As the old saying goes "All play and no work makes Jack a dropout student", or whatever the nursery rhyme said. With the creation and implementation of schedules, students would be able to balance the stresses of virtual learning in addition to the voluminous amount of work assigned daily. An example of such a schedule that you can create is a work schedule. This work schedule should be separate and apart from your existing class timetable. Using this schedule, students should determine how much study time to allocate to every course and determine how much time to spend working on the tutorials and assignments for each class. With such schedules in place, you will consistently be prepared and efficient.

**Sufficient Sleep** Sleep is also very important. We are often told that "the Law is a jealous mistress" and "sleep is only a concept". However, it is vital to obtain sufficient hours of sleep in order to function effectively. While completing assignments are important, rest is equally important and should also be made a priority.

The Harvard Summer School, continuing division, (Mar 2021) provides the following tips for making sufficient rest a priority and creating a healthy sleep hygiene:

- ◆ Limit caffeine in close proximity to bedtime. College students should also avoid alcohol intake, which disrupts quality sleep.
- ◆ Avoid electronic screens (phone, laptop, tablet, desktop) within an hour of bedtime.
- ◆ Engage in daily physical exercise but avoid intense exercise within two hours of bedtime.
- ◆ Establish a sleep schedule. Be as consistent as possible in your bedtime and rise time and get exposure to morning sunlight.
- ◆ Establish a "wind-down" routine prior to bedtime.
- ◆ Limit use of bed for daily activities other than sleep (e.g., TV, work, eating)

With these few tips you should be a better-balanced student and thereby successfully able to reduce the stress of anxiety or ill-preparedness while pursuing your Legal Education Certificate. 😊



# Christmas Recipes from the Countries of EDLS!

Compiled by - DAWN BURROWS

What special, native dish are you having this Christmas? Who makes it best, you, your mother, your grandmother or your aunt? Perhaps, your husband or father makes it best. Each year, the students of the Eugene Dupuch Law School (EDLS) come from near and far, within and without the West Indies. Here, we share with you native dishes they will be having this Christmas. The student population for 2021/2022 is comprised of persons from the United States, The British Virgin Islands, Guyana, The Turks and Caicos Island and The Bahamas.

Below are recipes from each of these places. Try one or some. Most of all, enjoy!

## THE BRITISH VIRGIN ISLANDS

We feature here two wonderful dishes from The British Virgin Islands (BVI), both incorporating the use of the native guavaberry (see the picture below). There is the guavaberry wine and the guavaberry tart.

### GUAVABERRY WINE

#### Ingredients

- 1lb red guavaberry
- 1lb yellow guavaberry
- 1lb brown sugar
- 2 (750 ml) bottles rum
- 1lb prunes
- 1lb raisins
- 3 vanilla beans
- 1lb sorrel
- ½ lb ginger root
- 3 cinnamon sticks



#### Directions

- ◆ Rinse berries with a small amount of water.
- ◆ Clean by popping berries and removing seeds.
- ◆ Rinse seeds, strain and save liquid.
- ◆ Put seedless berries into a large pot, but reserve ½-cup yellow and ½-cup red berries for later use.
- ◆ Add liquid saved from rinsing seeds into the pot and add brown sugar.
- ◆ Boil mixture until berries are soft. The juice should be a medium syrup consistency or sticky when cool.
- ◆ Mash or grind berries that were saved and mix with strongest old rum available.
- ◆ To the cooled mixture, add prunes, raisins, vanilla beans, sorrel, ginger root and cinnamon bark.
- ◆ Pour into bottles, cork and wire down securely.
- ◆ Store in a dark place or cellar for several months. When guavaberry liqueur is fully ripened (the taste will tell), strain and re-bottle for use.

(Recipe taken from [Guavaberry Wine \( Virgin Islands/St. Martin\) Recipe - Food.com](#) - and made the same way in BVI)

### GUAVABERRY TART

#### Ingredients

- 3 cups unbleached flour
- 1/2 pound unsalted butter, frozen, cut into cubes
- 1 dash sea salt
- 8 tablespoons sugar, heaping
- 1 lemon, zested, save juice
- 1 large egg yolk, save white
- 3 teaspoons vanilla extract
- 3 tablespoons cold water
- 7 ounces guavaberry paste (pre-prepared stewed guavaberry in sugar and spices)
- 1 handful crystallized brown sugar

#### Directions

- ◆ Preheat oven to 350°F.
- ◆ In food processor, combine flour, frozen butter cubes, salt and sugar and lemon zest until texture resembles coarse cornmeal, with butter pieces no larger than small peas.

- ◆ Combine egg yolk, vanilla and cold water.
- ◆ Add the egg mixture to the food processor and pulse just until the dough pulls together.
- ◆ Add more ice water if necessary.
- ◆ Mix guavaberry paste and 1 tablespoon lemon juice in blender until smooth.
- ◆ Divide dough in half. Roll out and fancy cut half of dough. Rollout and place other half of dough in pan.
- ◆ Spread paste over dough.
- ◆ Crisscross dough strips over paste and brush with egg white.
- ◆ Sprinkle with crystallized or brown sugar.
- ◆ Bake in 350°F oven for 1 hour or until golden brown.

(Recipe adapted from *Virgin Islands' Life & Style Magazine: Food & Culture Edition Vol 24 Oct-Dec 2021 "Guava Tart"*)

<https://vilifeandstyle.com/wp-content/uploads/2021/11/LIFE-AND-STYLE-OCT-DEC-2021-WEB.pdf>

## THE BAHAMAS

Christmas will not be Christmas without **THAT** Bahamian Macaroni and Cheese.

### 3 CHEESE MACARONI

#### Ingredients

- 1 box of ready cut or elbow macaroni
- 2 oz of unsalted butter
- 1 can of evaporated milk (cream)
- 2 eggs
- 8 oz aged reserve cheddar (grated)
- ½ cup of parmesan (grated)
- 8 oz sharp cheddar (grated)
- 1 small, diced onion
- ½ cup of small, diced bell pepper
- Salt and pepper (to taste)
- ½ scotch bonnet (goat) pepper, diced very fine (optional)

#### Directions

- ◆ Boil the pasta until it is very soft (pasta al dente).
- ◆ Strain the water out of the pot.
- ◆ Set the stove on medium heat and add the butter and evaporated milk, leaving a little behind for the eggs.
- ◆ In a small bowl, whisk the 2 eggs with some of the milk. Add this mixture to the pot.
- ◆ Add in the onions, bell pepper, scotch bonnet pepper and grated cheese. Leave about 1 ½ cup of sharp cheddar behind to put on top of your mixture.
- ◆ Allow all the mixture to cook through, especially the cheese.
- ◆ Stir the pot occasional until there is one consistent look – melted cheese and pasta mix.
- ◆ Heat oven to 375°F.
- ◆ Place the mixture in a 9 x 13-inch pan. Sprinkle the 1 ½ cup of sharp cheddar on top, covering the mixture completely.
- ◆ Place in the oven for 45 minutes to an hour, depending on how brown you like it.



# Christmas Recipes from the Countries of EDLS!

Compiled by - DAWN BURROWS

## GUYANA PEPPERPOT

So, a Christmas dish specific to Guyana is pepperpot. Everyone makes it different with their preferred meats and level of spice they can handle.

The recipe below is for beef pepperpot.



- ◆ Season the beef with green seasoning preferably or other ingredients to your taste, adding cassareep (this is a liquid obtained by squeezing the juice from cassava using a matapee boiling it with spices turning into a thick brown liquid, which is usually the colour of pepperpot).
- ◆ Allow the beef to marinate for a while. Then put the beef in the pressure pot and pressure it for a while.
- ◆ Add water to cover up the beef.
- ◆ Add a little more cassareep to get the colour, add in some salt.
- ◆ Throw in a few hot peppers, cut-up onions, a few garlic cloves and allow it to pressure.

This dish is normally eaten with bread or rice on Christmas morning. See the link below on how cassareep is made. This is usually done by Guyana's native people known as Amerindians/indigenous peoples.

<https://www.thespruceeats.com/what-is-cassareep-2138254>

## THE TURKS AND CAICOS ISLANDS

For both The Bahamas and the Turks and Caicos Islands, spiny lobster (also known as crawfish) season runs from August 1 to March 31 each year. Given the limited season to harvest this tasty animal of the sea, and because it is costly many persons in both countries, spend a little extra at Christmas to ensure this item is on their menu.

### GRILLED LOBSTER

Recipe by Chef Becky For Caicos Lobster Tail

#### Ingredients

- Lobster Tail (1 8-9 oz tail per person)
- Butter/Olive Oil
- Garlic Clove
- Minced Parsley & Thyme
- Fresh Lime



#### Directions

- ◆ Melt butter and add crushed garlic clove.
- ◆ With good kitchen shears, snip the back of the lobster shell up the middle,
- ◆ stopping when you reach the tail fan.
- ◆ Insert a chef's knife into the cut, and with a rocking motion cut through the flesh,
- ◆ scoring the underside of the shell but stopping short of cutting through.
- ◆ Open the now butterflied tail.
- ◆ Using your fingers, release the meat from the shell, but leaving it attached at the very end of the tail.
- ◆ Remove any unwanted grit and pat dry.
- ◆ Brush with butter and sprinkle with the herb mix.
- ◆ Replace the lobster into the shell.

- ◆ Brush the surface with butter, squeeze on a little lime juice.
- ◆ Prepare a hot grill and oil the grate.
- ◆ Sear the lobster flesh side down until marked - about 2 minutes.
- ◆ Turn shell side down, reduce the flame, and brush with additional garlic butter.
- ◆ Close the lid and grill until opaque—about 6-8 minutes for an 8 oz tail, basting with butter once.

## UNITED STATES OF AMERICA HOMEMADE EGG NOG

#### Ingredients

- 6 large egg yolks
- ½ cup granulated sugar
- 1 cup of heavy whipping cream
- 2 cups of milk
- ½ teaspoon ground nutmeg
- pinch of salt
- ¼ teaspoon vanilla extract
- Ground cinnamon, for topping



#### Directions

- ◆ Start by whisking the egg yolk and sugar together in a small bowl.
- ◆ In a saucepan over medium-high heat, combine cream, milk, salt, and nutmeg and stir the mixture until it just reaches a simmer.
- ◆ Next temper the eggs by adding small spoonfuls of the hot mixture to the egg mixture.
- ◆ Stir each spoonful and once most of the hot mixture has been added, add the entire mixture back to the saucepan.
- ◆ Continue cooking and whisking for just another minute or two until it barely thickens. It will continue to thicken as it cools.
- ◆ Then remove it from the heat and add the vanilla.
- ◆ Refrigerate the eggnog mixture until chilled.

Some like to serve it with some whipped cream and an extra little dash of cinnamon and nutmeg on top.

#### What type of alcohol goes in eggnog?

If you would like to add alcohol to your eggnog, choose a drink with a high alcohol concentration to help counterbalance the sweetness of the eggnog. Common choices of alcohol to add to eggnog include brandy, rum, bourbon or whisky. 🍷

# Family Movies for Christmas

Compiled by - GAYVELLE DAVIS, Librarian

## CHRISTMAS OLDIES

A Charlie Brown Christmas (1965)



Santa Claus is coming to town (1970)



Home Alone (1990)



Frosty The Snowman (1969)



Scrooge (1970)



Home Alone 2: Lost in New York (1992)



Holiday Inn (1942)



The Sound of Music (1965)



Home Alone 3 (1997)



It's a Wonderful Life (1946)



A Christmas Carol (2009)



Home Alone 4: Taking back the house



The Little Drummer Boy (1968)



A Christmas Story (1983)



How the Grinch Stole Christmas (2000)



Miracle on 34th Street (1947)



Elf (2003)



Mickey's Once Upon A Christmas (1999)



The Muppet Christmas Carol (1979)



Eloise at Christmastime (2003)



National Lampoon's Christmas Vacation (1989)



Rudolph the red-nosed reindeer (1964)



Jingle Jangle (2020)



Christmas is a special family time. One tradition that many contemporary families have is a movie night where they binge watch movies. Here are some oldies and some not-so-old movies that can make you laugh or cry, and stir-up that warm, fuzzy feeling that embraces the spirit around the Christmas and the New Year.



# Christmas Is My Favourite Time of Year!

Christmas comes around but once a year. It is a time for family, friends, and good cheer. Our students were surveyed and polled. The results were reviewed and the statistics told Christmas is the favourite time of year to ...



## EAT THEIR FAVOURITE CHRISTMAS DISH

For 48.89% of students their favourite dish was Christmas ham, 28.89% loved stuffing while 22.22% enjoyed eating turkey .



## SLEEP

24.44% of the students look forward to sleeping all day on their Christmas break!



## RECEIVE GIFTS

The top three items on students' Christmas wish list are money, electronics, and jewellery. However, as it relates to school, the students wish to get A's on their assignments and to be gifted with a practitioner's text.



## CATCH UP ON SCHOOL WORK

44.44% of the students are looking forward to catching up on school work during their Christmas break.



## DECORATE

40.91% of the students start putting up their Christmas decorations in December, while 34.09% of students start putting up their decorations in November. The remaining 25% do not decorate for Christmas.



## SING

Mariah Carey's "All I Want for Christmas" is a favourite for 52.27% of our students. However, students also enjoy singing Christmas Carols! 44.19% enjoy singing "Joy to the World" while 32.56% enjoy singing "Silent Night." "Mary Did You Know" and "Deck the Halls" were also mentioned as favourites.



## SPEND TIME WITH FAMILY

81.40% of the students at EDLS look forward to spending time with their families the most.

By J'Nae Hopkins & Diana Ferreira



# Staff Matters

*What matters to staff, matters to all because they are the team that facilitates the dream.* So, we take time here to highlight what is happening with staff.

## Welcome Back and Aboard!

For the 2021/2022 Academic Year, we welcome the following Associate Tutors to the Teaching Staff -



**Ms. Damara Dillette, Associate Tutor for Probate Practice & Procedure**

**Ms. Dillette** is no stranger to the Law School. Not too many years ago, she worked as a full-time Tutor with the Law School.

Ms. Dillette is a 2006 graduate of EDLS. We welcome her back.



**Ms. Christina Galanos, Associate Tutor for Trial Advocacy II**

**Ms. Galanos** is also not a stranger to us as she is a 2009 graduate of EDLS and has looked back often over the years, to speak with students and share her experiences. This is her first time as an Associate Tutor. We are happy to have her on-board.



**Ms. Cheryl Whyms, Associate Tutor for Civil Practice and Procedure I**

We welcome **Ms. Whyms** aboard. She is an attorney called to the Bar for more than 20 years. She specializes in personal injury and civil litigation.

## Thank You!



We say thank you and all the best to **Mr. Terran Rolle**. Mr. Rolle served as Accounts Clerk for over three years. He left in October 2021 to pursue other career opportunities.

We are grateful for his time with us.



## Associate Tutors with Breaks in Service

The following Associate Tutors have decided to discontinue with the Law School for the 2021/2022 Academic Year

- ⇒ The **Hon. Wayne Munroe, Q.C.**, as he takes on serving our nation as the Minister of National Security and as the Member of Parliament for the Freetown constituency. He served for many years as an Associate Tutor in various subjects, including Trial Advocacy, Criminal Law and Law of Evidence.
- ⇒ **Mrs. Shenelle Bethel-Smith**, Associate Tutor, Probate Practice and Procedure.
- ⇒ **Mr. Randol Dorsette**, Associate Tutor, Civil Procedure and Practice I.



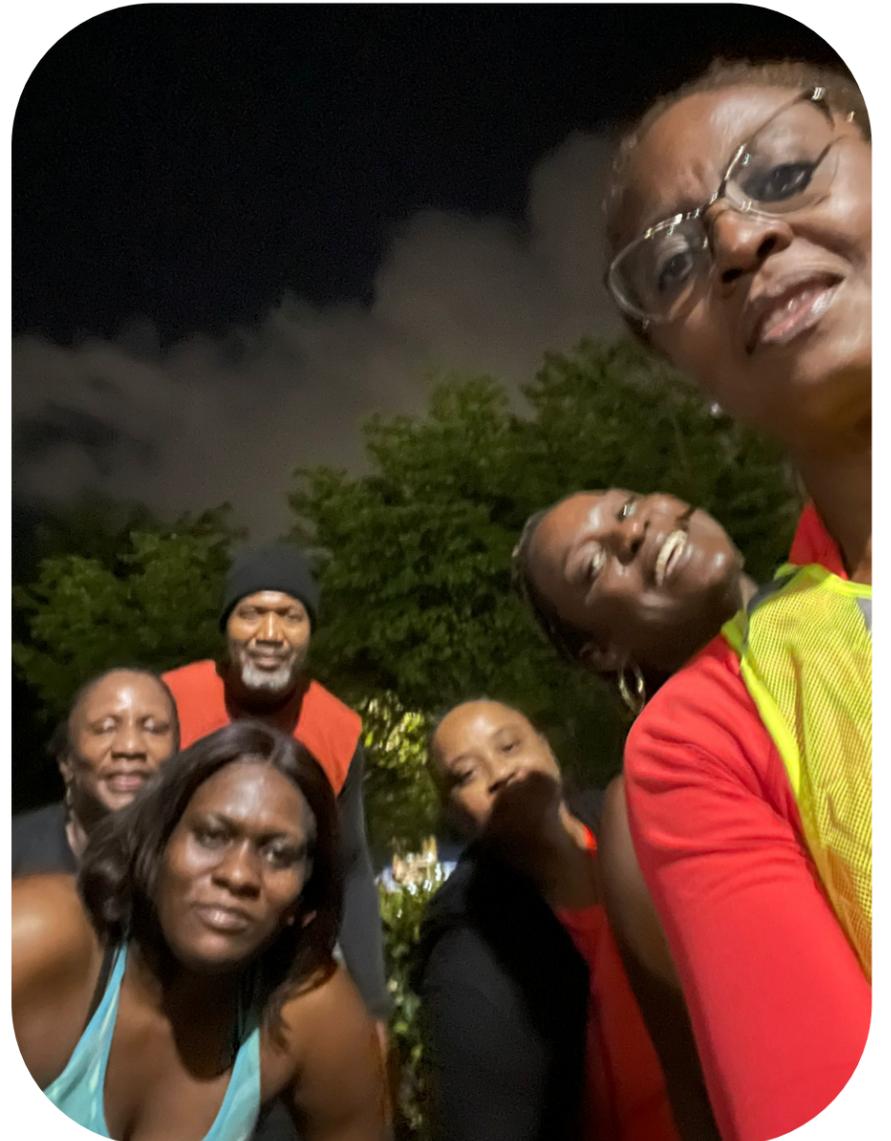
# Staff Matters Continued

*What matters to staff, matters to all because they are the team that facilitates the dream. So, we take time here to highlight what is happening with staff.*

## EDLS Gets MOVING!

The COVID-19 pandemic has brought the importance of being healthy front and centre. Yes, there is the risk of being unhealthy and catching the virus but, there is also the COVID pounds that many gained during lockdowns and shutdowns. So, at the end of October 2021, staff of the Law School decided it was time to get moving - together.

Two days of every week since the last week in October, members of staff, along with their family members and friends, have gotten together as a group to walk or run. On those days, the group sets out after work from the EDLS parking lot. Thus far, our walks have taken us over the two bridges connecting New Providence and Paradise Island (2.8 miles), to the Harbour Bay Shopping Center (2.3 miles), to Montagu Beach (3.5 miles) and always back to EDLS. Whatever the course, the group is committed to moving and to staying or getting healthy. See pictures from various days below. 🏃‍♀️



# Publication Committee

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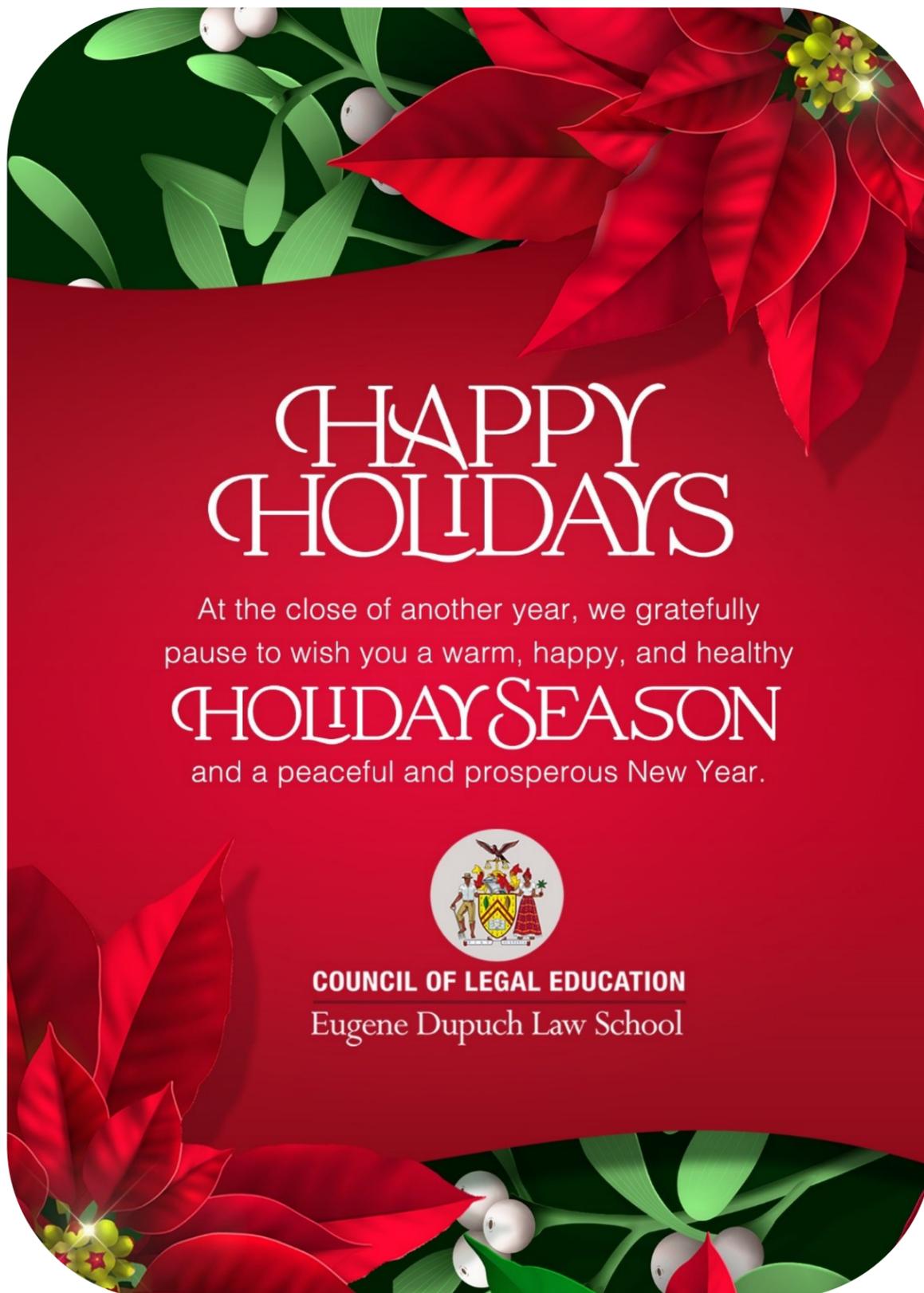
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 Visit our Facebook page – Eugene Dupuch Law School

**Disclaimer:** The views and opinions expressed in the articles are those of the individual authors and not of the Publication Committee, Eugene Dupuch Law School and/or the Council of Legal Education.

**HAPPY HOLIDAYS**

At the close of another year, we gratefully pause to wish you a warm, happy, and healthy

**HOLIDAY SEASON**

and a peaceful and prosperous New Year.



**COUNCIL OF LEGAL EDUCATION**  
Eugene Dupuch Law School