


Judicial Education Institute of the
Eastern Caribbean Supreme Court
/OECS Bar Association's Joint
Symposium 2013



J.E.I
Judicial Education Institute

OECS Bar 10th Regional Law Fair
SCRUB ISLAND RESORT, SPA & MARINA,
BVI

September 14, 2013



**Judicial Education Institute of the
Eastern Caribbean Supreme Court/
OECS Bar Association's
Joint Symposium 2013**

Chairperson

Her Ladyship Hon. Justice Louise E. Blenman

8:30am - 8:35am Invocation

Ms. Yvette Wallace

Secretary, OECS Bar Association

8:35am - 8:45am Welcome Remarks

*Her Ladyship Justice of Appeal Hon. Justice Louise E. Blenman,
Chair, Judicial Education Institute*

8:45am - 8:55am Opening Remarks

Mr. Ruggles Ferguson

President of the OECS Bar Association

8:55am - 9:15am Opening Address

*Her Ladyship Hon. Dame Janice Pereira
Chief Justice, ECSC*

9:15am - 9:30am Coffee Break

**9:30am - 10:10am Special Safeguards for Minors and Vulnerable
Suspects or Accused Persons/Defendants before
the Court**

Presenter

Mr. Rajiv Persad, Attorney at Law

10:10am - 10:20am Discussion

10:20am - 10:35am Coffee Break



10:35am - 11:20am Derivative Actions in the Eastern Caribbean

Presenter

Mr. Paul Webster, QC

Attorney at Law, B.V.I

11:20am - 11:40am Discussion

11:40am - 12:35pm The Filing and Prosecution of Civil and Criminal Appeals: A Practitioner's Perspective

Presenter

Mr. Gerard Farara, QC

Attorney at Law, B.V.I

12:35pm - 12:45pm Discussion

12:45pm - 12:55pm Closing Remarks

Ms. Jean Dyer

Law Fair Coordinator / Treasurer of the OECS Bar Association

Gerard St. Clair Farara Q.C.,



a lawyer of over 35 years call and the second native Virgin Islander to practice law in the British Virgin Islands, is the Senior Partner and Head of Litigation of FARARA KERINS, a leading commercial and civil law firm which he founded over 29 years ago in the British Virgin Islands, providing a range of legal services to local and international clientele, including major international banks and financial institutions.

Mr. Farara, who was appointed Queens Counsel in 1996, is a formidable advocate and one of the most experienced and well-respected lawyers practicing in the British Virgin Islands and the Eastern Caribbean.

Over the last 30 years Mr. Farara has specialized in heavy civil, insolvency and commercial litigation. He has consistently been one of the top tier advocates at the Bar with experience before all courts up to the Privy Council in London. He continues to be counsel of choice in heavy commercial litigation before the courts of the BVI and other jurisdictions of the Eastern Caribbean Supreme Court. Queens Counsel Farara has also provided expert evidence in matters before the courts of foreign jurisdictions, such as the USA and Hong Kong, on a range of BVI law issues, including insolvency law.

Mr. Farara has also served as an acting judge of the High Court and Court of Appeal of the Eastern Caribbean Supreme Court. He was a member of the committee charged with interviewing candidates short-listed for appointment as the first judge of the Commercial Court.

Mr. Farara has served in various capacities on many Governmental and statutory Boards, most notably as Chairman of the 2003 Constitutional Review Commission and as member of the Constitutional Negotiating Team for the BVI. He is one of the architects of the Virgin Islands Constitutional Order 2007.

Paul Webster Q.C.,



is the Senior Partner, Head of the Litigation Department and one of the founding partners of O'Neal Webster, a leading law firm in the BVI specialising in commercial and civil law. He is one of the most experienced litigation lawyers in the BVI and has appeared as Counsel in the High Court, Court of Appeal and the Privy Council in many of the jurisdiction's most notable commercial cases in the past two decades

In recognition of his record and reputation as an advocate Paul Webster was appointed Queen's Counsel on March 14, 2003. He has held temporary appointments as a Judge of the High Court and Court of Appeal of the Eastern Caribbean Supreme Court. His practice is concentrated in the areas of corporate insolvency and commercial litigation. He is a past president of the BVI Bar Association and a member of the INSOL International.

Mr. Webster has given a wide range of service to the community through public service organizations, service clubs and public boards.

Mr Rajiv Persad. Attorney- at - Law.



a member of Trinity Chambers specialises in several areas of law including criminal law, public law, judicial review and human rights law. As a criminal practitioner he has featured as junior counsel in many of the leading cases involving extradition and judicial review as well as a significant number of capital and non capital criminal appeals.

He has appeared in a number of Privy Council cases involving convictions in capital and non capital matters as well as death penalty appeals.

In the field of public law he has been involved in cases involving police misconduct, prisoners' rights, mental health law and extradition.

His clients have included Chief Justice Sharma in the Tribunal and related proceedings, Prime Minister Panday in his criminal prosecution, Bernard Coard and 13 others in the Privy Council. Lawrence Duprey in the Commission of Enquiry into the Collapse of CLICO, Ish Galbaransingh in his fight against Extradition, The JFK Terrorist extradition case as well as soca artiste Benjai in the Machel Montano Assault Case at the Zen Nightclub.

Rajiv has been called to the Bar in Antigua where he acted as Special Prosecutor for the Crown in the prosecution of persons charged with defrauding the Medical Benefits Scheme and in Grenada where he represented members of the Grenada 17 in their resentencing hearings. He has during his career done temporary stints on the bench serving as a judge of the Supreme Court of Trinidad and Tobago between 2009-2010 and in Grenada he served as a judge of the Supreme Court between January to July 2013.

Rajiv is an associate Tutor at the Hugh Wooding Law School where he has taught courses in Criminal Procedure and the law of Evidence, he has presented papers for Judges and Magistrates at Seminars in Trinidad on issues ranging from Bad Character Evidence and Applications under FIU and Proceeds of Crime Legislation. He has also presented papers on Administration of Criminal Justice Issues at the UWI Crime Symposium and conferences hosted by the Crime and Justice Commission.



He also has conducted training seminars for members of the Trinidad Bar under the auspices of the Criminal Bar Association and for members of the Homicide Bureau (TTPS) and members of the Royal Grenada Police Service.

He is author of the chapter on the Judicial Committee of the Privy Council in “Taylor on Appeals” and has written papers in a number of publications on topics ranging from Illegally Obtained Evidence, Oral Confessions and other Criminal Justice Issues.



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