

# THE VERDICT

THE OFFICIAL NEWSLETTER OF THE EUGENE DUPUCH LAW SCHOOL



Mr. Thomas Evans, Q.C.

## An interview with Mr. Thomas Evans, Q.C.

TAMIKA GIBSON, Year 2 Student

Recently, I had the pleasure of interviewing Mr. Thomas Evans, Queen’s Counsel, this year’s recipient of the Smokey Joe Award. The Smokey Joe Award is awarded in recognition of outstanding contributions to the Eugene Dupuch Law School (EDLS) and the Council of Legal Education.

Thomas Arlington Edison Evans, QC, is the Senior Partner in Evans & Co. His humble beginnings started in Nicholls Town, Andros; where he was born and raised by his parents - Samuel Evans and Mable Scott-Evans. He was their fourth child and from the tender age of 10, Mr. Evans knew that he wanted to become an Attorney-at-Law. When asked about his career choice, Mr. Evans replied, “My career was predestined by God.”

His father, who was one of the heads of the teacher’s association, had a vast collection of books at their home. Mr. Evans recounted that when he was 10 years old, he attempted to read a book written by William Shakespeare but it was difficult for him to understand the context of a particular story. When he went to his father for assistance, his father explained to him that the story involved three people - two men and a woman. The men had an issue with each other that they could not resolve on their own. The woman, who was a mediator, attempted to bring resolution to the situation by offering a solution. She concluded by informing both men that if they refused to follow her advice they would be killed, by order of the court. From that day forward, Mr. Evans was interested in pursuing a law career because he wanted to be of help to others by providing solutions to their problems.

At the age of 13, Mr. Evans was recognized by the Ministry of Education as a public teacher but he was actually teaching unrecognized from the age of 11. Mr. Evans taught pupils who were usually older than he was and honed his teaching skills. Mr. Evans moved to Nassau when he was 20 years old to achieve his goal of becoming an Attorney-at-Law. He achieved that and more.

His legal acuity as a lawyer and teaching skills have afforded Mr. Evans the opportunity to conduct numerous law lectures, such as: laws relating to hotels at the Hotel Training College; general studies of law at The Bahamas Institution Business; and the Law of Evidence at EDLS.

Mr. Evans has been involved with EDLS since its inception, as a tutor of Tutorial Group A. However, earlier this year his doctor advised him to lessen his workload. This news regrettably led to Mr. Evans’ decision to retire from the Law School at the end of the last Academic Year.

Mr. Evans’ joy of teaching and interacting with EDLS students was palpable as he shared that he continued teaching for so many years because it was something he truly enjoyed. When asked what he enjoyed most about teaching at the law school and what he will miss the most about teaching at

## Message from the Principal

TONYA BASTIAN GALANIS

Cher’s *You haven’t seen the last of me* was playing as I contemplated writing this message. It brought to mind the refrain that I have heard from the lips of so many people recently, that is, “I can’t wait to see the back of 2020.” The past year has been so dreadful in so many ways. A year of disruption, transposition and affliction has figuratively and literally brought us down to our knees and pushed us to our breaking points.

But even within the struggles of the year past or in times to come, there is opportunity. Opportunity for creativity in the disruption, innovation in the transposition and growth through the affliction. And so, the contemplation of the year now spiraling to a swift close is heartening and encouraging—a new year means new opportunities.

Here in the EDLS academy, the struggles of 2020 propelled us to a place where old met new. For instance, an old syllabus was delivered on a new platform utilising new methodologies. 2020 presented an opportunity to re-invent, to stretch and stand tall. *The Verdict*, though not conceived because of the struggle, was birthed within it. Its creators and editorial team successfully embraced new tools, modern technology and current ideas to produce this first issue. Congratulations to *The Verdict*’s Team!

Let us now look towards 2021 with renewed hope, resolve and expectations for individual, collective and institutional progress. Let “*the Verdict*” be to continue to strive through the struggle that our work, our service, our ambition bring deserved satisfaction and be of value to ourselves and to those whom we serve. 🙏



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# An interview with Mr. Thomas Evans, Q.C.

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the Law School he replied, “There are so many things, but I enjoyed the fact that it allowed me to come into contact with students at the elementary stage of law. I am able to access their minds at the very elementary level, but it is elementary law instead of elementary education.” In response to the latter question, Mr. Evans said that he always considered his Group A students as he did his five biological children and that he truly misses interacting with them.

Mr. Evans considered the highest moment in his career to have been his appointments at varying times to act as a Justice of the Supreme Court of the Commonwealth of The Bahamas. As for the lowest moment in his career, Mr. Evans stated it was when his doctors advised him to lessen his workload.

When asked what he liked most about the practice of law, Mr. Evans replied: “The practice of law brings a lawyer close to the society, gives you an opportunity to make a meaningful contribution to society and puts you in direct contact with society. For me, it is not for the money. As a matter of fact, my daughter has to ensure that the fees for the firm are paid. I am interested in grasping the client’s problem and determining how to resolve that problem. I don’t know what I would do if I am unable to practice anymore.” When asked if he would take on this journey again if given the chance, Mr. Evans affirmed, “I certainly would.”

Mr. Evans’ career has afforded him the opportunity to work on many landmark cases. One such case on the criminal side was the case involving a young man, Kevin Hanna who was charged with the murders of his mother, father, brother and two sisters. Mr. Evans represented the defendant along with his former partner, the current Leader of Opposition, the Honourable Philip ‘Brave’ Davis, QC. At that time, both Mr. Evans and Mr. Davis were partners of Christie, Ingraham & Co.

The case involved a defendant who was suffering from a mental disability and a decision of whether to defend based on insanity or diminished responsibility. Mr. Evans chose to mount the defence of diminished responsibility. This decision was made because if the defendant was found to be guilty on the basis of insanity, he would have been detained to the mental institution at the Sandilands Rehabilitation Centre at Her Majesty’s pleasure. Instead the defendant was found guilty of manslaughter by reason of diminished responsibility and sentenced to five life terms to run concurrently, with the possibility of having his sentence commuted.

In the light of the COVID-19 pandemic and its impact on the admin-



From left to right: Mr. Clive Guy, Mr. Thomas Evans, Q.C., Principal Tonya Bastian Galanis

istration of justice, Mr. Evans considered virtual hearings a convenient method of getting through the court’s workload and useful in allowing parties to come together.

Mr. Evans’ favourite past time in his earlier days was playing tennis but after a serious injury to his knee and head due to a motor vehicle accident, his tennis career was affected. Now-a-days he is into soccer and American football ....which he usually watches on tv.

His parting words for up-and-coming attorneys and particularly those he taught at EDLS are that “when you are called to the Bar, please recognize that you are assuming a position in the society that requires from you a standard of conduct which enables the society as a whole to put you on a pedestal as a leader in society”. Mr. Evans also advised that we never forget the Rules of Ethics as provided in The Bahamas Bar (Code of Professional Conduct) Regulations.

It is fitting to close with these wise and aspirational words of Mr. Evans, “Persons should be able to look at us as noble persons and persons of order”. Mr. Thomas Arlington Edison Evans, Q.C. indeed exemplifies all that is good and honourable about our legal profession. Those who have crossed paths with Mr. Evans can attest that he is indeed a noble gentleman and a gentleman of order and distinction. 🇧🇸

## Message from the Publication Committee

After a long hiatus, it is with great joy, pride and satisfaction that we present to you our School’s newsletter. Rebirthed, reimagined and rebranded, by popular vote - *The Verdict* is in!

The diversity, skill and talent of our school population shine through whether through our participation in the *Caribbean Law Clinic*, the fun tidbits in the *Student Corner*, or the academic achievements and professional advancement of our *Faculty*. Each thoughtfully and adeptly written article submitted by our team of contributors is not only a testimony to our school’s talent but also to our indelible school spirit and pride in ensuring the successful launch of *The Verdict*.

In the midst of our busy schedules compounded by the pressures of adjusting to a “new normal” and pivoting to new learning methodologies, new learning environments, longer teaching times and shorter assignment turn-around times, it is important to hit the pause button and take the time to appreciate ourselves and each other and to acknowledge our accomplishments. At a time when there is physical disconnect, *The Verdict* helps us to socially connect.

*It’s been a long time ... We never see you ... Come let us walk and talk.* Let us talk about our journeys through *Orientation Week*, recount our ups and downs traversing the challenges of *Online vs Face to Face Learning*, laugh at our times of fun and games and reflect on our times of caring

and giving to others. Let us remember our life goals and draw inspiration from the reflections and insights of *Mr. Thomas Evans, QC*, from the experiences of fellow Year II students and from the perspective of *Ms. Kristina Wallace-Whitfield*, an EDLS alumni. Let us take stock and resolve to *Read Course Materials* and stay ahead in the new year. Finally, let us remind each other of the joys of life and living, even in a *Covid-19 Christmas*, and share tips on *Coping with Stress* in these extraordinarily challenging times.

As we break for the Christmas holidays, we hope that you will take the time to recalibrate your mind, rejuvenate your body and reinvigorate your spirit.

We hope that you will enjoy reading this volume of *The Verdict* and that it fills you with a sense of pride, hope, inspiration and encouragement as we enter a New Year!

Peace and Blessings  
Publication Committee 🇧🇸



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

SHANEKA CAREY – Year 2 Student

**“I can’t change the direction of the wind, but I can adjust my sails to always reach my destination”– Jimmy Dean**

As I reflect on the past school year, the differences in this current year are striking. Last year we got up, donned our armour in the form of make-up or a perfectly tied Windsor knot then made our way to school. When we got there, we paused for coffee and conversation in the student lounge. We laughed, talked, then we had our entire day sitting in the Lecture Theatre for classes. We enjoyed “Brown Bag Lunches” hosted by the Principal and Professional Development Seminars. Dis-We-Bar was especially thrilling as we put our different talents on display. I cannot forget the opportunities provided by the Eugene Dupuch Law School Students’ Association (EDLSSA) for us to lyme and eat.

Now, we must adjust to what the world refers to as “the new normal” where “pivot” is the word of the year; talking to your friend must be done at a distance; classes are taught through a screen; and socials are virtual. The most radical change, however, came when your classroom became your dining room table with your mother in the background.

The objectives of the EDLSSA are to provide collective representation on student issues, to contribute to the development of a high standard of professional legal training and to provide avenues for socialization amongst the student population. In fulfilling our objectives, the current Executive will strive to ensure that students are offered a holistic law school experience.

As we traverse this “new normal”, our purpose remains the same – to successfully complete EDLS and attain our career destination. Therefore, we must find new ways to do things. The only way to do this is to **Improvise, Adapt, and Overcome**. The school’s administration has done exceptionally well at improvisation by quickly switching the methods by which information is delivered. The transition from face to face to virtual learning through Zoom and Canvas is by no means seamless but effective nonetheless.

As a result, students have since resorted to Microsoft Teams for study group meetings and discussions since face-to-face meetings are out of the cards. Now, instead of a tangible whiteboard at school we make use of the whiteboard feature in Zoom to express our shared ideas. The EDLSSA has adapted by adjusting the way we offer activities and support to students. We remain accessible to students to voice their issues and concerns and to make representation on their behalf at all levels.

Further, at the beginning of the school year, we divided the student body into houses to serve two main purposes. Firstly, we seek to build camaraderie among students through a range of competitions, with the house with the most points at the end of the school year receiving the School Spirit Award. Secondly, the houses act as a peer support unit where first-year students can build relationships with their second-year counterparts.

Throughout the year we will also continue to contribute to the professional development of students through our Round Table Series. This is a series of meetings geared towards providing students with information and advice on how best to navigate the legal world we are about to enter.

As students, we continue to adapt to the changing circumstances by abiding by the rules imposed in our new classrooms. We complete the online discussions on Canvas, we still prepare tutorials, and we ensure we are appropriately dressed for class even if class is in our bedroom.

Collectively, we must work to ensure that each student has the support they need to overcome the obstacles that may arise as a result of our “new norm.” However, this year more than ever, we need your support and each student’s willingness to try something new in order for us to effectively achieve our objectives. As such, I am imploring students to participate in the activities organized by the EDLSSA.

So here we are with a unique opportunity to define new traditions and set new standards. I believe that the 2020-2021 year will be an exceptional one in spite of the challenges we currently face. Let us adjust our sails and ensure we all get to our destination. 😊





# Caribbean Law Clinic Goes Virtual

TAMIKA GIBSON

Three law students, Tamika Gibson, Edwina Waldron and Tanesha Forbes represented the Eugene Dupuch Law School (EDLS) on Friday, November 20, 2020 at the Caribbean Law Clinic (CLC), which was hosted by the Truman Bodden Law School and held virtually via Zoom.

The CLC is a flagship event of the American and Caribbean Law Initiative (ACLI), a membership organization consisting of Law Schools in the Caribbean and the United States of America. The CLC has been held annually for the past 20-years, hosted by member schools in rotation but for the first time in the organization’s history, this year’s Clinic was hosted virtually.

The Law Schools participating in the CLC were the Truman Bodden Law School (Cayman Islands), Florida International University College of Law, the Norman Manley Law School (Jamaica) and EDLS.

The CLC is designed to give students from participating Law Schools the opportunity to collaborate in assessing legal problems and issues that are responsive to the needs and priorities of Caribbean nations. The 2020 Fall Clinic presented students with current issues involving Public International Law, Family Law and Criminal Law which they were required to resolve based on the law of the Cayman Islands.

Tamika Gibson researched the Criminal Law problem and addressed the panel on issues involving the rule against hearsay and its exceptions. Edwina Waldron addressed the Family Law problem which dealt with preventing the removal of a child out of the jurisdiction. Tanesha Forbes tackled the Public International Law problem which concerned a challenge to a decision by an arm of government and the possible grounds for judicial review.

On Friday November 20<sup>th</sup>, law students from their respective locations in Florida, Jamaica, Cayman Islands and The Bahamas presented their well-researched and rehearsed arguments orally to the remote panel of jurists comprised of Ms. Reshma Sharma, Ms. Claire Allen, and Mr. Patrick Moran, the Solicitor General, Deputy Solicitor General, and Director of Public Prosecutions of the Cayman Islands respectively.

Under normal circumstances, students participating in the CLC would have the opportunity to travel to the hosting country and to physically meet and work with their counterparts from the other participating schools. However, due to travel restrictions caused by the COVID-19 pandemic, the students instead communicated for weeks via WhatsApp, Email and Zoom.



Pictured from left to right: Principal Tonya Bastian Galanis, Tanesha Forbes, Edwina Waldron, Tamika Gibson and, Mrs. Carla Card-Stubbs

The students at the Truman Bodden Law School accommodated by providing copies of relevant legislation and case law of the Cayman Islands.

Despite the unusual circumstances, the EDLS students found that the conditions did not hinder their ability to work and interact with students of different cultures. They considered the CLC a great experience.

Tamika Gibson observed that, *“Participating in the CLC enhanced my confidence level, improved my research skills and boosted my networking skills.”* Edwina Waldron noted that, *“This year’s Clinic allowed me to become acquainted with aspects of the Cayman Islands’ Legal System which I found to be quite similar to that of the Bahamian Legal System. That was very interesting.”* Tanesha Forbes found that the exercise in researching and preparing was helpful. She said, *“It certainly helped me with my analytical and presentation skills. I enjoyed it.”*

The students thank Mrs. Tonya Bastian Galanis (Principal of EDLS) and her administration for affording them the opportunity to represent the school. They also expressed thanks to their coach, Mrs. Card-Stubbs (Tutor) *“who was with us and supported us every step of the way. Thank you for your time and patience. We could not have done it and done it so well without your guidance.”*

Tamika Gibson encouraged other students to take part in the CLC. *“Students are encouraged to take advantage of this opportunity when it arises as the rewards are beneficial.”* 🙏





Round Table Series

ASHA LEWIS – Year 2 Student



On December 3, 2020, the Eugene Dupuch Law School Students’ Association (EDLSSA) hosted the first discussion, in its Round Table Series (RTS). The RTS centre on EDLSSA’s theme for this academic year - “A Whole New World: Attorneys-in-Training to Attorneys-at-Law”.

Ms. Kristina Wallace-Whitfield, Attorney-at-Law, was the guest speaker. She is a 2014 graduate of the Law School, and currently serves as Judicial Research Counsel at the Court of Appeal. She impressed on us the importance of using everything we have learned and are learning at the Law School as a foundation to help us make a seamless transition from being a law student to a practicing attorney.

Ms. Wallace-Whitfield shared that there are various skills that she learned from attending the Law School, that she still uses in her professional career. As a result of her involvement in mooting and client interview competitions at the Law School, she was able to hone her time management skills and gained a renewed sense of determination. She also recounted advice from Mrs. Carla Card-Stubbs, Tutor, that when she didn’t know the answer to a question that a judge was asking, she should return to basic legal principles to help her formulate the answer.

In Ms. Wallace-Whitfield’s view, an important part of thriving as a novice lawyer is to be open to constructive criticism. She shared as an example, that in her professional life she has worked with several different judges, each of whom have different styles and approaches, and that she often had to tailor her writing style to theirs. She impressed on us that as attorneys we will need to be adaptable, so that we will be able to provide competent legal services no matter where we choose to work or for whom we choose to work.

On the importance of being prepared, Ms. Wallace-Whitfield cited the popular saying - *it is always better to be overprepared than underprepared*. She stated that our work ethic and the quality of our work product determines the type of professional reputation we build for ourselves.

In noting that it is of the utmost importance that we not only know the substantive law, but also know the practice and procedure, Ms. Wallace-Whitfield indicated that she has witnessed many cases being lost even before the legal arguments could be presented, because of the attorney’s failure to follow proper procedure.

Ms. Wallace Whitfield also shared insights on study techniques or methods. Acknowledging that no law student is the same, and that each student learns and retains information differently, she encouraged us to determine how best we learn and retain information, and to use those very methods to study. She reminded us that study methods need not be conventional, as long as they work for us. While students often have subjects they like and others they dislike; Ms. Wallace-Whitfield urged us not to let our dislike or indifference for a course prevent us from obtaining our Legal Education Certificate.

Finally, Ms. Wallace-Whitfield shared with us her observations on the effect of COVID-19 on the functioning of the court system and on the duties of attorneys. Despite the courts having to make a quick technological transition, court hearings are now being conducted virtually and in her view are running smoothly. She explained that despite attorneys now being able to attend court hearings from the comfort of their homes, attorneys still have a responsibility to adhere to court room etiquette and to be respectful to the court. She also expressed the importance of attorneys being punctual to virtual hearings, despite them not having to commute from their homes or firms to the actual court buildings.

Ms. Wallace-Whitfield’s presentation reminded the students of the importance of garnering as much knowledge and experience as they could at the Law School, and she shared fundamental advice that budding attorneys can use in order to thrive. The students were appreciative to Ms. Wallace-Whitfield for imparting invaluable information and guidance on thriving in Law School and making a successful transition to full-fledged attorneys.





# REIMAGINING THE COURT ROOM AND THE DELIVERY OF JUSTICE: EXAMINING ATTORNEY-GENERAL OF THE TURKS AND CAICOS ISLANDS V MISICK AND OTHERS

MRS. NICOLE SUTHERLAND KING, Director, Legal Aid Clinic

On 19<sup>th</sup> March, 2020, the Prime Minister of the Commonwealth of The Bahamas made the **Emergency Powers (Covid 19) (No.1) Order 2020**. In response to what would turn out to be just the first in a series of Emergency Powers orders, the Judiciary issued Court Coronavirus Mitigation Protocols. Among other things, these Protocols, which took effect 23<sup>rd</sup> March, 2020, expressly contemplated the conduct of court proceedings through the use of video conferencing technologies. While Rule 31A of the Rules of the Supreme Court of The Bahamas have long vested in Supreme Court judges the power to “hold a hearing and receive evidence by telephone or other electronic means or use any other method of direct communication” prior to March of this year, the power of video conferencing as a means of conducting court proceedings remained largely untapped.

The response by the Bahamian judiciary was far from unusual and reflected global trends. This transition by courts worldwide to virtual hearings has given rise to novel questions of law that are finding their way before courts for determination. One such instance was the recent the Privy Council case, *Attorney General of the Turks and Caicos Islands v Misick and Others [2020] UKPC 30* a matter from the Court of Appeal of the Turks and Caicos Islands (the “TCI”).

In **Misick**, the Appellants, who included a former Premier of the Turks and Caicos, were defendants in a lengthy criminal trial being heard by a judge alone. The trial judge seised was a non-resident judge who travelled between the TCI and Jamaica. On 11<sup>th</sup> March, 2020, well after the Prosecution had closed its case and in the middle of the Defendant’s case, the World Health Organization declared Covid-19 a global pandemic. The very next day, the trial judge adjourned the proceedings.

Following the issue of an Emergency Proclamation by the Governor of the TCI, the Governor enacted regulations that empowered the Chief Justice to make rules to provide for remote hearings of civil and criminal proceedings. Regulation 4(6) of those rules, the **Emergency Powers (Covid-19) (Court Proceedings) Regulations 2020**, provided that in the context of remote hearings, the courtroom “shall include any place, whether inside or outside the (Turks & Caicos) Islands, the Judge...elects to sit to conduct the business of the court”. Sometime after, in reliance on Regulation 4(6), the trial judge sought to continue the criminal trial via video link while he was physically in Jamaica, and therefore outside the territorial jurisdiction of the TCI.

As the legislative scheme governing the TCI Supreme Court only vested the Court with jurisdiction to act “within the (Turks & Caicos) Islands”, the Appellants objected to the judge’s decision to proceed virtually from Jamaica on the grounds that, *inter alia*, Regulation 4(6) purported to allow the TCI Supreme Court to sit outside the TCI and was thus *ultra vires* the TCI Constitution.

On an application ventilating the matter before the TCI Chief Justice, the Chief Justice ruled in the Appellant’s favour on the *ultra vires* issue.

The Attorney-General (the “AG”) appealed to the TCI Court of Appeal on the ground that, *inter alia*, the judge below had failed to apply relevant principles of statutory interpretation. In advancing her Appeal, the AG argued that the Chief Justice’s interpretation of Regulation 4(6) was too literal as the judge had concluded the intention of the Regulation was to create a court outside the TCI. The AG submitted that the better view was to apply the mischief rule and principles of purposive interpretation and that when read as a whole, the purpose and intent of the Regulation was to enable a judicial officer to “sit” and exercise the court’s jurisdiction only when linked to the recording system and technology platform of the TCI Court. In delivering his ruling Adderley J.A. posited that the central question for the Court was whether the *physical* location of the judge is determinative of where his jurisdiction is exercised in circumstances where the judge uses a court administered technology link to preside over proceedings. The Court of Appeal held that it did not. Allowing the AG’s Appeal, the Court of Appeal concluded that the Regulation 4(6) must be given a purposive construct and having considered the legislation’s intent, on a proper construction, the Regulation did not purport to permit a judge to exercise the Court’s jurisdiction extra-territorially but rather empowered a TCI Judge who is beyond her shores to

preside over proceedings in a TCI courtroom with the aid of modern technology.

## Appeal to the Privy Council

The matter thus came on for determination by the Privy Council. The Appellants argued once again that “where the Judge is, the Court is”. The Respondent AG conceded that the Supreme Court’s jurisdiction was limited to the territorial limits of the TCI but argued that in light of the imprecise drafting of the Regulation, the Court should rely on the statutory interpretation principles of purposive interpretation, the presumption of Constitutionality and the principle of effectiveness to interpret the Regulation.

Dismissing the appeal, and ruling in favour of the AG, the Board found that the Regulations were not clearly drafted and that any residual ambiguity could be resolved by applying the purposive approach to statutory interpretation to the Regulations. The Court went on to reason that on the proper interpretation of Regulation 4(6), “sit” “does not mean where the court is formally sitting or exercising its jurisdiction, but simply where the judge is hearing the case, which place is deemed to be included in the physical courtroom in the Islands”. The Board thus agreed with the reasoning of Adderley J.A. in the Court of Appeal that the Regulation was a deeming provision that deemed wherever the judge sits physically whether within or without the TCI, to be a part of the courtroom in the TCI.

While on the one hand the **Misick** case demonstrated how nimble Courts can be in addressing novel issues created by the use of technology, it also highlighted how entrenched traditional views are that a court is a physical space. However, notwithstanding these views, recent advances in technology and our forced (and often uncomfortable) engagement with them due to the global pandemic should permit us to challenge that perception to rethink the parameters of the court and at the same time, the mechanisms of the delivery of justice. Indeed, Professor Richard Susskind, one of the preeminent voices in legal technology, warns against simply layering technology over existing systems and argues that lawyers and judges should leverage technology to completely transform the delivery of justice, to innovate and not simply digitize.

This paradigm shift can start with a reimagination of what makes a court. While historically it was felt imperative to have a courtroom, a public physical space where members of the public per Lord Denning could express their “*emphatic denunciation*” of crimes, perhaps in much the same way as society has adapted to working and learning in virtual spaces, we can adapt to an entirely virtual court.

To be clear, virtual courts are not suitable for the disposition of all matters. Entirely virtual courts would have challenges – among them ensuring access for less tech-savvy users, navigating unstable internet platforms and power supply systems and the difficulty of maintaining the solemnity of court proceedings, however the benefits of increased access to justice for members of the public outweigh them. Certain types of matters being disposed of entirely virtually would increase the speed of hearings, improve efficiencies of counsel by reducing travel times to court, and allow persons on family islands to attend Supreme Court and Court of Appeal hearings without the expense and inconvenience of travel, all of which would reduce costs to parties and save time for all concerned. Open court proceedings conducted entirely on a virtual platform could also be live-streamed allowing for greater transparency in the system and in turn greater awareness in members of the public of how the wheels of justice turn.

By reimaging the courtroom we can begin to imagine the delivery of justice beyond the constraints of four walls and in turn, the myriad of ways we can improve access to justice for all.

**Misick** challenges us to consider the possibilities. 🤖



# WHY IT IS IMPORTANT AND USEFUL FOR STUDENTS TO READ COURSE MATERIALS AHEAD OF THEIR CLASSES

DR. H. PATRICK WELLS, Associate Tutor

From time to time as a student, you might hear the familiar refrain from your teacher – “It appears you did not do the reading”. Typically, a teacher is able to decipher this from a variety of indicators, examples being, the kinds of questions that are asked by students, the quality of the reasoning and discussion offered by students, or maybe the absence of questions and discussion from students. Admittedly, it might also be that a student is shy, but, in my experience, this latter reason is not typically the case.

Reading the relevant materials in advance of a given class, I argue, is a very critical thing for each student to try and do. I say that for the following reasons.

**Familiarization**

Advance reading familiarizes you with the topic at hand. This familiarization eliminates surprises when you eventually attend the class. With advance reading, you become engaged with the material in several ways. For instance, it might trigger your awareness of how important something that you took for granted before, is. It might also show you how something can be seen from a variety of perspectives, or might simply just give you information that you might not have encountered before.

Additionally, the familiarization that comes from advance reading will enable you to identify potential challenges in the material, alert you to things that you need further explanations on from the teacher, eventually, or strengthen your capacity to address issues that might arise from the discussion of the material when you get to class.

Without advance familiarization with the material, you potentially disadvantage your own learning process, as, rather than exploring and investigating the material yourself, as part of your preparation, to the extent that you can, you become completely reliant on what you are ultimately told by other persons, whether these be your teachers, colleagues or other individuals.

Students should be keen on self-discovery, and on asserting their own independence in learning. This is important, as when you become attorneys-at-law, most of the hand-holding that you may benefit from in school, is brought to an end in your professional life.

Informed participation based on advance reading and preparation, therefore, reduces the need for the teacher and your peers to be detained or set back by having to cover every granular, preliminary component of the material. Not being called upon to do this, because of the students’ prior reading, allows for faster and more effective progress in covering the course as a whole.

To that extent, the teacher can better utilize time to focus more on key concepts, principles, and procedures, in a more meaningful way, without being side-tracked by the necessity to spend time on fairly preliminary things that a bit of reading in advance by students, could have helped with.

Importantly, as well, because the preparation would have already alerted students to the areas of challenge, or concern, or thought stimulation, the teacher would be able spend valuable class time more productively, focusing on those matters or issues.



**Positive Routine**

Advance reading is a very helpful way to get you into a routine that is conducive to your wider academic and professional success. So, in addition to its familiarization and enhanced participation impact, it disciplines you as well for your future.

In this profession of the law, a lot of reading is always required. In the years to come, you will be preparing, preparing, preparing, over very long hours, whether it be for a hearing in court, a business meeting, or a presentation to a seminar or a conference. Practicing from now to come to grips with your material, in the best way that you can, before the “big event”, will always be important.

In the context of your current classes, rather than cruising through your courses, and “winging it” as you go along, with the hope of making a grand push to learn everything close to your examinations, you should train yourselves from beginning to end of the Course of Study, through advance reading and other positive study habits, to master your material. This means devoting reasonable time to reading your cases and other materials, and then using valuable class time wisely to build on what you have gained from your own advance work with the material.

**Demonstration of Respect**

Finally, being able to better and more ably participate in your classes, based partly on advance preparation, is a demonstration of your respect for your education as a whole, and it indicates to some extent, the value that you place on the investment being made in you by your teachers and your wider community. As oddly as it might sound, your teachers also need motivation from you the students. And, to that extent, preparation for classes by you, can serve as a huge motivator for us, your teachers. 😊

**Participation**

Advance reading also enhances and enriches your participation in, and contribution to the class. Because you come to that class with some level of knowledge about such things as (a) what the material entails; (b) what you understand and what you do not; (c) what needs clarification and what does not; or (d) what you agree or disagree with, you are already well ahead of the curve.

With these preliminary things that you are aware of, you can make informed and meaningful contributions to the class discussion, you can assist your classmates, and you can add to the overall success of the session, in terms of what the class as a whole accomplishes together.





# Orientation Week – The Journey Begins!

**SHEQUEL MCPHEE – Year 1 Student**

Closer each day to my dream, it all seems far from reality. When I was accepted into the Eugene Dupuch Law School (EDLS) I did not know what to expect. However, day by day and with the help of orientation, that drastically changed. While some of the expectations about the law school journey were expressed, I was afraid that nothing that was said prior to actually attending EDLS could have mentally prepared me for the journey that I was going to embark on. The journey of a thousand miles commenced with a week of orientation events.

However, instead of the usual face-to-face meeting, we took to the Zoom platform given that COVID-19 has been the catalyst for change for many things. A weeklong orientation was just what I needed to get my mind and body into shape to face the adversities that law school would throw at me. Orientation commenced at 8:30 or 9:00 a.m. sharp most days and would end either 3:30 p.m. or 4:00 p.m., with breaks of course. To me, this already sounded like a full-time job. I just knew that my body would begin to struggle with itself to wake up in time for 8:30.

On the first day, I did not know what to expect irrespective of me having the orientation programme ahead of time. In fact, this was a new environment, with new people, new personalities and new expectations. Not even prepping clothes to sit on a Zoom call would prepare me for the ship that was going to set sail at orientation that Monday.

On the first day, a warm welcome was given where we discussed pertinent matters such as the library hours, briefly discussed assignments, the various clinics and were introduced to both lecturers and tutors. As we jumped over the toddler stage of introductory matters, we plunged right into the statistics of examination where I was taken aback by the high failure rate of two courses. While I was shocked out of all my senses, it in fact made me cognizant of the areas of studies that I would have to pay more attention to. Therefore, while I was daunted, I was also grateful for the information shared. At this point I had a lot of reservations and a plethora of questions that only the Father up above and myself could have answered – questions like “what did I really sign up for?” and “should I even be here?” started to surface in my thoughts. Today, I still ask myself these things and I know I will find the answer, hopefully before the end

of my law school journey in 2022.

Just like that it was the second day and the journey continued once again at 8:30 a.m. During this time, we were given an in-depth LexisNexis training to hone our legal research skills. The following day, I could not believe it, my body began sending shock waves and it was only Wednesday. On Wednesday, there was more training, but this time it was for Canvas and vLex Justis. If you are not familiar with the two, Canvas is a learning management platform where you are able to access scholastic curricula outside the scope of the conventional classroom. vLex Justis further aids in legal research helping you to access exclusive and comprehensive legal data. At this point, all I was thinking about how tired I was already – tired of waking up every morning to be ready for 8:30/9:00 a.m. and to virtually sit on a Zoom platform. I already did not like this virtual class platform and preferred the conventional one.

Even my eyes grew weary as the effects of sitting in front of the laptop all day gave me a headache and caused my eyes to hurt. It was only two more days left and I honestly was not ecstatic. On Thursday, the polls opened for the election of a new Executive Board for the Eugene Dupuch Law School’s Student Association (EDLSSA) for the academic year. While on this day, lots of informative events occurred, we were not kept on the Zoom platform for a long period of time. We, however, came back at 6:00 pm to hear the results of the election. I am happy to say that I am a part of this great EDLSSA team, despite me being a novice to the law school environment. So far, the experience has been great. Thankfully, Friday was the last day of the orientation week. On the final day of orientation, the second years gifted the first years with tremendous information and pivotal tools to assist us over the course of the academic year. It was at this very moment that I realized that my life was not mine anymore.

However, I must admit that the whole orientation experience was a great initiation for my transition from the LL.B programme to law school. Insightful information was shared that further helped me tweak my thinking. Although it did not prepare me for everything that I was going to face; orientation gave me an heads up of what to do next. 🙏

# Online Learning v Face to Face Instruction: Virtual Survival Guide

**ILSHA MCPHEE – Year 2 Student**

*I miss the smell of freshly brewed coffee emanating from the student lounge. I miss the elevator swipe card, only working after 9 am and having to lift my heavy rolling bag up the stairs to attend an 8 am lecture. I miss walking through the lobby and being greeted by administration with an encouraging word that helped me get through the day. I miss the comradery of a class setting, that deepens understanding and critical thinking. I miss my lecturer being able to look into my face and see my confusion as we would encounter a new legal principle. After months of online instruction, I can say with conviction, that I MISS Face to Face learning.*

In March of 2020, the Prime Minister of the Commonwealth of The Bahamas declared a State of Emergency over the country, that still persists to this present date. This has, from its commencement, forced schools and learning institutions all over the country, to transition into online instruction. This has been done

through management systems. While maintaining health and safety are of the utmost importance, learning through these forums has presented its own fair share of challenges, especially in comparison to face-to-face learning. In this article, I will share tips that can be employed to combat some of these challenges.

## Technological Challenges

Online learning, while innovative and necessary, may sometimes present persons with technological issues. When considering face to face classes we never were concerned with not being able to hear or see our tutors as our line of communication was solidified by our natural senses. However, with online learning, the ability to hear, see and ultimately understand may be dependent upon the quality and reliability of our various technological devices and the dependability of our internet and other service providers.

The best way to combat a faulty microphone, or unstable internet connection is with adequate preparation. Testing your

device before class time will alert you to deficiencies that can either be quickly remedied or alert you to a bigger problem. Having multiple online learning set-ups on multiple devices can also aid in preparation. For instance, while you can set your laptop as your main device, I recommend also setting up your smart phone, with all the relevant apps and passwords, so that if your laptop fails, you can quickly adjust. Ensure that devices meet the minimum standards as recommended by EDLS and are equipped with the relevant software required to facilitate online learning. The simple step of ensuring that devices are charged overnight and ready for use the upcoming day can make the process easier.

Internet issues have also plagued the EDLS online student. Many of us are often dropped from classes due to faulty internet services. It may be helpful to purchase an affordable mobile internet hotspot from local internet service providers, to ensure that the internet connection is maintained, and that valuable class time is not missed.

*Continued on page 9*



# Online Learning v Face to Face Instruction: Virtual Survival Guide

Continued from page 8

## Challenges from Distractions

The at-home student may be plagued with distractions caused by others in the home, technology or from the physical environment. In a face-to-face class setting, distractions are minimal. There is almost no choice but to focus on your tutor and be attentive when your tutor is physically standing before you.

However, some law students may have children or family members who are also sharing the same physical space where the learning takes place. The problem is exacerbated when, for example, children need assistance in conducting their online instruction or require other forms of attention. It can be challenging in the home setting to balance both their learning needs and yours.

In addition, the at-home learner may find it difficult not to be distracted by the temptations that the creature comforts of the home environment provide. The refrigerator is there, the television is there, your bed is there, and your cellular device is there. Access to the comforts of home is restricted only by the measure of your own self-control.

To avoid yielding to these temptations, it is best to set your learning space or study area, away from your bedroom or television. It helps to get dressed in appropriate attire, to be properly groomed and to put on make-up. This

will help to shift your mindset from being comfortably at home, to entering a school and learning setting. Also, if necessary, hide your remote and cell phone. It can also be effective to purchase headphones. The use of headphones can block out surrounding distractions and amplify the volume of your class setting and in turn, increase your focus.

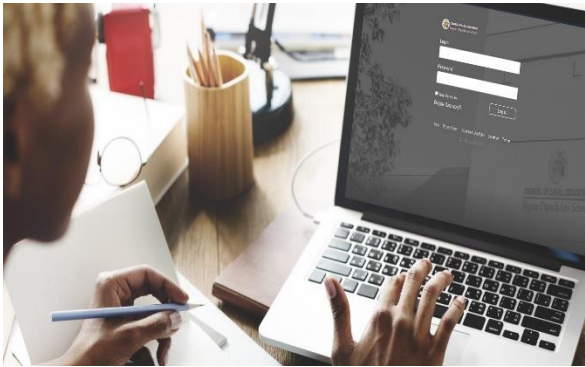
## Staying motivated

Staying motivated is also a challenge with online learning. Normally, as we would roam the halls of EDLS, you can be sure of a Mr. Guy or a Mrs. Williams stopping and asking how your studies are coming along, often watching our behaviour during lectures or tutorials. At the end of every class for Criminal Practice and Procedure, Mr. Guy would exclaim ‘*May is tomorrow*’, which would be enough to light a fire within us or at the very least, fan the flame. Online learning can be a lonely experience. Somehow, seeing that our colleagues were also feeling the same stresses and pressures made us feel like we are not by ourselves in this tenuous journey. However online learning is done in isolation and the lack of community can be fatal to success.

Firstly, be reminded that you are not alone. As a member of the EDLS Students’ Association, our goal is to ensure that all first year students have access to second year students. Experience is the

the best teacher, so reaching out to both your fellow students and tutors is essential to staying motivated. Secondly, this programme does not last forever. My first year, even though it extended two months over the normal schedule, went by so quickly. Be encouraged that all this work, studying, briefing cases, preparing for tutorials, will not last forever. This is a necessary step to get to the goal of being a competent attorney. Use your resources to your advantage.

No, online learning is not the preferred choice; however it is necessary as the fight against COVID-19 continues. While it is not preferred, be encouraged in the fact that it can and has been done. With the click of every Zoom link, you are one step closer to achieving your goal. Technology may have its challenges, but it is facilitating the continuing of education, which is the major priority. 🏛️



# A COVID-19 Christmas

CASHENA THOMPSON – Year 2 Student

It’s the most wonderful time of the year, isn’t it? Of course, it is! It’s Christmas time. Every year in true Bahamian fashion, we are used to preparing and taking part in Christmas traditions and festivities. For some of us, these traditions include Christmas trees and decorations, baking sweet treats, cooking ham and turkey or even having a potluck with family and friends. Many look forward to the sweet sounds of the Boxing Day Junkanoo and to seeing the parade rush down Bay and Shirley Streets. For others Christmas is a time of prayer and reflection. For children, Christmas predominantly means gifts, gifts, and more gifts!

Certainly, whatever our Christmas traditions, it is appreciated that this year we will be forced to partake in our festivities a bit differently.

On March 19, 2020, the Government issued its first emergency order which, inter alia, placed the entire Bahamas on a lockdown. This stemmed from the then relatively unknown Coronavirus (COVID-19) which was declared as a world pandemic by the World Health Organization. As a result of the orders, some businesses were forced to close, and people were either furloughed or terminated from their jobs. The state of affairs brought about by the pandemic left some persons in a state of despair as they struggled to cope with the new normal.

Now, some nine months later, we have experienced amongst other things, total lockdowns, weekday curfews, and weekend lockdowns. Additionally, as we traverse through the various establishments, we are mandated to wear masks, sanitize, perform temperature checks and be socially distant.

The adaptation to this new normal has been anything but easy. As we approach the most wonderful time of the year some may feel that COVID-19 has hampered the Christmas spirit. My question to that is, “*Did it really?*” Sure, we may not be able to hear the sweet sounds of Junkanoo or purchase the usual extravagant gifts as we are accustomed to; and in fact, for some the traditional ham and turkey may be replaced with chicken or fish. But, are these things an adequate depiction of the true meaning of Christmas?

The joys of Christmas spirit aren’t meant to be played on a goatskin drum or cooked in a savory ham or turkey nor are they wrapped up in some expensive gift. Instead, it is found in the mere delight of life. It is found when we find the love manifested within ourselves and choose to share that love with others.

While COVID-19 may have changed the trajectory of what we viewed as the norm for Christmas time, it is also acts as the driving force as to why we so desperately need to discover the true meaning of Christmas.

This Christmas is the opportune time for self-

reflection, becoming aware of our most intimate blessings and finding gratitude for the simple things in life.

As we adapt to this new norm, we are propelled into a new way of thinking. We become appreciative of not things bought but time spent with our loved ones. We find new and innovative ways to have all-inclusive events. Gone are the days where Christmas required the physical presence of each individual. In today’s world, even more so as a result of COVID-19 we are required to take a different approach. This means that family members and friends may participate in the festivities on platforms such as FaceTime, Skype or Zoom. The ability to host social gatherings or attend midnight mass, pursuant to the latest orders, is just an added blessing to the Christmas spirit.

This year, our hearts can be full in knowing that despite the odds we adapted and overcame, and we will continue to overcome in the years to come. 🎄

Have a Merry Christmas,

From my home to yours!





# Coping with Stress: 10 Quick Tips for Unmasking Law School and Covid-19 Stress!

**DR. FRANCIS WILLIAMS MBBS, DM (Family Medicine) and MRS. RAQUEL WILLIAMS, Tutor**

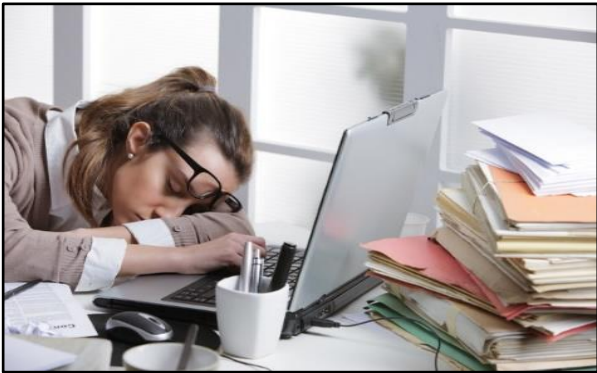
Ask any law student and they will likely tell you that, by itself, the workload and demands of law school are stressful. There is an innate drive to excel fueled by external factors such as financial obligations, the expectations of heavily-invested family members, and the need to gain a competitive advantage for entry into a job market described by some as an *"already oversaturated legal profession"*. The complications to daily living brought about by Covid-19 may only have emblazoned already smoldering flames.

As of December 1, 2020 Covid-19 has infected 7,543 persons in The Bahamas and approximately 68 million persons worldwide. Public health actions such as physical distancing, lockdowns and curfews, the wearing of masks and sanitizing are necessary measures to mitigate against the effects of Covid-19, but they may also result in feelings of loneliness, isolation, anxiety, desperation and stress. News of the release of an approved vaccine brings with it mixed reactions of optimism and skepticism; and while there is some "light at the end of the tunnel" we can nevertheless expect to continue to have to deal with stress induced by public health measures and the socio-economic and financial hardships caused as a result of being in a state of lockdown and curfews for the past 9 months.

In the midst of our life's challenges, it is important to maintain good mental health. Good mental health is important to how we think, feel, act, relate to others and react to stress; whether that stress is related to Law School, Covid-19 or other causes.

Reactions to stress may manifest in:

- Changes in sleep and eating patterns - too little, too much or none at all
- Increased dependency on alcohol, tobacco or other addictive substances
- Feelings of fear, anxiety, apprehension and self-doubt
- Difficulty in concentrating
- Worsening of chronic mental, medical and physical conditions
- Procrastination
- Mental, physical and/or social paralysis brought about by spending too much time worrying.

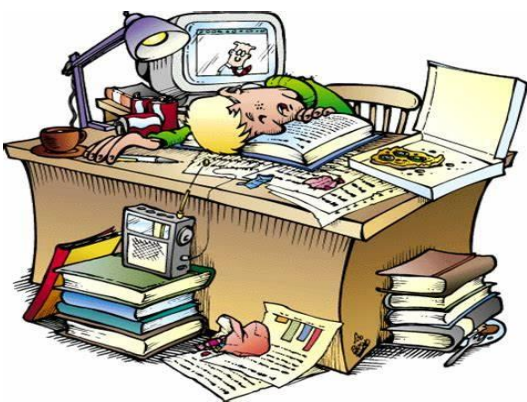


## 10 Things to do to help you cope with stress

1. **Own your feelings.** The first thing is to know that it is completely normal to feel stressed, nervous, anxious or afraid. There is no one reaction to stress. Everyone reacts differently

in their own unique way to stress. The uniqueness of our different reactions may be the product of our family history and upbringing, backgrounds, environments, state of health, financial circumstances and other factors.

2. **Take care of your physical health.** Good physical health promotes good mental health. You must -
  - Eat well-balanced, healthy and nutritious meals
  - Get adequate sleep
  - Exercise regularly – start with 10 to 15 minutes of exercise a day and work your way up.
3. **Take care of your mental and spiritual health.** Try -
  - Surrounding yourself with inspirational pictures, words or quotes to remind you of your goals - place them on your wall, mirror, car or books
  - Affirming yourself everyday with positive words for example – *"I can do this"*, *"This too shall pass"*
  - Deep breathing methods, yoga and other forms of meditative exercises
  - Keeping a diary or journal - not just of the good things in your day but the bad. It helps to acknowledge your feelings and process your emotions.
  - Prayer.
4. **Take care of others.** *"For it is in giving that we receive"* - St. Francis of Assisi. Research has also shown that some of the return benefits of helping others include feelings of happiness, usefulness and gratitude. You can help others to the extent that your time and pocket allows. Simple gestures also mean a lot for example, you can -
  - Phone, video chat or text a friend or family member. Reconnect especially with those whom you have not seen or spoken with in a while.
  - Share uplifting messages and videos.
  - Donate items to those whose needs may be greater than yours.
5. **"Don't cry over spilled milk."** Worrying about things that cannot be changed is counter-productive. Obsessive worrying can invade your ability to think clearly and cause you to socially withdraw from interactions with others and not to even want to get out of bed. You end up spending precious time and energy worrying about a problem that cannot be undone or for which there is no solution and instead prevent positive thoughts, creativity and actual problem-solving from breaking through.



6. **Take a break.** Stop whatever you are working on or doing that is causing you stress. If only for a few minutes, do something which involves a completely different form of physical and mental activity. Try –

- Taking a hot bath
- Listening and dancing to your favourite music
- Watching a funny show or looking at or reading something funny such as memes or videos
- Talking to a friend
- Cooking, gardening or cleaning your house
- Playing a game or sport – it can either be physical or a video game
- Going for a quick run or walk
- Reading a book or magazine – completely unrelated to law.



7. **Take charge.**
  - Map out a macro-plan for your broad goals.
  - Make to-do lists to properly manage your time on a daily basis.
  - Include time in your daily schedule to care for your physical, mental and spiritual health.
  - Develop a strategy for when you are feeling stressed.
8. **Limit negative news and influences.** It is important to keep abreast of your work and school e-mails and to stay informed about the latest news. However, limit the time you spend watching and absorbing negative news and engaging with distractions on social media. Spend time doing things that will uplift and encourage you.
9. **Talk to others.** Self-isolation, limited social contact with friends, school and work can result in feelings of isolation, loneliness and disconnect. Physical distancing does not mean social distancing. Stay in touch with others!
10. **Forgive yourself and others.** There are times when we will fall short of our goals. Do not be too hard on yourself. Pick yourself up, dust yourself off and keep going. Take one day at a time. You'll get there!

*"God grant me the Serenity  
to accept the things I cannot change  
Courage to change the things I can; and  
Wisdom to know the difference."*

Acknowledgements to Dr. S. Bodha (Director Behavioural Emergencies & Consultation Liaison Psychiatry, Public Hospital Authority) for the ideas and information shared and which provided a resource of information for this article.



# Passing the Baton – Things I appreciate now that I am in Second Year

SHANEKA CAREY

First year, for many of us, was a memorable one. We walked into the Eugene Dupuch Law School with equal parts of excitement and trepidation. We all heard the stories of great victories and incredible failures but by the end of Orientation Week what we had was a strong resolve to make it into second year.

Along the way there were many lessons learnt and many battles won. It became apparent quite early that good time management was essential to complete all the tasks that were assigned to us in our classes. Additionally, forming teams made the preparation for tutorials and exams easier. Some of us learnt the hard way that there is no time to wallow when we failed an assignment or if our grades were not what we expected. Now, as we move forward into year 2, we take with us the knowledge we gained.

By sharing the reflections of some of our colleagues on what they appreciate now that they are in year 2, we hope in passing the baton to the year 1 students to provide some insight and words of hope and encouragement on surviving year 1 of Law School.

Being in my second year, I now greatly appreciate the importance of time-management and “me” time. It is important to manage your time for studying and getting your assignments done. However, it is also important to make time for yourself. You have to manage your time effectively in order to have “me” time. You will be stressed but you must take care of yourself, mentally, emotionally, and physically. You must be healthy in all of these aspects in order to function in your classes and in your studies. Thus, moving forward in my second year, I will ensure that I am healthy and have that “me” time in addition to focusing on my studies.

- Lethea Carey

“No man is an island”. I began Year 1 a bit withdrawn and with the idea of trying to do everything alone. However, I quickly realised that I would not survive the road ahead if I did not have a peer support group. With shared dreams and common goals, we motivated and inspired each other to get to the finish line and lifted each other up with kind words, when needed. Now that I am in Year 2, I appreciate this community of friends that EDLS has provided me with and the memories that I am building with them. I would advise the Year 1 students to form connections and network with those around you and never take the opportunity for granted.

- Jonel Johnson

Now that I am in Year 2, I appreciate the friendships that have flourished. While it is not impossible to complete the first year, it is a difficult process, and it requires a strong support system. Everything is about balance,

and while you must devote a lot of time to your studies, you must learn to appreciate your family and friends that support you throughout the journey.

I appreciate the willingness of all tutors to be readily accessible throughout the entire year. It has been a difficult one with the transition to virtual learning. Notwithstanding the transition, I found that all tutors were even more flexible, and they all encouraged us to do our best while assisting us where we needed it. Now that I am in Year 2, I can confidently say to anyone beginning this journey at EDLS - do not take it for granted and be consistent in your studies and your efforts will indeed pay off.

-Lavette Kemp

While I found Year One courses to be particularly voluminous, they are important foundational courses and fundamental to legal practice. I now appreciate that in Year II we are building upon that foundation and expanding on our knowledge. Although the workload has not changed, I have found Year II courses easier to grasp thus far and, the journey much smoother. I appreciate the relationships formed with my colleagues as they will continue when we go into practice. I also appreciate the efforts and assistance given by tutors to ensure we have the necessary information and materials. I must mention Ms Sharnique Miller, a true gem, who gave her assistance from the goodness of her heart at each and every interaction we had at the Library. Overall, I appreciate the experience; it is not easy and requires strength and effort, but it prepares you for later. Lastly, I am thrilled to be finishing the two-year course and ready to emerge into the legal arena that we have all worked so hard for.

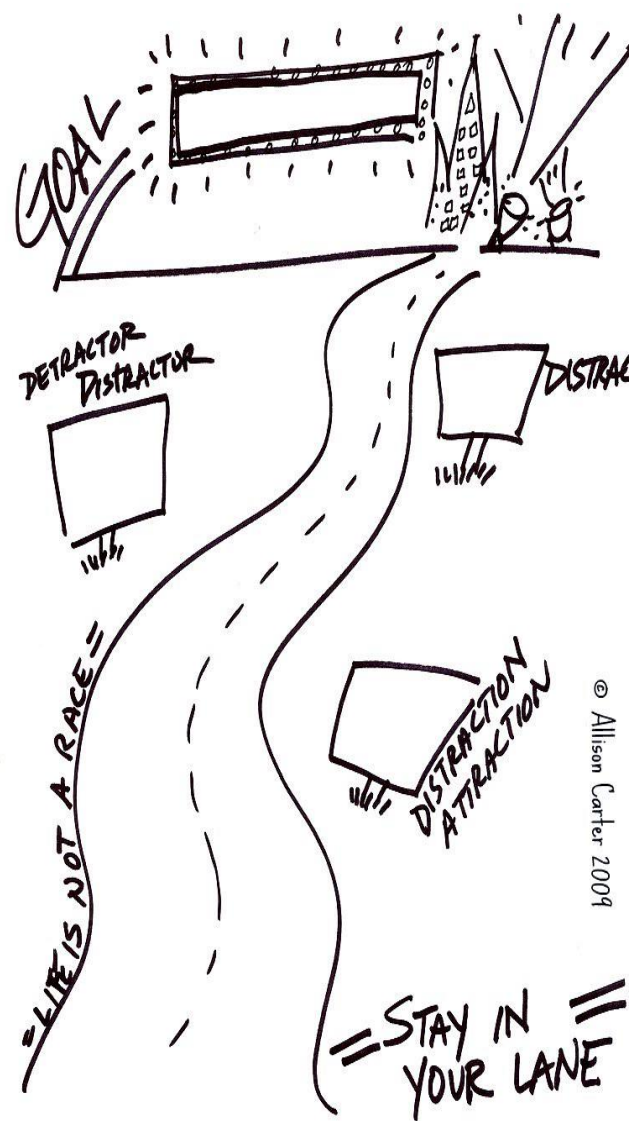
-Tashae Grant



For my part, while I can say that at no point was it easy; it was definitely worth it. I have grown to appreciate the small things that kept us moving forward step by step. I have a great appreciation for the friendships that I have formed with my colleagues. Those relationships kept and continue to keep me grounded and ensured that, even in the face of disappointment, I kept ‘my eye on the prize’. I appreciate the sharing of ideas and opinions as they allowed me to broaden my perspective on not just the law but on life. I appreciate the opportunities that were provided to assist with preparing us to become good attorneys

and our tutors’ willingness to give of their time. Most of all, I appreciate good mental health.

Finally, in passing the baton, if I had to give one piece of advice to the first-year cohort it would be – Collaborate! Form study groups to lessen the load and keep focused. That is a tried and proven method to successfully make it to Year 2. 🙌



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# EDLSSA Cares

RHODREKA STRACHAN – Year 2 Student

On October 16, 2020, the Eugene Dupuch Law School Students’ Association (EDLSSA), as part of its social outreach initiative, donated school items to the children at the Elizabeth Estates Children’s Home inclusive of folders, backpacks, folder sheets and pencils.

Unfortunately, due to the social distancing restrictions, we were not allowed to interact with the children at the home, as we normally would. The Business Manager of the Home expressed her gratitude for the donations during these tough economic times. We look forward to the next outreach initiative hopefully with all of the students involved, barring COVID-19. 🙏



# The Houses of the Justices

SHANEKA CAREY

At the beginning of the school year, the Eugene Dupuch Law School Students’ Association divided the student body into four teams or houses. By participating in the wide range of activities planned for the school year, students will be awarded points on behalf of their respective houses. At the end of the school year, the house with the most points will receive the School Spirit Award.

Since its inception in 1998, the Eugene Dupuch Law School has seen almost 500 graduates with diverse interests and backgrounds. While mainly comprised of Bahamian students, student enrolment has included students from the British Virgin Islands, the Turks and Caicos Islands, Barbados, Trinidad and Tobago and Jamaica.

The houses named Byron, Sawyer, Blackman and Davis honour the work of Sir Dennis Byron, Dame Joan Sawyer, the Honourable Mr. Justice Christopher Blackman and the late Honourable Mr. Justice Austin Davis. These eminent jurists are known for their lasting contributions to the development of the jurisprudence within The Bahamas and throughout the wider Caribbean region, the growth of legal education and training and the fostering of regional integration. Here is a synopsis of their individual contributions.

## The Right Honourable Dame Joan A. Sawyer

The Right Honourable Dame Joan A. Sawyer DBE, P.C. was born in George Town on the island of Exuma, The Bahamas. She received her Bachelor of Laws degree from the University of London then to the College of Law in 1970. Her illustrious legal career began in 1973 when, as a member of the Gray’s Inn, she was called to the English Bar and later to The Bahamas Bar. At a time when there were few women attorneys, Dame Joan Sawyer was a pioneer. In 1988 she was the first female to be appointed a Justice of the Supreme Court of The Bahamas. In 1996, Dame Joan Sawyer became the first female to be appointed to the position of Chief Justice and

only the second Bahamian to occupy the position in a post-colonial Bahamas. She served as Chief Justice until she again broke the “glass ceiling” by becoming the first female President of the Court of Appeal of The Bahamas. She served in this capacity until her retirement in 2010. Dame Joan Sawyer was also appointed to serve on Her Majesty’s Privy Council.



Pictured: The Right Honourable Dame Joan A. Sawyer

## The Honourable Mr. Justice Austin L. Davis (deceased)

The late Honourable Mr. Justice Austin Davis (Retired) was born in Kingston, Jamaica. He served as a Resident Magistrate from 1972 until 1973. Justice Davis helped to shape many of the legal minds within the Caribbean and West Indies. Justice Davis was one of the first legal educators employed to the Council of Legal Education. In 1976, he served as senior lecturer at the Norman Manley Law School in Jamaica for 3 years before joining the Hugh Wooding Law School (HWLS) in Trinidad and Tobago as its Deputy Director of Legal Education (1979-1983) and later serving as its Principal (1984-1996). In 1996, Justice Davis accepted an appointment as a Justice of the Supreme Court of The Bahamas serving until 2004. When the Eugene Dupuch Law

School (EDLS) opened its doors in 1998 welcoming its first group of law students, Justice Davis (while on leave from the Bench), was at the helm as its first Principal and continued to charter the course for EDLS until 2001. Sadly, Justice Davis passed away on July 29<sup>th</sup>, 2020.



Pictured: The Honourable Mr. Justice Austin L. Davis

## Sir Dennis Byron

Sir Charles Michael Dennis Byron was born in Basseterre, St. Kitts. He went on to pursue law at Fitzwilliam College, Cambridge University from which he graduated with an M.A and an LL.B. In 1965, he was called to the Bar of England and Wales by the Honourable Society of the Inner Temple. His judicial career began in 1982 when he was appointed to the high court as a Judge of the Eastern Caribbean Supreme Court. He was later appointed as Chief Justice in 1999. He became the President of the Commonwealth Judicial Education Institute (CJEI) in 2000. Additionally, Justice Byron was knighted by Queen Elizabeth II in 2000 and appointed a member of the Privy Council in 2004. That same year, Sir Byron was appointed by the United Nations Secretary General as a Judge of the United Nations International Criminal Tribunal for Rwanda (ICTR). Subsequently, he was elected President of the ICTR where he served

Continued on page 13



# The Houses of the Justices

SHANEKA CAREY

two terms from 2007 to 2011. Sir Dennis Byron was sworn in as Chairman of the Caribbean Court of Justice in September 2011. He retired from the Caribbean Court of Justice in 2018. Throughout his career, Sir Dennis Byron had a keen interest in judicial education activities. This was exemplified by his involvement in several initiatives geared towards judicial education across the region.



Pictured: Sir Charles Michael Dennis Byron

## The Honourable Mr. Justice Christopher Blackman

The Honourable Mr. Justice Christopher Blackman was born in Barbados and was admitted as a solicitor of the Supreme Court of Barbados in 1970. He went on to serve as President of the Barbados Bar Association from 1983 to 1986. He was then appointed Queen’s Counsel in 1987. Justice Blackman contributed to the training of young Attorneys across the region when from 1985 to 1992 he served as Chairman of the Caribbean Council of Legal Education. He also served as a High Court Judge of Belize from 2001 to 2003 and Barbados from 2003 to 2008. Subsequently, he was appointed Justice of the Court of Appeal of The Bahamas, serving from 2008 to 2014 when he retired. He is a former non-resident Justice of Appeal of the Belize Court of Appeal, having been appointed in 2014 for a period of three (3) years. Since 2018, Justice Blackman has been appointed Chairman of the CARICOM Competition Commission and Chairman of the Employment Rights Tribunal of Barbados. 🇧🇧



Pictured: The Honourable Mr. Justice Christopher Blackman



# Ha-Law-Ween Game On!

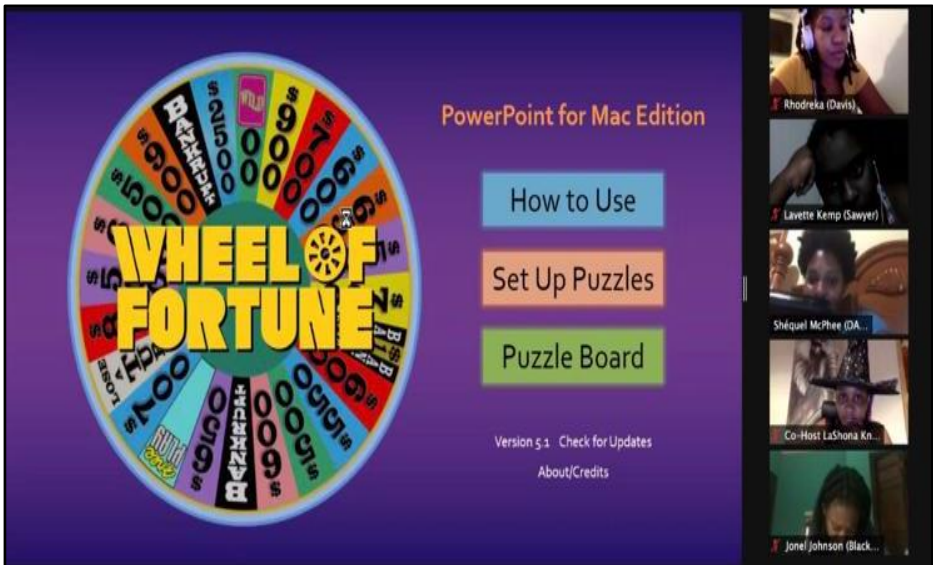
RHODREKA STRACHAN

On Friday, October 31, 2020 the Eugene Dupuch Law School Students’ Association hosted, its first social for the Academic Year, a virtual game night under the theme “Ha-Law-Ween”. The event, which was held via the Zoom platform with the assistance of Game-On! Experiences, saw students enjoying several rounds of Family Feud, Kahoot and Wheel of Fortune. The night was filled with rigorous competition, heated debates, and laughter as students matched wits on topics involving Bahamian and British Virgin Island folklore, laws relating to Halloween in other countries and famous Halloween themed movies.

The virtual game night marked the first occasion on which students competed in their respective Houses to earn point towards the School Spirit Award.

After three full hours of fun, excitement and healthy competition, the final tally in order of ranking was as follows:

- House Byron - 27, 920 points
- House Blackman - 18,679 points
- House Davis - 9,356 points
- House Sawyer - 8,859 points. 🇧🇧





# 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 them.

## Celebrations and CONGRATULATIONS!!!!

### Dr. H. Patrick Wells

During the 2018/2019 academic year, then Senior Tutor Wells took sabbatical leave to complete his thesis for a doctorate degree in International Human Rights Law from Queens University, Kingston Ontario, Canada. The thesis was entitled *Interrogating International Human Rights Law on the Rights of Free Speech and Privacy in the Digital Age: Reconceptualizations, Reconfigurations, (Un)reasonable Limits*.

In October 2020, the Doctor of Philosophy degree (Ph.D.) was awarded to him. So, we can finally refer to him as Dr. Wells.

### The Honourable Mr. Justice Ian Winder

In August 2020, Mr. Justice Ian Winder, Associate Tutor at the Law School, and Supreme Court Justice for The Bahamas, was appointed as a Court of Appeal judge for the Turks and Caicos Islands. Justice Winder has been a Justice of the Supreme Court of The Bahamas since 2013. Immediately prior to his appointment to the judiciary of The Bahamas, Justice Winder was a fulltime Tutor at EDLS. We join with Principal Galanis, who, at the time of his appointment wrote, “*We are immensely proud of Justice Winder’s achievements and wish him continued success.*” 🎉

## Welcome Back



**The Honourable Madam Justice Deborah Fraser**  
Associate Tutor for Legal Drafting and Interpretation

Welcome  
back!

## Welcome Aboard

For the 2020/2021 Academic Year, we welcome the following Associate Tutors to the teaching staff-



**Mr. Randol Dorsett**  
Associate Tutor for Civil Practice and Procedure I



**Ms. Paula Adderley**  
Associate Tutor for Landlord and Tenant



# Baby News

**Mrs. Nicole Mitchell**, Executive Secretary in the Registrar’s Department, gave birth to a bouncing baby boy – Caelan – 6 lbs, 8oz on September 12, 2020. So glad to have you join the EDLS family, Caelan.



# THANK YOU!

We say thank you and all the best to –



**Dr. H. Patrick Wells.** Dr. Wells served as Senior Tutor at the Law School for 8 years resigning from that position in July 2020. Dr. Wells was also the Course Director for Legal Drafting and Interpretation and Trial Advocacy II during his tenure. We are happy, however, that Dr. Wells remains on staff with us as a co-Course Director for the Constitutional Law and Law and Legal Systems subject.



**Mr. Kamau Osborne.** Mr. Osborne joined the EDLS team as Law Librarian in 2017 and left the Law School at the end of August 2020. We thank Mr. Osborne for his service.

# Associate Tutors with break in service

The following Associate Tutors have decided not to continue with the Law school in the 2020/2021 Academic Year –

- **Mrs. Giahna Soles-Hunt**, Associate Tutor for Civil Procedure and Practice I;
- **Mrs. Danya Wallace**, Associate Tutor for Landlord and Tenant; and
- **Mr. Thomas Evans, Q. C.** After 20 years of service to the Law School, as an Associate Tutor, Mr. Evans, Q. C. decided it was time to retire from this aspect of his career. We feature Mr. Evans, Q. C. on pages 1 and 2 of this newsletter.



# Condolences

TONYA BASTIAN GALANIS, Principal

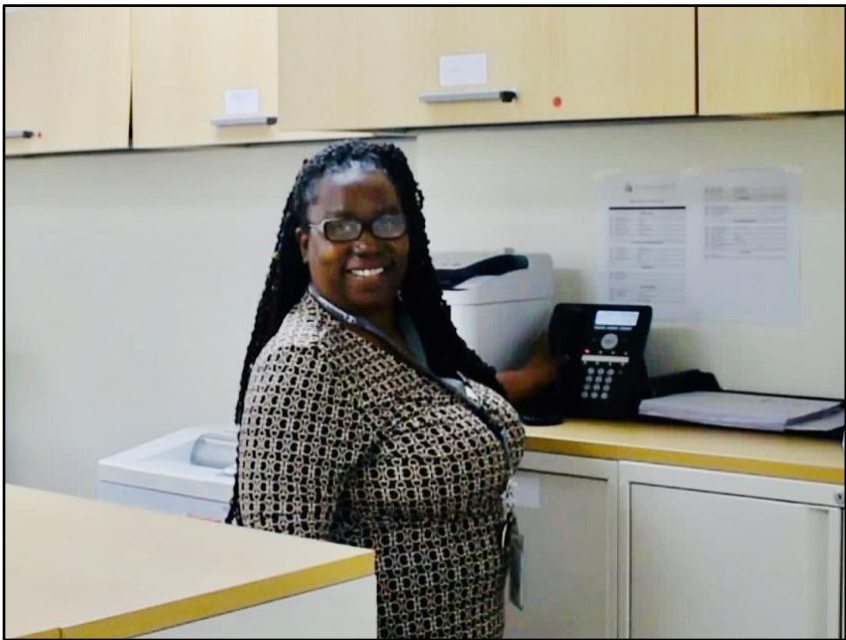
Sharnique Miller, Library Assistant passed away suddenly on Sunday, October 18, 2020.

Sharnique joined the EDLS family on September 6, 2013 as a Library Assistant. Although her immediate background was in education, as a teacher's assistant, Sharnique embraced her new responsibilities as a Library Assistant with eagerness and enthusiasm. That keen, enthusiastic, and joyous posture came to be amongst the hallmark traits for which she would be known at EDLS.

Sharnique also had a teachable spirit and was always willing to learn and pitch in wherever necessary. For her it was important to be able to make valuable contributions to the team. This philosophy was evident whether she was doing her day-to-day work in the Law Library, or travelling with EDLS to assist in the Secretariat at Council of Legal Education meetings, or whether she was on stage at the Dundas as an EDLS dancer in Dis-we-Bar.

Sharnique was patient and careful. Patient in dealing with her clients in the Law Library and careful to ensure the accuracy of the work that she was assigned. Her patience and carefulness were accompanied with an equally pleasant demeanour with all those she encountered. This went a long way in helping to shape a collegial working environment.

Sharnique will be sorely missed by students, faculty and staff but, especially by her colleagues in the Law Library. 🕯️



# STUDENTS' CORNER FUN FACTS!

1. A law student by day and a Bahamian singing artist by night.  
➤ Who is **Iisha McPhee**, Year II student? Iisha has performed throughout the isles of The Bahamas- at carnivals, award shows, hotels, regattas.

2. This Year I student has played on 4 National sports teams.  
➤ Who is **Jennifer Isaacs-Dotson**, Year I student? Jennifer has played on the national teams for field hockey, netball, softball, and volleyball.

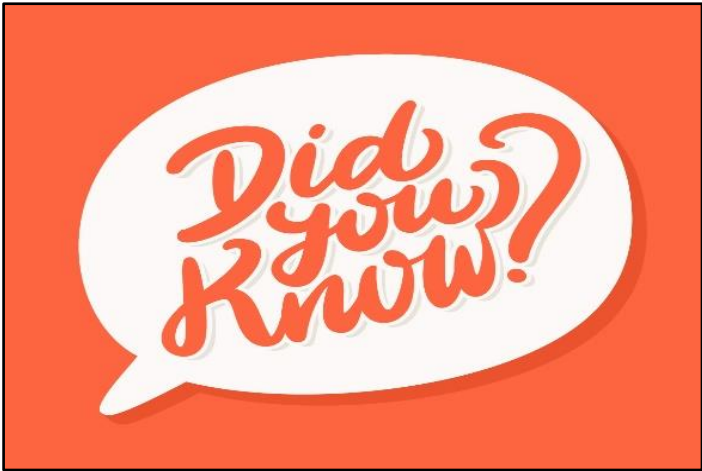
3. She has flown a plane before.  
➤ Who is **RaSean Longley**, Year II student? RaSean hopes to get her pilot's licence after getting her Legal Education Certificate.

4. I am the baker man.  
➤ Who is **Frank Saunders**, Year I student? Frank loves the kitchen and baking the most. He operates a bakery out of his home.

5. I attended a boarding school, played in a gospel band and love to dance the night away.  
➤ Who is **Shaneka Carey**, EDLSSA President and Year II student? Shaneka, who goes by another name outside of EDLS, attended an all-girls boarding school, still sings (gospel and more), and played soccer – until she turned in her cleats for dancing shoes. She also has major anxiety about speaking in public.
6. Chosen to play on the high school basketball team only because of height.  
➤ Who is **Asha Lewis**, Year II student? Asha could not even dribble the ball when asked to join the team.

7. This student is an international artist.  
➤ Who is **Sherrexcia Rolle**, Six-month student? One of Sherrexcia's singles release peaked at #37 in India. She also filmed a TV special in Los Angeles that aired on RevoltTV.

8. A basketball great who left the game so others could shine.  
➤ Who is **Thaddeus Saunders**, Year II Student? Thaddeus says he got tired of the limelight.





# Publication Committee

The Verdict is the official newsletter of the Eugene Dupuch Law School situated at City Corporate Centre, Rosetta Street, Nassau, New Providence, The Bahamas.

It is published twice a year by a joint committee of staff and students. Special thanks to Principal Tonya Bastian Galanis for her continued support.

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**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.





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

May this Christmas  
end the present year on a  
cheerful note and make way for  
a fresh and bright New Year.

MERRY CHRISTMAS  
AND  
HAPPY NEW YEAR!