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- Privy Council—civil matter—Court of Appeal providing no written judgment—counsel's contemporaneous note of reasons for decision—whether Judicial Committee entitled to look at outside evidence of court's reasons (The Bahamas)
Saunders v Adderley [1999] 1 WLR 884 (PC) 985

- Privilege—legal professional privilege—solicitor and client—public safety exception—expert—communications between client and expert—psychiatrist’s report and opinion—psychiatrist reporting that client posed continuing danger to society—client pleading guilty—defence counsel informing psychiatrists that sentencing judge would not be advised of his concerns about client—psychiatrist claiming declaration that he was entitled to disclose information in interests of public safety—whether solicitor-client privilege should be set aside in interest of protecting public safety—relevant considerations—scope of disclosure (Canada)
Smith v Jones [1999] 3 LRC 414 986
- Fundamental rights—fair trial—right to counsel—accused applying for long of trial in order to obtain legal representation—trial judge granting brief adjournment only—whether discretion properly exercised—relevant considerations—whether in breach of fundamental rights (Guyana)
Caesar v State [1999] 4 LRC 32 989
- Subordinate judiciary—punishment of judicial officers—delegation of power of the High Court—resolution of full court constituting Disciplinary Committee for taking disciplinary action against judicial officer—Disciplinary Committee competent to take procedural steps from appointment of Enquiry Officer, framing of charges etc to recommending to Government imposition of penalty of dismissal—no necessity to refer matter again to full court (India)
High Court of Judicature at Bombay through its Registrar v Shirish Kumar Ranga Rao Patil AIR 1997 Supreme Court 2631 990
- High Court Judges (Conditions of Service) Act 1954—Part III—Punjab Superior Judicial Service Rules—High Court Judge retiring from Punjab High Court—fixation of pension—retirement before coming into force of amendment to Rule 16—Judge opting for fixation under Part III of the Act not entitled to benefit of addition of ten years of practice at the Bar while computing qualifying service for pension provided under Rule 16—amendment not enforceable retrospectively (India)
State of Punjab v Justice S S Dewan (Retd Chief Justice) AIR 1997 Supreme Court 2388 992
- Decisions of the Supreme Court—binding nature of—legal position well-settled—subordinate courts ignoring such position and passing order contrary to it—amounts to judicial impropriety (India)
Dwarikesh Sugar Industries Ltd v Prem Heavy Engineering Works (P) Ltd AIR 1997 Supreme Court 2477 993
- Fair hearing—delay—stay of proceedings—legal profession—disciplinary proceedings—whether proceedings to be stayed on grounds of delay—appropriate considerations—relevant period of delay—common law principles to be applied
- Discipline—complaint—disciplinary committee exercising jurisdiction in respect of complaints—“any person . . . aggrieved” entitled to make complaint—Chairman of General Legal Council making complaint on behalf of Council—Whether complaint valid (Jamaica)
McCalla v Disciplinary Committee of the General Legal Council [1999] 1 LRC 195 (PC) 994

- Show cause action—respondent convicted of criminal offence under s. 406 of Penal Code (Cap 224)—appropriate penalty—Legal Profession Act (Singapore)
Law Society of Singapore v VCS Vardan [1999] 2 SLR 229 (HC) 1013
- Gross professional misconduct—solicitor who was also principal in same property transaction with client—general principles governing solicitor's conduct—potential conflict of interest situation—failure on part of solicitor to advise client to seek independent legal advice—whether failure constituted gross misconduct under Legal Profession Act (Singapore)
Law Society of Singapore v Khushvinder Singh Chopra [1998] 3 SLR 845 (HC) 1014
- Grossly improper conduct—dishonesty—whether suspension or striking off the Roll—principles to be considered (Singapore)
Law Society of Singapore v Ravindra Samuel [1999] 1 ALR 696 (HC) 1016
- Show cause action—whether payment which respondent was to make under an agreement was by way of commission or service fee—penalty—appropriate form of disciplinary action—suspension—Legal Profession Act (Singapore)
Law Society of Singapore v Lau See-Jin Jeffrey [1999] 2 SLR 215 (HC) 1017
- Trial—judge and jury—retirement—irregularity—improper pressure—clerk of court asking jury to consider whether they wished to retire to consider verdict—whether clerk applying pressure on jury to reach verdict—whether such remark by court official a material irregularity—jury retiring for three hours—jury failing to agree on verdict—foreman reporting reasonable prospect of reaching verdict if given more time—on instruction of judge jury retiring for further half hour to consider verdict—guilty verdict returned—whether coercion of jury by judge—whether material irregularity—whether defence prejudiced—whether miscarriage of justice
- Trial—judge and jury—evidence—*voire dire*—statement to police later claimed by accused to be false—admissibility—judge determining in *voire dire* that statement voluntary and admissible—judge thereafter informing jury of ruling—whether such disclosure an irregularity—prevailing practice—whether defence prejudiced—whether a miscarriage of justice (Trinidad and Tobago)
Defour v State [1999] 4 LRC 463 (PC) 1019
- Confession—admissibility—breach of suspect's constitutional right to communicate with a lawyer (Trinidad and Tobago)
Mohammed (Allie) v The State, Privy Council, *The Times*, *The Independent*, 10 December 1998; *Review* para 99/72 1021
- Crime—evidence—privilege—defendant refusing on legal advice to answer questions at police interview—statement by solicitor after interview of grounds of advice—defence eliciting evidence of solicitor's statement at trial—whether privilege waived (United Kingdom)
Regina v Bowden [1999] 1 WLR 823 (CA) 1022
- Substituted service—defendant solicitor's whereabouts unknown—plaintiff granted leave to effect substituted service of writ on Solicitors'

- Fundamental rights—fair trial—right to counsel—murder trial—counsel assigned to accused withdrawing—accused no longer wanting that counsel to represent him—trial proceeding with accused unrepresented—judge granting short adjournment for accused to prepare defence—whether defence prejudiced—whether fundamental rights breached (Jamaica)
Mitchell v R [1999] 4 LRC 38 (PC) 997
- Contempt of court—allegation of bias against judge—judge allegedly defamed advocate in judgment of another case—allegation that judge will now and in future cases be biased or partial against him—whether advocate guilty of contempt—whether court had jurisdiction to initiate contempt proceedings on its own motion (Malaysia)
Re Tai Choi Yu [1999] 1 MLJ 416 (HC) 999
- Costs—taxation—review—getting-up fees—whether excessive—only one issue involved and not novel—amount involved was large—preparatory work had been undertaken before the Special Commissioners—whether Senior Assistant Registrar was right in finding that the same before the High Court was less strenuous (Malaysia)
Ketua Pengarah Hasil Dalam Negeri v Damansara Jaya Sdn Bhd [1999] 2 MLJ 374 (HC) 1000
- Practice and procedure—judgment—irregular delivery—validity—decision given by telephone—decision conveyed to counsel and parties—judge dying subsequently—no reasons given for decision—High Court Rules requiring judge to give judgment in open court—non-compliance—effect—whether judgment given (New Zealand)
Bell-Booth v Bell-Booth [1999] 4 LRC 1 1001
- Solicitor and client—duty—conflict of interest—fiduciary duty of loyalty to client—duty of confidentiality to client—firm acting for potential bidders for company for which it had previously acted—possession of confidential information—law firm setting up “Chinese walls” around operation—whether firm should be disqualified from continuing to act for bidders—principles to be applied (New Zealand)
Russell McVeagh McKenzie Bartleet & Co v Tower Corp [1999] 3 LRC 523 1003
- Duty of care—extent of duty—scope of retainer
Gilbert v Shanahan [1998] 3 NZLR 528 (CA); *Review* para 99/262 1008
- Fundamental rights—right to fair trial—right of access to information—criminal trial—disclosure by prosecution—fair trial—list of prosecution witnesses and witness statements—whether defence entitled to disclosure—whether refusal of disclosure in violation of fundamental rights (Seychelles)
Republic v Georges [1999] 4 LRC 146 1008
- Manner unbefitting an advocate and solicitor—penalty—setting aside—Inquiry Committee dismissing all complaints against advocate and solicitor—finding that solicitor had done very little to request extension of time for client to vacate premises—penalty based on finding—whether a specific complaint that solicitor did not request for extension of time (Singapore)
Re Low Fook Cheng Patricia (A Solicitor) [1999] 2 SLR 326 (HC) 1011

- Judgments and orders—default judgment—application to enter judgment in default of defence against government—whether merits of case relevant—applicable principles—whether issue of certificate under s. 14 of Government Proceedings Act (Cap 121) obviates filing of defence (Singapore)
Attorney General v Phang Fook Seng [1999] 3 SLR 641 (CA) 812
- Limitation of action—negligence—accrual of cause of action—plaintiffs purchasing property in reliance on valuation report by defendants—subsequent discovery of defects in property—plaintiffs bringing action in negligence more than six years after exchange of contract but less than six years after completion—whether cause of action accruing on exchange or completion (United Kingdom)
Byrne and Another v Pain & Foster (a Firm) and Others [1999] 1 WLR 1849 (CA) 814
- Practice—trial—litigant in person—proceedings in private—judge refusing to allow lay adviser to be present to assist litigant—whether litigant in person entitled to adviser's assistance—whether adviser having right to provide assistance—whether judge having duty to give reasons for refusal (United Kingdom)
Regina v Bow County Court, Ex parte Pelling [1999] 1 WLR 1807 (CA) 815
- Practice—discovery—documents relating to police investigation—bank reporting information regarding money laundering to National Criminal Intelligence Services—plaintiff obtaining order for production of documents by bank—disclosure likely to prejudice investigation—compliance with order giving rise to risk of prosecution—non-compliance giving rise to risk of contempt proceedings—guidance for financial institutions—Criminal Justice Act 1988 (c. 33), s. 93D (as inserted by Criminal Justice Act 1993 (c. 36), s. 32) (United Kingdom)
C v S and Others (Money Laundering: Discovery of Documents) (Practice Note) [1999] 1 WLR 1551 (CA) 815
- Ecclesiastical law—pastoral scheme—appeal—proceedings for vacation of benefice discontinued—scheme providing for redistribution of parishes—incumbent's benefice less populous—whether commissioners entitled to make scheme (United Kingdom)
Reverend Ashley FB Cheesman and Others v Church Commissioners [1999] 3 WLR 630 (CA) 823
- Practice—vexatious litigant—inherent jurisdiction of court—litigant bringing numerous vexatious proceedings after being made bankrupt—High Court judge prohibiting litigant from commencing further proceedings relating to bankruptcy in High Court or county court without leave—whether High Court having inherent jurisdiction to make order—whether power to extend order to county court (United Kingdom)
Ebert v Venvil and Another; Ebert v Birch and Another [1999] 3 WLR 670 (CA) 824
- County Court—High Court—proceedings transferred to—action for possession of dwelling house outside Greater London—transfer to High Court and consolidation with money actions—whether High