

# LL.M/PGDip in International Finance: Law and Regulation

Students' handbook



**TRUMAN BODDEN  
LAW SCHOOL**  
CAYMAN ISLANDS



UNIVERSITY OF  
**LIVERPOOL**

**Prospective students information handbook**

**2020-21**

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## 1. Programme introduction

The LL.M/PGDip in 'International Finance: Law and Regulation' is the new postgraduate degree from the Truman Bodden Law School. Students will gain knowledge and skills in both the legal and policy aspects of international finance. The course content includes consideration of areas such as financial markets, banking law, international insolvency, money laundering and corporate governance.

The LL.M/PGDip stands on the cutting-edge of training in practice and research skills, and is provided by the Truman Bodden Law School lecturing team, together with the extensive resources and expertise of The University of Liverpool, a leading Russell Group university. It is designed to service the needs of Caymanian and international law practices and those whose career or interests lies in the field of international finance; and to equip professionals with the best tools to fulfil their career ambitions whilst providing a comparative advantage to those pursuing international careers.

The Cayman Islands is renowned for its expertise in the financial services sector and its associated legal framework and standards of international compliance. Successful applicants will be able to expand their knowledge in International Finance Law and Regulation, and related areas, while living and learning in the fifth largest financial centre worldwide.

Admission for the academic year 2020-21, starting in September 2020, is now open.

**The deadline for applications is 31<sup>st</sup> August 2020.**

## 2. Welcome from the Law School Director

Dear Prospective Student,

I am delighted that you are considering applying to TBLS to become a member of the cohort of students to enrol on the new postgraduate programme in ‘International Finance: Law and Regulation’.

The LL.M/PGDip is the first taught academic postgraduate programme to be offered by the law school and is the first such course to be offered in the Cayman Islands. Even regionally, there exist few comparable programmes of study.

The launch of this programme in 2018 represented the next logical step in the evolution of the law school, building upon the hugely successful undergraduate Bachelor of Laws Degree partnership with the University of Liverpool, in place since 1987. Like the undergraduate qualification, the new LL.M/PGDip leads to an award of the University of Liverpool, whilst all learning and teaching is undertaken in the Cayman Islands with small class sizes which ensure an effective and interactive learning environment.

The dedicated team of TBLS LL.M/PGDip teachers are all subject experts in the modules for which they have responsibility and those modules have been chosen to develop a programme which will provide exposure to a range of specialisms of relevance to those already engaged in or considering a career in international finance.

As the LL.M/PGDip will be the award of the University of Liverpool, a member of the elite “Russell Group” of UK universities, the pedigree of the qualification is assured and the programme’s capacity to open new career paths, as well as to enhance existing ones, are primary goals of the programme.

This handbook has been designed with you in mind, to assist you in making an informed decision about applying to be admitted to the LL.M/PGDip programme. If you have any questions or would like to meet with either myself or the LL.M/PGDip Course Leader, Ms Laura Panades, please feel free to email either one of us. Our email contact details can be found in the last page of this handbook. Further information is also available on the Law School website ([www.lawschool.gov.ky](http://www.lawschool.gov.ky)).

I look forward to welcoming you in September 2020 as a member of the student cohort of the LL.M/PGDip and to your graduation from the programme as the graduates of the classes of 2021/2022.

Mitchell C. Davies  
Director.

### 3. Welcome from the LL.M/PGDip Course Leader

Dear Prospective Student,

We are very pleased that you are considering undertaking the new LL.M/PGDip in 'International Finance: Law and Regulation'. This programme is unique on island, opening a whole new set of possibilities in the Cayman Islands.

A powerful alliance. The LL.M/PGDip is built on the cutting-edge teaching and research skills of the Truman Bodden Law School staff. The University of Liverpool's accreditation ensures excellent education, the highest academic quality standards and, upon graduation, access to a wide range of career development options.

Develop your skills. During the programme, students will face multiple opportunities to develop their research and analytical skills and, under adequate training and supervision, will be able to explore their own academic interests within the field of International Finance Law and Regulation.

Ideal study environment. The law school's extensive resources will assist you in maximising your learning opportunities while in the Cayman Islands. All students have access to first rate legal library facilities and access to the e-resources of the University of Liverpool.

Seize every opportunity. As the legal and business community is close-knitted, take every opportunity to interact with local stakeholders, participate in cultural events and immerse yourself in the financial environment of a top-five offshore jurisdiction.

Thank you

Laura Panadès

LL.M/PGDip Course Leader.

## 4. About the Truman Bodden Law School

The Truman Bodden Law School was opened on 27th September 1982 by the then Governor, Mr Peter Lloyd. Since March 2005, the Law School has been located within the former CIBC Building, central George Town. Since its opening, the aim of the Law School has been to provide students with a standard of legal education equivalent to that prevailing at leading UK universities. Students successful in the honours degree programme are eligible to pursue further postgraduate study at institutions of higher learning across the common-law world. Consistent with the legal education experience in other law schools, TBLS students should anticipate an exciting and challenging experience with small-sized classes and dedicated lecturers.

The Law School provides tuition for both the full and part-time programmes leading to the Bachelor of Laws (Honours) Degree and the LL.M/PGDip in International Finance: Law and Regulation of the University of Liverpool, and the qualification of Attorney-at-Law of the Cayman Islands following successful completion of the Professional Practice Course.

The full and part-time LL.B degree and the LL.M/PGDip in International Finance: Law and Regulation programmes are offered under the aegis of the University of Liverpool. The Professional Practice Course, leading to the Qualifying Examination, is operated under the auspices of the Legal Advisory Council, comprising the Hon. Chief Justice, the Hon. Attorney General and the respective Heads of the Caymanian Bar Association and the Cayman Islands Law Society.

In March 2019, TBLS was the subject of an external Institutional audit visit by the University of Liverpool with five senior University staff visiting TBLS for this purpose. The audit was extremely favourable with the audit team recommending a renewal of the five-yearly affiliation with the University. Therefore, TBLS expects a new Institutional Agreement with the University to be signed soon extending the relationship until January 2025.

## 5. A dedicated lecturing team



**Mitchell Davies** is the Law School Director. He teaches and has published extensively in

Criminal Law and Private International Law. Previous lecturing experience includes the Universities of Bristol and Buckingham (UK). His memberships include the University of Liverpool's Academic Board, and the Cayman Islands Legal Advisory Council, Criminal Sentencing Committee and Judicial Training Committee.



**Laura Panadès-Estruch** is the LL.M/PGDip Course Leader and Lecturer in

International Finance. She is conducting her PhD research in Law at the University of Cambridge (UK). Her research focuses on public-private partnerships and public procurement. She has worked at the European Parliament, the European Commission DIGIWHIST project on avoidance of corruption and a number of European universities.



**Scott Atkins** is the Law Lecturer in Contract, Commercial and Trusts Law on the Law

School's undergraduate and postgraduate programmes. Scott holds an LLB (Birmingham) and is a qualified solicitor in England and Wales. He is former Head of Law at the University of Derby (UK). Scott has written a textbook on Equity and Trusts and remains a visiting professor at the Institute of Law (Jersey).



**Mr Andrew Perkins**

Andrew Perkins is the LL.M/PGDip lecturer in International Insolvency and

International Banking Law. He holds an LL.B from the University of Wales. He is a member of the Bar of England & Wales. He lectures Intellectual Property on the LLB and teaches Civil Litigation, Legal Skills and Practical Legal Research for the Professional Qualifying Bar Exams in Cayman.

## 6. Truman Bodden Law School: Mission Statement

The Truman Bodden Law School, in partnership with the University of Liverpool, aims to provide students with a standard of tertiary level legal education equivalent to that prevailing in the United Kingdom and at other providers of legal education across the common law world.

The aim of the Law School is to provide students with an in depth knowledge of English and Cayman Islands law, and at the same time to develop transferable skills, advanced research capabilities and skills of analysis, logical thought, conciseness, and critical ability.

In doing so, the Law School seeks to provide an environment for its students that encourages and enables them to achieve their full potential in the pursuit of knowledge and academic excellence.

At a postgraduate level, the Law School offers three study programmes. The LL.M and PGDip, in partnership with the University of Liverpool, is a Master of Laws which seeks to provide its graduates with a solid academic and research background which will open up a world of new professional opportunities. The PPC is built as a fourth year of studies after the LL.B which, following completion of articles of Clerkship, leads to qualification as an Attorney at Law of the Cayman Islands. Both courses are intended to provide legal training at a comparable level to that offered on similar courses in the United Kingdom and across the common law world.

The Law School seeks to promote awareness of the legal, ethical, and moral issues relevant in the development of legal rules and in the practice of law. The courses offered by the Law School are intended to be of benefit not only to those students who wish to enter the legal profession but also to those having a variety of other professional career aspirations.

## 7. The University of Liverpool, embedded in the local community

Royal Letters Patent issued by Queen Victoria in 1881 founded the University of Liverpool. The School of Law, one of the oldest in the United Kingdom, celebrated its centenary in the academic year 1992-93. Graduates of note include: The Law School's former Patron, the Right Hon. Lord Nicholls of Birkenhead, until 2007 a member of the Judicial Committee of the House of Lords and Privy Councillor; the late Lord Justice Sellers, the late Mr Justice Lynskey; the former Attorney-General of Hong Kong, J.W.D. Hobley C.M.G; and Mr Michael Bray, formerly global managing partner of Clifford Chance, one of the world's largest law firms.

The relationship between the University of Liverpool and the Truman Bodden Law School reflects a partnership which has flourished for more than 30 years. These three decades have yielded the foundations for long-term cooperation, strengthening the international link with the United Kingdom's tertiary education sector and providing numerous valuable opportunities for the local community.

The Truman Bodden Law School was established in 1982 and has enjoyed an undergraduate affiliation with the University since 1987. During this period, TBLS has become a leading tertiary education provider in the Caribbean region with the aim of providing teaching excellence and first-class facilities to its cohort of local and international students. Numerous prominent lawyers, politicians and senior civil servants are included within the expanding ranks of TBLS alumni.

The frequent visits of senior University staff to the Cayman Islands underscores the close ties between the two institutions. There is no doubt that the popularity of TBLS is due to its affiliation with the University of Liverpool with whom TBLS enjoys an enduring and close relationship. An important consequence of the affiliation with the University of Liverpool is that all TBLS graduates of the LL.B and LL.M/PGDip programmes have their degrees

conferred upon them by the University of Liverpool. A further consequence of the long-standing affiliation with the University of Liverpool is that all full-time TBLS lecturers are recognised law teachers of the University of Liverpool. All full-time TBLS lecturers are also members of the Cayman Islands Attorney General's Chambers.

In August 2002, the relationship between the institutions was, for the first time, placed on a formal footing by the signing of an Institutional Agreement by the Attorney General of the Cayman Islands and the Vice-Chancellor of the University. This document cements the strong relationship between the institutions and specifically recognises degree students at TBLS as registered students of the University. Amongst the many benefits which this provides is access to legal data bases through University subscription such as Westlaw and Lexis/Nexis, as well as to a suite of the University of Liverpool on-line Learning and Teaching platforms.

September 2012 marked the 30<sup>th</sup> anniversary of the founding of TBLS and senior representatives of the University of Liverpool, including the then Vice-Chancellor, Sir Howard Newby, attended the Law School's 2012 graduation ceremony in recognition of this milestone. At this time, the University also officially launched the University/TBLS alumni association. For more information, please visit: <https://alumni.liv.ac.uk/cayman-association>

In August 2014, a senior delegation of University officials, including Sir Howard Newby and the University's Public Orator, were again in attendance at the Law School's Graduation Ceremony. The Ceremony marked a further significant event in the history of the Law School and the Cayman Islands in the conferral (for only the second time in the Cayman Islands) of the University's Honorary LL.D Degree on Mr Truman Bodden OBE, in recognition of his role in the establishment of the Law School in 1982, and after whom the Law School is named.

In March 2019, the Law School underwent a five yearly institutional review/re-validation visit conducted by a senior team of University academics and administrators. The outcome of that visit was very positive, with the University expected to agree to renew the affiliation between the two institutions for a further period of five years until 2025. It has also been confirmed, following this visit, that the LL.B offered by the Law School will continue to have Qualifying Law Degree status, meaning that it is a recognised degree for professional practice purposes in the UK, as it has been since 2002.

Students at the Truman Bodden Law School are associate members of the University of Liverpool's Student Guild and as such they are entitled to access many student services, including advice, representation and access to information on the Guild website.

Whilst TBLS students are not members of the UK's National Union of Students (NUS), as members of the University's Student Guild they are afforded certain rights as the University Guild is considered an NUS member, thereby affording Guild members certain rights. As part of The Guild's affiliation to NUS, it can participate in NUS's democratic structures, including sending delegates to the NUS National Conference. TBLS students are also eligible through the University Guild to purchase an NUS Extra (student discount) Card. To find out more information about the discounts or to buy a card, students should go to [www.nus.org.uk/en/nus-extra/](http://www.nus.org.uk/en/nus-extra/).

## 8. Programme outlines: the LL.M and the PGDip

The new Programme includes two part-time study tracks: the LL.M. – Master of Laws and the PGDip – Postgraduate Diploma. You must choose one in submitting your application.

The **LL.M in International Finance: Law and Regulation** is a 180-credit postgraduate programme covering legal aspects of international finance touching upon a variety of areas of the Law. It is available full-time (1 year) and part-time (2 years).

The **full-time** programme is structured over three semesters, two of which comprise taught elements with an additional Summer semester dedicated to the completion of a mandatory 60 credit dissertation.

The **part-time** programme is structured over five semesters, four of which will comprise taught elements with an additional fifth semester dedicated to the completion of a mandatory 60 credit dissertation on an approved topic relevant to the field of International Finance Law and Regulation.

The LL.M programme culminates with the submission of a dissertation on a topic of the student's choice. This choice will have been made in consultation with the TBLS supervisor and will be centrally relevant to the field of International Finance Law.

The **PG Dip in International Finance Law and Regulation** will be awarded to those candidates who complete 120 taught credits at Master's level (FHEQ Level 7). Students taking the PGDip will not undertake the dissertation module.

The LL.M and PG Dip are subjected to the University of Liverpool Code of Practice on Assessment. Full information is available at <https://www.liverpool.ac.uk/aqsd/academic-codes-of-practice/code-of-practice-on-assessment/>.

## FULL-TIME ITINERARY

### Semester I (60 credits)

Module code	Module title	Credits
LAW850	Advanced Research Skills	7.5
LAW859	Issues in International Dispute Resolution	7.5
LAW852	Legal aspects of international finance (I)	15
LAW855	International banking and capital flows	15
LAW856	Common Law choice of law rules in the law of obligations	15

### Semester II (60 credits)

Module code	Module title	Credits
LAW853	Legal aspects of international finance (II)	15
LAW854	Equity, trusts and commerce	15
LAW857	International insolvency law	15
LAW858	The Law of Public-Private Partnerships	15

### Summer Semester (60 credits)\*

Module code	Module title	Credits
LAW860	Dissertation	60

*\*only for those in the LL.M track*

**PART-TIME ITINERARY**

**YEAR ONE - Semester I (30 credits)**

<b>Module code</b>	<b>Module title</b>	<b>Credits</b>
LAW850	Advanced Research Skills	7.5
LAW859	Issues in International Dispute Resolution	7.5
LAW852	Legal aspects of international finance (I)	15

**YEAR ONE - Semester II (30 credits)**

<b>Module code</b>	<b>Module title</b>	<b>Credits</b>
LAW853	Legal aspects of international finance (II)	15
LAW854	Equity, trusts and commerce	15

**YEAR TWO - Semester I (30 credits)**

<b>Module code</b>	<b>Module title</b>	<b>Credits</b>
LAW855	International banking and capital flows	15
LAW856	Common Law choice of law rules in the law of obligations	15

**YEAR TWO - Semester II (30 credits)**

<b>Module code</b>	<b>Module title</b>	<b>Credits</b>
LAW857	International insolvency law	15
LAW858	The Law of Public-Private Partnerships	15

**YEAR TWO – Summer Semester (60 credits)\***

<b>Module code</b>	<b>Module title</b>	<b>Credits</b>
LAW860	Dissertation	60

*\*only for those in the LL.M track*

All modules are designed as a combination of lectures and seminars. Lectures structure knowledge, whereas seminars provide a forum to learn through self-reflection and interaction under the supervision of the module leader. Through this balance of teaching supervision and self-directed study, students will learn to retrieve and synthesise legal materials and demonstrate a systematic understanding of complex issues affecting international finance law and regulation.

The assessment methods have been designed to complement the teaching and learning methods and to measure the student's achievement against the learning outcomes and skills relevant to the programme. The assessment methods are designed to target and evaluate the learning, employability and research skills that will be acquired throughout the programme. Some modules are assessed entirely by written coursework of 5,000 words and others are assessed by a combination of written coursework of 4,000 words plus a 20-minute oral presentation on the same theme as the coursework.

## 9. Schedule: work-friendly programmes

The LLM and the PGDip are work-friendly study programmes, with lessons scheduled in the early evening.

A tentative schedule for year 2020-2021 is the below:

### Semester I (60 credits)

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>
Legal Aspects of International Finance I	International Banking and Capital Flows	Advanced Research Skills / International Dispute Resolution	Conflict of Laws

### Semester II (60 credits)

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>
Legal Aspects of International Finance II	The Law of Public-Private Partnerships	Equity, the Trust and Commerce	International Insolvency Law

Please be advised that this represents only the contact hours. This schedule does not reflect time for lecture and tutorial preparation, research tasks, assessment preparation and any other Law School related commitments.

## 10. Commitment to your LL.M/PGDip studies

The LL.M/PGDip is a personal and professional endeavour of high importance. If well managed, it has the potential to be life changing for your career. Throughout your studies, you will be required to comply with the attendance and assessment criteria, which ensures you are in the best position to successfully graduate.

**Attendance.** The Law School has a mandatory attendance policy.

**Assessment.** Submission of all summative assessments is compulsory. Late submission will incur penalties and non-submission will incur a zero mark in accordance with the Code of Practice on Assessment. Students whose performance in assessments has been adversely affected by ill health or other circumstances beyond their control may make an application (corroborated by appropriate evidence) to have their extenuating circumstances considered in accordance with the University of Liverpool's extenuating circumstances policy. More information on extenuating circumstances is available at: <https://www.liverpool.ac.uk/student-administration/exams/extenuating-circumstances/>.

**LL.M/PGDip Merits.** A Merit or Distinction grade will be awarded to high performing candidates who achieve the following conditions:

- Distinction:
  - an overall average mark of at least 70% across the research and independent study modules; and
  - marks of at least 70% in modules accounting for at least half of the credit of the overall award; and
  - an overall average mark of at least 70%.
- Merit:
  - an overall average mark of at least 60% across the research and independent study modules; and

- marks of at least 60% in modules accounting for at least half of the credit of the overall award; and
- an overall average mark of at least 60%.

### **Reassessment policy.**

Students will be permitted one re-assessment opportunity in each failed assessment component per module to be taken at the next available opportunity, normally no later than 12 months after the date of the failed assessment and within the maximum registration period.

Marks achieved at re-assessment will be capped at 50% for the purposes of calculating the overall average mark and degree classification. Whenever an examination/assessment is reassessed, the mark achieved in the re-assessment always supersedes any earlier mark even where the earlier mark is higher.

### **Compensation policy.**

Taught modules totalling up to 20 credits with marks in the range 40-49% are deemed compensatable where the overall average mark is 50%.

Marks for modules passed by the compensation rule will be recorded as a pass mark of 50%.

### **Penalties for late submission of assessed work**

The Law School's standard penalties for the late submission of assessed work are:

- 5% of the total marks *available for the assessment* shall be deducted from the assessment mark for each working day after the submission date, up to a maximum of five working days (e.g. for work marked out of 100, five marks per day will be deducted); however, the mark will not be reduced below the pass mark for the assessment. Work assessed below the pass mark will not be penalised for late submission of up to five days.

- Work received more than five working days after the submission deadline will receive a mark of zero. In such circumstances, the student will be required to re-take the assessment and the re-assessment title/topic will be different from the original title/topic. Re-submission of the original piece of work is not permissible.

Full information about the penalties for late submission of assessed work (where a good cause for the late submission can be established) is available in the University of Liverpool's Code of Practice on Assessment at <https://www.liverpool.ac.uk/student-administration/exams/policies-procedures/code-of-practice-assessment/>.

### **Plagiarism and collusion**

The University's *Code of Practice on Assessment* provides the following definitions of plagiarism and collusion (See Appendix L: Academic Integrity Policy):

**"Plagiarism** occurs when a student misrepresents, as his/her own work, the work, written or otherwise, of any other person (including another student) or of any institution.

Examples of forms of plagiarism include:

- The verbatim copying of another's work without acknowledgement;
- The close paraphrasing of another's work by simply changing a few words or altering the order of presentation, without acknowledgement;
- Unacknowledged quotation of phrases from another's work;
- The deliberate and detailed presentation of another's concept as one's own."

All types of work submitted by students are covered by this definition, including written work, diagrams, charts and pictures.

**“Collusion** occurs when, unless with official approval (e.g. in the case of group projects), two or more students consciously collaborate in the preparation and production of work which is ultimately submitted by each in an identical, or substantially similar, form and/or is represented by each to be the product of his or her individual efforts. Collusion also occurs where there is unauthorised co-operation between a student and another person in the preparation and production of work which is presented as the student’s own.”

Students found to have committed plagiarism or to have colluded in preparing assessments are liable to be severely penalised, e.g. they may be given a mark of zero for the module concerned and a disciplinary letter placed on their file. References written for the student may include any findings of plagiarism. In the most serious cases, professional bodies may be notified and students may be required to terminate their studies.

### **Suspension of Studies**

Students are advised to speak with their personal tutor or the Director if they wish to suspend their studies. Students will be given advice concerning valid reasons for suspension.

Students should also ensure wherever possible that any suspension request is made in a timely fashion. Students are required to complete a “Suspension of Studies from a Taught Programme” form available from the TBLS front office. It should usually be accompanied with a more detailed letter detailing the difficulties which are the cause of the request.

If the suspension is on medical grounds, medical evidence must be attached at the time of the request. This request must then be approved by TBLS and the Liverpool Law School. Any student possessing a student visa will have their visa cancelled. Students who are in receipt of a student loan may also have to repay their loan provider (who will be advised of the suspension by TBLS and who should also be informed by the student) part/all of the loan provided. Once the suspension request has been approved, the student will receive a written confirmation of the suspension.

Before the student returns to Law School, he/she will need to contact TBLS in order to obtain permission to resume studies and to finalise arrangements for return. If the student has suspended their studies on medical grounds, he/she must submit medical evidence stating that he/she is fit and well and able to resume studies.

Suspended students are encouraged to stay in contact with their personal tutor and TBLS as to their situation. TBLS will endeavour to offer any assistance that is necessary.

### **Return from Suspension**

On re-registration all students must provide medical evidence of their fitness to resume studies (where ill-health or injury has been the cause of the suspension) and meet all required tuition/registration fees. No student will be permitted to return from suspension whilst any outstanding fees exist.

### **Transfer between programmes**

Students should discuss any proposed transfer with their personal tutor or the Director. The student should complete a “Transfer between Taught Programmes” Form, available from the TBLS front desk. This form must be signed by the Director and forwarded to Liverpool Law School for their approval also.

### **Withdrawal**

Any requests to withdraw/transfer should in all cases be discussed with your personal tutor or the Director. Advice will be given on the best way forward. If a student decides that he/she would like to withdraw, a “Withdrawal from a Taught Programme” form must be completed which is available from the Law School Reception. Any student possessing a student visa will have their visa cancelled. Students who are in receipt of a student loan may also have to repay their loan provider (who will be advised of the suspension by TBLS and who should also be informed by the student) part/all of the loan provided.

## **Illness**

Students must seek contemporaneous medical documentation when they experience illness. Students are encouraged to see their doctor and obtain a medical certificate outlining the medical problem. This certificate should be handed into the school's administrative support staff who will copy and file the evidence for future reference. If preparation for or the taking of an assessment has been affected by illness (or other unavoidable cause), students should complete an **Extenuating Circumstances Form which is available from the Law School Reception for completion. It is important to note that no illness can be taken into account if there is no documentary evidence to support claim in respect of it.** The onus to produce all necessary evidence is on the student.

## **Personal Difficulties/Extenuating Circumstances**

Students who experience personal difficulties during their degree studies are encouraged to seek advice and support from their personal tutor. They should inform the Law School in writing (where possible) and this information will be placed on the student's file for future reference. Such information, if relevant, will be taken into account if the student performs poorly in assessments or is prevented from completing an assessment. In such cases, the extenuating circumstances procedure outlined above should be followed. **It is important to note that no extenuating circumstances can be taken into account if there is no documentary evidence to support such a claim.** The onus is on the student to provide this evidence. This information should be given to either your personal tutor or the Director of Legal Studies.

## 11. Student life

As you join TBLS, there are some procedures that you should familiarise yourself with. Awareness of these will ease your student integration and provide you with valuable information for the future.

### **On regulations Governing Local Legal Education.**

The Legal Practitioners Law (2015 Revision) and the Legal Practitioners (Students) Regulations (2018 Revision) as amended, confer upon the Law School authority to offer a system of legal education in the Cayman Islands under the control and guidance of the Director, the Attorney General and the Legal Advisory Council. You are strongly advised to become thoroughly familiar with these regulations early in your Law School career.

It is also essential for you to become acquainted with Liverpool University's Assessment Code of Practice, which you can download at <https://www.liverpool.ac.uk/student-administration/exams/policies-procedures/code-of-practice-assessment/>

**TBLS Student Societies & Committees.** Below are listed the Law School's associated bodies which have student members.

**The Law School Students' Society.** Run by the students for the students. The Society is responsible for organising social and fundraising events and for forging links between the Law School and the local legal profession as well as other corporate entities.

**Staff-Student Liaison Committee.** This Committee's function is to consider all aspects of student welfare within the Law School, including all academic and pastoral services offered. All programmes of study are fully represented on the Committee following elections for this purpose that are held early in each academic year. The Committee also comprises student members elected to Executive

positions within the Students' Society. It also comprises all members of the Law School academic staff and meets at least twice each academic year. It is Chaired by the Director of Legal Studies.

### **Health and Safety**

Your safety is important to us. Ensuring the health and safety of students, staff and visitors is one of the Law School's highest priorities. TBLS is responsible for providing a safe environment and safe systems of work, but safety cannot be achieved without the full co-operation of everyone.

TBLS rules require that every student whilst on the Law School premises:

- takes reasonable care for the health and safety of themselves and others;
- acts in accordance with School safety rules.

Students are required:

- to read the fire procedure notices and familiarise themselves with the alternative fire exits;
- to report accidents, near misses or dangerous conditions to a responsible member of the department;
- to co-operate with health and safety instructions.

By telephone, the emergency number for fire, police or ambulance is 911. If you have any problems or questions about safety, raise them with a member of the teaching staff or with your Personal Tutor.

### **Cayman Islands Government Policy on Smoking**

Smoking in all Cayman Islands Government occupied buildings is prohibited. The Law School has a duty to ensure, so far as reasonably practicable, that the working environment is

healthy. Thus it has a duty, so far as reasonably practicable, to protect non-smokers against involuntary inhalation of the carcinogens in cigarette smoke.

- No-Smoking Rule: all areas of the Law School are "no smoking" areas.
- Smoking at Entrances: staff and students should not smoke close to building entrances, where those entering or leaving may inhale smoke, or to openable windows.

## 12. Student resources

As a TBLS LL.M/PGDip student, you will get access to the resources listed below.

### **The TBLS Web Page and Online University Academic Resources.**

TBLS has a dedicated web site which is located on the Cayman Islands government web site. This is located at [www.lawschool.gov.ky](http://www.lawschool.gov.ky). Student information, including lecture and tutorial materials, student announcements and other student learning resources will be posted by module leaders on the University's online academic service: VITAL (Virtual Interactive Teaching At Liverpool). All materials will be posted on VITAL by your TBLS Module Leader at the beginning of the semester for the whole of the module. VITAL is password protected and you will need your University of Liverpool registration information to access it.

### **University E-Mail Addresses**

Communication with students (both from the University and TBLS) is generally by email. All students will be provided with a University email address upon first registration. All email communication with students will be via their University email address which is the address that students are expected to use when communicating with the law school and tutors. Students are strongly advised therefore to check their University e-mail accounts regularly.

TBLS students are required to adhere to the principle that the content of messages sent to Law School email lists must be appropriate for the membership of that list, and must be relevant to the academic affairs of the recipients.

## **The TBLS Library**

TBLS boasts one of the Island's finest law libraries with significant lending and reference collections. The library falls under the direct supervision of a qualified librarian, who also has responsibility for the Portfolio of Legal Affairs, the Office of the Director of Public Prosecutions and Courts libraries. She is supported by a full-time library assistant. TBLS has a fully equipped computer room with all computers having internet access. The entire Law School also has a wireless internet capability. The purpose-built Law School library is located on the second floor of the Law School. All registered TBLS students may borrow books forming part of the lending collection whenever the Law School is open.

With the exception of books, law reports and journals which are classified as reference materials only, the remainder of the collection may be borrowed from a library officer (ie those members of staff having responsibility for library borrowing/administration) for a period of up to two weeks. The maximum number of books that may be borrowed is three at any one time. Overdue returns are module to a fine of CI\$2.00 per book, per day overdue. Library officers have been instructed to enforce this system rigidly in the interests of all library users. You have been warned!

The library officers are the Librarian, the Library Assistant, the Administrative Assistant and the Receptionist. A library officer is to be informed whenever a student borrows a book. Students will be required to replace any books, which are removed and not returned on demand. Under no circumstances may library books be transferred between students without having been previously returned to the Law School. It is the responsibility of the borrower to return all books in the condition received either in person to one of the library officers or by means of using the library books return box. Under no circumstances are books to be left on the Receptionist's or Librarian's desk unattended. All books remain the responsibility of the borrower until properly returned in one of the above ways. Any abuse of the library system will automatically result in borrowing privileges being withdrawn from the offender.

Adjacent to the library is the student computer room housing desktop PCs, scanners and printers. Wireless internet access for laptop computers is available throughout the Law School. Photocopying facilities are also available in the library.

### **Library Opening Hours and Borrowing Policy**

The Library is an integral part of the Truman Bodden Law School. It is a vital resource in the training and development of law students. The Library aims to provide an efficient and comprehensive service for readers, combining traditional sources with electronic media. The library includes a full range of primary and secondary materials. Statutes, Statutory Instruments, Law Reports, Treaties and other official publications, are key primary reference materials. Textbooks and journals are important secondary sources and provide commentary on the law. The textbooks are either for short loan, or for standard two week loan.

- Opening Hours (Closed on Public Holidays and Weekends)

<b>Term:</b>	Monday – Friday	8:30 – 5:00
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<b>Vacation:</b>	Monday – Friday	8:30 – 5.00
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**Extended library opening times** will be offered from the second half of each semester until 9pm on designated week days. Extended library opening times may include weekend hours and any extended opening is module to student demand. This facility will be withdrawn if it is not sufficiently utilised.

- Borrowing Entitlement

Standard collection	3 items for 14 days
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Short loan collection	Overnight Loan Only
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Reference collection	For reference only – not to be removed
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\*Items may not generally be renewed more than twice and renewals will not be allowed at all where another user has reserved the item.

- Photocopying

There is no charge for photocopying, but students must supply their own paper available for purchase from the front desk. **All copying is subject to local copyright laws.**

### **Student ID Cards**

University-generated student identification cards will be issued to all new degree students following registration. These cards will be issued in September to students who have paid their tuition and registration fees (the latter being done online) and who have supplied (physically and electronically) three passport size photographs. This card will remain valid for the duration of the degree programme and must be kept secure. A fee for the reissue of any lost/damaged card will be imposed.

### **Online Learning Resources: VITAL**

VITAL, Virtual Interactive Teaching at Liverpool, is the acronym given by the University to the initiative to provide staff and students with accessible and easy to use software to enhance learning and teaching activities online. This virtual learning environment, sometimes called a learning management system, is essentially a coherent collection of software tools and facilities that allow tutors to:

- post learning materials,
- communicate with students,
- track student activity,
- manage assignments and assessments online through the Internet.

TBLS, through the University, has adopted the use of VITAL in all modules, and has adopted a common interface across all modules to make finding material from module to module straight forward. All modules will, at minimum, provide on VITAL electronic copies of all

teaching materials that are distributed in the module. The materials for the whole semester will be posted on VITAL at the beginning of the semester.

F.A.Q.s on the use of VITAL are available at [http://pcwww.liv.ac.uk/csd/blackboard/Support\\_for\\_staff/vital\\_support\\_team.htm](http://pcwww.liv.ac.uk/csd/blackboard/Support_for_staff/vital_support_team.htm).

### **External Online Resources**

Studying law in the 21<sup>st</sup> century requires students to be proficient in locating materials electronically, as well as using traditional paper-based materials in libraries. Through your University of Liverpool student registration, you have access to a wide range of online resources, such as WESTLAW and LEXISNEXIS, which are used every day in professional practice. All students will be instructed in the use of the online resources during the first year of the degree programme, commencing with the Induction Programme. A gateway to all services, and a full list of the services available, can be found at: <http://libguides.liverpool.ac.uk/law>

## 13. Student support: The Personal Tutor Scheme

Throughout your studies, you will be able to benefit from the TBLS' support.

### **Strategy for Student Support and Guidance**

Our strategy for Student Support and Guidance is determined by a concern to maintain a culture and environment in which our students have the best opportunity to develop their abilities and skills, and in which they can feel sufficiently at ease and sufficiently challenged to develop the knowledge, analytical and applicational skills, and crucially, the critical understanding, that are distinctive of a legal education.

### **Formal Support and Guidance Structure: The Personal Tutor Scheme**

The personal tutor scheme should seek to promote a sense of community between academic staff and students and contribute to the well-being of students and their academic success by enabling them to feel regarded as individuals.

The formal support structure of the TBLS is constituted by the roles of:

#### **The Director of Legal Studies:**

The Director of Legal Studies should:

- Aim to see that the personal tutors operate the system efficiently and effectively;
- Ensure that all students and staff have access to this written statement of the purpose and operation of the scheme;
- Ensure that all students, including part-time students, have a nominated tutor and that this tutor is normally nominated at the start of the session;
- Ensure that the distinction between personal tutor and academic tutor is quite clear even if the same person acts in both capacities;
- Be in attendance at all Progress Committee Meetings;

- Be a member of any appropriate staff/student committees;
- Ensure that students understand that they can request to change their personal tutor without giving reasons and without prejudice.

**The Role of the Personal Tutor:**

Personal Tutors should assist in the running of the Personal Tutor Scheme with the support of the Director of the Legal Studies and they should:

- Meet their new tutees before the end of the first week of a new academic year and make a written record of every formal meeting, noting any academic or personal difficulties that the tutee may be experiencing; records of the latter should be kept confidential;
- Aim to see their tutees regularly;
- Ensure their tutees know how to contact them at short notice in the case of emergencies and make themselves available to students for some specified period every week;
- Encourage tutees to come and see them in the event of needing to seek information or advice or to talk things through with a friendly listener;
- Keep confidential matters discussed with a tutee unless the tutee has given his/her permission for information to be passed on or, in exceptional circumstances only, the tutor judges it to be in the best interests of the tutee or some other person for information to be shared;
- Help the tutees allocated to them overcome any problems of adjustment to life at the Law School;
- Respond to tutees' requests for advice on matters not immediately arising from the content of their formal instruction and refer, as necessary, to appropriate individuals those matters outside the expertise of the tutor;
- Help to foster the understanding that the Truman Bodden Law School regards students as individuals;
- Make a point of interesting themselves in the wellbeing of their tutees.

### **The Responsibilities of Tutees:**

As tutees, students should:

- Respond promptly to requests to see their personal tutor;
- Aim to respect the specified times at which tutors make themselves available to see students;
- Ensure they know how to contact their tutor at short notice in the case of emergencies and, at all other times, try to see their tutor at the specified time;
- Give tutors reasonable notice when making a request for a reference;
- Keep tutors informed of any relevant circumstances which may influence their studies.

## 14. Additional resources

### **Getting to the Law School**

Reliable and inexpensive public transport to and from George Town is available. The George Town Bus Station is conveniently located adjacent to the Law School. Students are encouraged to make use of this service, as car parking in George Town is very limited.

### **Car Parking**

The car park used by the law school staff and students is located off Dr Roy's Drive within a short walking distance of the law school. Access to the car park is barrier controlled. Access is by means of a code which will be provided to students on the undertaking that the code is not shared with non-law school students. Students who are found to have breached this undertaking will have car parking privileges removed from them. Spaces 1 through 10 are clearly marked as being reserved for TBLS staff. Spaces 11 through 20 are designated as open TBLS student spaces which may be used by students on a first come first served basis. Please do not park in any other spaces, including TBLS staff spaces. Students are allowed the use of the car park only whilst attending the law school and during law school opening times. Cars must not be left in the car park overnight. TBLS and the owners of CIBC Bank accept no responsibility for loss or damage caused to vehicles whilst parked at this facility.

### **Staff-Student Meetings**

Staff-Student Liaison Committee Meetings will be held on Fridays afternoons in each of semesters one and two at dates/times to be advised.

### **Post**

Students should apply to the post office for their own post box. Student mail must not be sent c/o The Law School, which accepts no responsibility for any mail delivered to it.

### **Official Transcripts**

The University of Liverpool will supply official transcripts. The fee is £20.00 per order payable to the University of Liverpool, with a fee of £5 for each additional copy. Transcripts must be requested online at <https://www.liverpool.ac.uk/graduation/official-documentation/transcripts/>.

### **Letters of Reference/Unofficial Transcripts**

Students may request a letter of reference/unofficial transcript from the Law School. The fee for an unofficial transcript is \$25.00 per order payable directly to TBLS. The reference will generally be sent directly to the prospective employer or institution who will usually wish to ensure confidentiality. The reference will include the following performance indicators: final and mock examination results, coursework/written assigned marks, attendance, punctuality, preparedness for lectures and tutorials, communication skills. Any disciplinary information appearing on the student file may also be disclosed. References will not be provided to students who have fees/fines owing to the Law School/ University.

## 15. Admissions criteria

Successful applicants will be required to have achieved these requisites:

- 1) **Undergraduate degree:** A University degree in Law or a related discipline with a 2.i, or equivalent, or above and completed before the commencement date of the LL.M/PGDip programme. The definition of 'related discipline' includes degrees in finance, economics or business. However, admissions decisions will be at the discretion of the TBLS Director of Studies, in accordance with the Institutional Agreement between the Government of the Cayman Islands and the University of Liverpool, on a case by case basis. In cases where the degree has not been awarded prior to an application, a conditional offer will be given, which will only become unconditional upon fulfilment of all entry conditions prior to the start of the programme.
  
- 2) **English language:** Applicants whose first language is not English will have to comply with the University of Liverpool's policy on postgraduate English language entry requirements prior to the start of the programme. An IELTS 6.5 with minimum 6.0 in each component or a TOEFL iBT 88 with minimum band scores of Listening 21, Writing 21, Reading 22, Speaking 23 will be required. Additional information available at: <https://www.liverpool.ac.uk/study/international/apply/english-language/postgraduate-entry/>  
All applicants who are required to demonstrate proficiency in the English language will be given the option of taking the TBLS mature entrance examination to establish their proficiency in the English language.
  
- 3) **Work experience (optional):** work experience is not required. However, relevant work experience/professional background will be considered during admissions and may contribute towards the success of the application.

- 4) **Additional merits (optional):** Applications from students with a professional background rather than a degree will be assessed in accordance with the principles of the University of Liverpool's Recognition of Prior Learning (RPL) policy, and the practice and precedents of the Faculty of Humanities and Social Sciences. More information available at: <https://www.liverpool.ac.uk/eddev/supporting-teaching/rpl/>. Other evidence of academic strength will be considered.

## 16. Career prospects

The aim of the LL.M/PGDip in International Finance: Law and Regulation is to provide graduates from varied academic backgrounds (including those working in the financial services sector) with a comprehensive understanding of techniques applicable to their own research and advanced scholarship so they acquire the legal knowledge, skills and training to work effectively in the legal and wider business and legal sectors.

The LL.M/PGDip programme will satisfy the need for specialised training in international finance law and regulation both internationally and domestically for those pursuing careers in both law and non-law fields alike.

The LL.M/PGDip will equip its graduates to embark upon a wide variety of professions, both in the private sector and the public sector. LL.M/PGDip graduates will be able to pursue, or further, careers in Law, business, accounting, finance, banking, management, the civil service and other related sectors, both in the Cayman Islands and internationally.

## 17. Complaints procedure

### **General Principles**

The Truman Bodden Law School (“TBLS”) is committed to ensuring that students enjoy a high quality educational experience, supported by appropriate academic and administrative facilities. TBLS recognises, however, that there may be occasions when students will feel that they have cause for complaint. In this context, a complaint is defined as an expression of dissatisfaction either about the courses, facilities or services provided by the Truman Bodden Law School or about actions or lack of actions by the law school or its staff. Complaints may be made by individuals or by groups of students.

This Complaints Procedure sets out how students may seek to have complaints addressed. It should be recognised that the vast majority of student complaints can be handled fairly, amicably and to the satisfaction of all concerned on an informal basis. Only when informal means have been exhausted should a formal complaint be pursued. This procedure does not cover the following matters for which separate procedures exist:

- Appeals against academic assessment and progress decisions;
- Student disciplinary issues.

Complaints about academic matters (e.g. issues with teaching, supervision or teaching materials), should be submitted to TBLS in the first instance. Once your complaint has been considered you will be informed if you have the right to escalate your complaint to the University of Liverpool if you remain dissatisfied.

Information about academic appeals and student disciplinary issues may be sought from the Director of Legal Studies.

The Truman Bodden Law School will seek to ensure that all complaints from students are treated seriously, positively and constructively. It will also seek to ensure that complaints are dealt with promptly and with fairness and consistency. If a complaint is found to be justified, TBLS will take such action or provide such remedy as may be appropriate and will do so promptly. If a complaint is not upheld, the reasons for the decision will be communicated to the complainant.

Complainants will not suffer any disadvantage or recrimination as the result of making a complaint in good faith. However, if a complaint is judged to have been made frivolously, vexatiously or with malice, disciplinary action may be taken against the complainant.

Complainants and any individual against whom complaints might be made may expect complaints to be dealt with confidentially and that their privacy will be respected. However, it may be necessary to disclose information to others in order to deal with the complaint and in these circumstances the parties concerned will be informed of such disclosure. Whenever, in the course of a complaint being dealt with, a complainant or any person against whom a complaint is made is invited to discuss the complaint orally or to attend a hearing, they shall be entitled to be accompanied by a friend or colleague, who may be a TBLS member of staff, who may speak on their behalf.

Anonymous or third-party complaints will not be dealt with under this procedure. If a member of staff receives an anonymous complaint, s/he will be expected to seek advice from their line manager as to how the complaint should be dealt with.

The Truman Bodden Law School believes that complaints should be resolved as near to their source as possible. For this reason, this Complaints Procedure provides for there to be a number of stages, both informal and formal, in the handling of a complaint. Complaints will not be rejected solely on the grounds of minor procedural deficiencies on the part of the complainant. At each stage of the process, the person to whom a complaint has been

referred shall, if it is upheld, apply such appropriate remedies as are within their powers. If they consider that the remedy is outside their powers they shall refer the matter to the appropriate authority.

The Director of Legal Studies will monitor, on an annual basis, complaints which have been referred to him and will be responsible for implementing, or recommending to the appropriate authority, changes to systems or procedures suggested by the nature and pattern of the complaints received. The outcome of such monitoring may be used to also inform other processes or activities. The Attorney General shall receive on an annual basis a report on the outcome of the monitoring processes and from time to time shall consider in the light of such report whether changes to the Truman Bodden Law School's systems and to the Complaints Procedure itself would be appropriate.

Advice about the Complaints Procedure may be obtained from any member of academic staff.

This Complaints Procedure forms part of the Truman Bodden Law School's overall quality assurance framework. It will be circulated to all new students and staff.

### **Informal Resolution of Complaints**

The majority of complaints can be resolved satisfactorily on an informal basis. If the complaint is against an individual the complainant should, if possible, first raise their complaint either orally or in writing with that individual, stating the remedy they are seeking. If the complaint is about courses, facilities or services provided by the Truman Bodden Law School the complainant should raise the complaint with the Director of Legal Studies, again stating the remedy being sought. The complaint must normally be made within one month of the actions (or lack of actions), which prompted the complaint. The person to whom the complaint has been made shall respond to the complainant within a reasonable time. If making or responding to the complaint involves face to face contact

between the complainant and a person against whom the complaint has been made, both shall be entitled to be accompanied by a friend or colleague or member of the Truman Bodden Law School staff. If the person to whom a complaint has been made rejects the complaint, they must provide written reasons to the Director of Legal Studies or Solicitor General for doing so.

If a complaint is of a general rather than specific nature, it may be more appropriate to ask the relevant student representative to raise it with the Director of Legal Studies or to have it raised at a Staff/Student Meeting.

If the complainant is dissatisfied with the response they receive from the person to whom a complaint has been made, or if they feel unable to approach directly the person against whom they have a complaint, they should submit a written complaint to the Director of Legal Studies. If the Director of Legal Studies is the module of the complaint, then the written complaint should be made to the Solicitor General. If the complainant is unsure whom to approach at this stage, they may seek advice from the Director of Legal Studies or the Solicitor General. The written complaint should set out briefly: the nature of the complaint and the remedy sought; the informal steps already taken (if any); details of any response received; a statement as to why the complainant remains dissatisfied; and, without prejudice to any formal remedy which might be determined, the remedy they are seeking. The Director of Legal Studies or Solicitor General shall investigate the complaint and shall submit a written response to the complainant within a reasonable time. If the investigation involves a face-to-face meeting between the Director of Legal Studies or the Solicitor General and the complainant and/or person against whom a complaint has been made, the latter two shall both be entitled to be accompanied by a friend or colleague. If the complaint is not upheld, the reasons for this decision must be stated in writing to the complainant and to any person against whom a complaint has been made.

## **The Formal Complaints Process**

The process described above represents the informal stage in seeking to resolve complaints. If, having pursued the matter informally, the complainant remains dissatisfied with the written response, they should, within 10 working days of receipt of such written response, refer the matter formally to the Head of the Liverpool law School as Chair of the Law School Complaints Appeal Panel (“LSCAP”) and should enclose copies of the correspondence exchanged during the informal procedure and any other relevant papers.

TBLS may assist the University of Liverpool in its consideration of the appeal. Students may request that the mark for an individual module or assessment is checked by the Board of Examiners on grounds of administrative or procedural error. Students are not permitted to submit appeals which call into question the academic judgement of Boards of Examiners. Appeals are considered only on the grounds of unfairness, procedural irregularity or other impropriety.

The LSCAP shall acknowledge receipt of a formal complaint in writing within a reasonable time. Module to the Panel being satisfied that the complainant has taken all reasonable steps to resolve the matter informally using the procedures detailed in paragraphs 10.1-10.2 above, the Panel shall either carry out an investigation into the complaint itself or appoint a person or persons, having no material interest in the complaint, to carry out an investigation. The Panel or the investigator(s) may seek to resolve the issue on the basis of documentation, after having sought further information from the member(s) of staff involved in the informal investigation of the complaint, or may call a hearing at which the complainant and any other persons involved may submit their respective cases. A friend or colleague, who may speak on their behalf, if appropriate, may accompany both the complainant and any person who is the module of a complaint at any such hearing. In the event of the unavoidable absence of any of the parties, the hearing may be postponed, but

the voluntary absence of one or more of the parties shall not prevent the hearing proceeding.

In normal circumstances any hearing, which a complainant is invited to attend in connection with the investigation of a complaint, will be held during semester one or two. If, in exceptional circumstances, the investigation of a complaint requires a complainant's attendance at the law school outside of a teaching period, TBS will reimburse reasonable travel and subsistence expenses incurred by the complainant in attending the law school.

After investigation of the complaint, the Panel or investigator(s) shall decide whether the complaint is justified or not and shall complete a written report, containing such recommendations as may be appropriate. The LSCAP shall communicate its findings in writing to the complainant and all other relevant parties within a reasonable time and shall determine what action, if any, is to be taken and shall communicate this, in writing, to the complainant.

Following formal investigation of a student complaint, there shall be no further right of appeal and the decision of the LSCAP shall be final (module to what follows below).

This represents the law school's internal procedure for the handling of student complaints.

Under the Higher Education Act 2004 the University of Liverpool subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome of the internal procedures you may be able to apply for a review of your appeal to the Office of the Independent Adjudicator for Higher Education (OIA) in the UK providing that the complaint that you take to the OIA is eligible under its rules. Should you decide to make a complaint to the OIA, your OIA complaint form must be received by the OIA within three months of the date of your letter from LSCAP advising you of the outcome of your appeal to that body.

The OIA's leaflet, '*An introduction to the OIA for students*' can be downloaded from [http://www.oiahe.org.uk/media/42715/oia\\_intro\\_leaflet\\_16pp.pdf](http://www.oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf). Guidance on submitting a complaint to the OIA can be found on the OIA's website: [www.oiahe.org.uk/making-a-complaint-to-the-OIA.aspx](http://www.oiahe.org.uk/making-a-complaint-to-the-OIA.aspx).

Note that the OIA will normally only review issues that have been dealt with through the Law School/University's internal procedures.

This Complaints Procedure forms part of the Truman Bodden Law School's overall quality assurance framework. It will be circulated to all new students and staff.

## 18. Student disciplinary code (non-academic)

### 1. Statement of student conduct

1.1 TBLS is committed to providing a high-quality learning and teaching experience for all students. This can only be achieved if members of the TBLS community live and work beside each other in an environment which promotes respect.

1.2 Students of TBLS are expected to conduct themselves at all times in a manner which demonstrates respect for the Law School, its students and staff, and members of the wider community. Every student is an ambassador for the Law School and, accordingly, is expected to behave in a way that enhances its reputation.

### 2. Application of this Code

2.1 This code applies to all registered students of Truman Bodden Law School.

2.2 Where a student has permitted a visitor to access any part of the Law School premises (whether that visitor is also a member of the Law School or not) that student shall be regarded as responsible for the conduct of their visitor, while present as a visitor. That means that the student may be taken to be responsible and punishable under this code for the misconduct of their visitor, and for any damage caused by their visitor, as if the misconduct or damage were their own.

2.3 It is intended that this code gives a framework for dealing with breaches other than those of the academic regulations of the Law School/University. A non-exhaustive list of offences is provided in paragraph 7 below. Although specific timings are not given for various proceedings, TBLS will, in the interests of justice, endeavour to act at all times as

swiftly as is possible, while ensuring that cases are properly prepared and that students have time to respond to accusations made against them.

### **3. Disciplinary Authority**

3.1 Disciplinary authority over students may be exercised:

- (a) by the Legal Advisory Council pursuant to regulation 30(1) of the Legal Practitioners (Students) Regulations (2018 Revision)
- (b) In general, by the TBLS Director of Legal Studies under the informal procedures set out in Paragraph 9 below.

### **POWER OF SUSPENSION AND RESTRICTION**

**4** Module to the general principles set out in paragraph 3, and pursuant to Regulation 30(1) (c) of the Legal Practitioners (Students) Regulations (2018 Revision), the Legal Advisory Council may suspend or restrict a student suspected of any offence which could reasonably be expected to lead to the termination of the registration of the student if they were found guilty. A student may also be suspended or restricted if their behaviour is so uncontrolled that s/he poses a significant risk to themselves or to others or is significantly impeding the normal functioning of the Law School. This suspension or restriction may last until enquiries and/or police and/or court proceedings are concluded. In exercising the power to suspend or restrict, particular attention will be paid not only to the welfare and interests of the individual student, but also to the interests of fellow students and of the Law School itself.

**5** If Police and/or court action occurs in respect of the alleged offence, the suspension or restriction may last until the completion or abandonment of the police and/or court proceedings. It is the responsibility of the student to keep Law School aware of the progress and the outcome of the proceedings and to furnish the Law School with any reports, recommendations and judgements that have been made. The student may remain suspended or restricted until a disciplinary hearing under this Code has been held.

**6** If a suspension or restriction is for a period in excess of fourteen days or is extended beyond fourteen days, the student may appeal against the decision to the Legal Practitioners (Students) Regulations Appeal Board pursuant to Regulation 30(2) of the Legal Practitioners (Students) Regulations (2018 Revision).

## **OFFENCES**

**7** An offence is committed within the remit of this code when there is unjustified interference, in the broadest sense, with the proper functioning or activities of the Law School, or with those who work or study in the Law School, or when improper actions occur which otherwise damage the Law School. Specifically, but not exclusively, the following:

- (a) disruption of, or improper interference with, the academic, administrative, sporting, social, or other activities of the Law School, whether on Law School property or elsewhere;
- (b) obstruction of, or improper interference with, the functions, duties, or activities of any student, member of staff of the Law School, or any authorised visitor to the Law School;
- (c) cheating or attempting to cheat or assisting another to do so in an assessed or summative examination;
- (d) violent, indecent, disorderly, threatening or offensive behaviour or language, whether expressed orally, in writing or electronically, towards any member of Law School irrespective of location, or to any other person whilst on Law School property or engaged in any Law School activity, including conduct which is deemed unacceptable or which is unlawfully discriminatory or could be deemed as harassing particular groups or individuals in the Law School;
- (e) engaging in any behaviour:
  - i) which, even if self-directed, which could reasonably be seen to cause distress to other students or members of staff;

- ii) which could reasonably be seen to cause other students or members of staff to fear for their safety or well-being;
  - iii) that interferes significantly with the normal operation of the Law School or with members of staff in the normal execution of their duties;
- (f) distributing or publishing a poster, notice, sign, electronic or internet posting or any other publication either on Law School premises or computer networks, or relating to Law School affairs but displayed on premises or networks elsewhere, which is offensive, intimidating, threatening, indecent or illegal, or is likely to make others fearful, anxious or apprehensive or which could reasonably be expected to significantly and unfairly harm the standing or reputation or welfare of any student, member of staff or associate of the Law School;
- (g) fraud, deceit, deception or dishonesty in relation to the Law School or Law School staff, or in connection with the holding of any office in the Law School, in relation to being a student of the Law School or against any member of Law School;
- (h) misuse or unauthorised use of Law School premises or items of property, including computer misuse; damage to, or defacement of Law School property or the property of other students or staff, caused intentionally or recklessly, or the misappropriation of any such property;
- (i) any action likely to cause injury or impair safety on Law School premises or to Law School members in other locations;
- (j) action likely to impair security on Law School premises or which may jeopardise safety on Law School premises, including occupation of premises of this TBLS is the occupier
- (k) behaviour or actions which bring the Law School into disrepute or otherwise prejudice the legitimate academic aims of the Law School;
- (l) conduct which constitutes a criminal offence when that conduct took place on Law School premises, or in the course of Law School activities or against any member of the Law School; conviction of a criminal offence, irrespective of where committed,

where the consequences of the offence could impact on Law School staff, students or property

(m) failure to comply with any sanction imposed as a result of enforcement of this disciplinary code or contempt of these procedures

## **GENERAL LAW SCHOOL DISCIPLINE**

**8** All non-academic complaints against students will be referred to the Director of Legal Studies.

### **9 Informal procedure**

**10** If the Director of Legal Studies considers that the offence, if proven, would require action, but merits a lesser penalty than that of termination of registration or suspension from Law School he will proceed under the informal procedures according to this paragraph.

**11** The purpose of the informal procedure is to deal with matters of discipline fairly and quickly and where the matter is suitable to be dealt with informally.

**12** A disciplinary matter is capable of being dealt with under the informal procedure providing that the following criteria are fulfilled:

(a) Where the matter is, in the reasonable opinion of the Director of Legal Studies, suitable to be dealt with in this way. In determining whether the matter is suitable to be dealt with informally, the Director of Legal Studies will consider the nature of the offence, whether it is the student's first offence, whether the student admits the offence and any other relevant circumstances; and

(b) Where the student consents to the matter being dealt with in this way.

**13** The Director of Legal Studies shall, upon receipt of the allegation or complaint against the student, carry out a fair and reasonable enquiry. The Director of Legal Studies shall

convene a meeting with the student at which the student shall be given the opportunity to hear details of the complaint or allegations made against him/her and to speak or write in his or her own defence. The student shall be entitled to have a friend or relative accompany him/her at the meeting and to submit his or her written defence to the allegations. Where the Director of Legal Studies, determines that there is a *prima facie* case against the student, he may determine that the matter is suitable to be dealt with informally in accordance with this section in which case the Director of Legal Studies will inform the student of this in writing, usually by letter. The letter will include details of the allegations of misconduct and the proposed sanction.

**14** The sanctions which may be imposed by Director of Legal Studies under the informal procedure are:

- (a) A warning; and/or
- (b) A formal apology in terms to be agreed by the Law School to any person adversely affected by the misconduct or any damage done to the Law School's relations with its members or outside community; and/or
- (c) A payment in compensation or restitution for damage or loss; and/or
- (d) Temporary withdrawal, suspension or reduction of any benefit, facility or privilege available to the student by virtue of his/her status as a student of the Law School not exceeding 1 week; and/or
- (e) Any other sanction which may be appropriate and proportionate in the circumstances taking into account the fact that the sanction is to be administered under the informal procedure and specifically excluding suspension and expulsion.

**15** If the student agrees that the matter should be dealt with in this way, the student must indicate his or her acceptance by signing the letter and returning it to the Director of Legal Studies by the date specified in the letter.

**16** By agreeing that the matter should be dealt with informally the student accepts that:

- (a) The offence has been committed by him/her;
- (b) He or she shall comply in full with any sanction imposed by the Director of Legal Studies;
- (c) There is no right to appeal; and
- (d) The signed letter may be retained on the Law School's records and used as evidence of past misconduct in assessing any future allegations of misconduct. The signed letter will not be retained on an individual student's file and so it will not be used to determine references provided by the Law School in respect of the student to external sources.

**17** If the student does not agree that the matter should be dealt with informally, then he or she should complete the appropriate section in the letter, stating that he or she does not agree. The formal disciplinary procedure as set out in paragraph 19 will be instigated by the Law School within a reasonable period of time.

**18** If the student fails to respond to the letter within the period of time specified in the letter, without good reason, the Law School may immediately instigate the formal disciplinary procedure.

### **19 Formal procedure**

**20** The formal disciplinary procedure will be used where:

- (a) The Director of Legal Studies determines that it would be appropriate to do so, and in all cases where the Director of Legal Studies feels that the offence is of such severity as to merit termination of registration at the Law School or withdrawal from the Law School,
- (b) or where a student has elected that his or her alleged misconduct be dealt with under the formal procedure.

**21** Where the circumstances in (20) above apply, the Director of Legal Studies shall refer the case to the Legal Advisory Council for hearing.

**22** The student will be notified in writing that a hearing is to take place and that it could result in the termination of the student's registration. The date of the hearing will be agreed with the student.

**23** The Director of Legal Studies shall furnish the student involved with a statement of the complaint(s) made against the student and the Law School's recommended sanction for the offence and shall invite the student to present a written statement in response within 14 days of the receipt of the letter notifying the student of the commencement of formal disciplinary procedures.

#### **THE LEGAL ADVISORY COUNCIL**

#### **COMPOSITION OF THE LEGAL ADVISORY COUNCIL DISCIPLINARY PANEL**

**24** The Chairman of the Legal Advisory Council shall convene a panel of three members of the Legal Advisory Council to hear and determine the matter referred to it under paragraph 20 of this Code.

**25** The Panel of the Legal Advisory Council will be supplied one week before the hearing with copies of the following documents:

- (a) a statement of the complaint(s) made against the student;
- (b) the Director of Legal Studies' recommendation together with the documents put forward in support of the recommendation
- (c) Any written representations by or on behalf of the student and any documents to be put forward in support of the student's case

**26** The hearing of the Panel will be conducted according to the general procedures set out in paragraphs 30 and 36 below.

**27** The Panel will decide whether or not the Student is guilty of the alleged offence.

**28** If the Legal Advisory Council Panel find the student guilty on the balance of probabilities the panel will decide what penalty, if any, is appropriate. The sanctions which may be imposed by the Legal Advisory Council under the formal procedure are as follows:

- (a) a caution;
- (b) a formal warning;
- (c) an order for compensation;
- (d) disqualification on a permanent or temporary basis from the use of the Law School's facilities;
- (e) imposition of conditions upon access to the Law School's facilities or premises;
- (f) suspension or exclusion from the Law School:
  - i) suspension involves a total prohibition on attendance at or access to the Law School and on any participation in Law School activities for a specified period of time, but it may be module to qualification, such as permission to attend for the purpose of an examination;
  - ii) suspension will be used only where (d) or (e) would be inadequate;
- (g) termination of registration at the Law School.
- (h) any sanction may include a requirement that the student should have no contact of any kind with a named person or persons

**29** The Legal Advisory Council Panel will convey its decision in writing to the student together with a reminder of his or her right of appeal to the Legal Practitioners Regulations Appeal Board (see below). The reasons for the decision will be given.

## **CONDUCT OF HEARINGS OF THE LEGAL ADVISORY COUNCIL PANEL**

**30** The Legal Advisory Council Panel will, whenever practicable, reach a decision on the day of the hearing.

**31** The Law School representative (normally the Director of Legal Studies) will present the Law School's case and the student, or his or her representative, will have a right of reply.

**32** The Panel is not required to conduct an independent investigation into the complaints presented but will exercise care to ensure that the facts upon which its decision is based are accurate.

**33** The student, his or her nominated friend or relative, a representative of the student (if the student chooses to be represented) and the Law School representative will be entitled to be present throughout the whole of the proceedings except where the Legal Advisory Council Panel wishes to retire for private discussions. In every case, the student directly, or via his or her representative, will be given a proper opportunity to be heard fully in his or her own defence.

**34** The Legal Advisory Council Panel will take all reasonable steps to hold the hearing on a date on which the student and his or her friend/relative and his or her representative are able to attend. Exceptionally, if this proves impossible or if the Chair of the Panel considers that the student is being deliberately uncooperative about his or her attendance, the Chair may decide upon a date and, if the student does not appear, may proceed with the hearing in his or her absence.

**35** The decision of the Legal Advisory Council Panel will be on a simple majority.

**36** There will not be any disclosure of information regarding the way in which any member has voted or on whether the decision was arrived at unanimously or by a majority vote.

## **THE LEGAL PRACTITIONERS REGULATIONS APPEAL BOARD ('THE APPEALS BOARD')**

### **COMPOSITION OF THE APPEALS BOARD**

**37** The Appeals Board shall be constituted in accordance with Regulation 29 of the Legal Practitioners (Students) Regulations (2018 Revision).

**38** An appeal to the Appeals Board will be available to any student who has had a disciplinary penalty imposed on him or her by a panel of the Legal Advisory Council.

**39** The student will give written notice of appeal to the Secretary of the Appeals Board within seven days of receiving notification of the decision of the panel of the Legal Advisory Council. The notice of appeal must set out concisely the grounds for the appeal.

**40** The grounds of appeal may only be one or more of the following:

- (a) that the finding was against the weight of the evidence;
- (b) that the penalty is too severe or is otherwise inappropriate;
- (c) that the process was not in accordance with the principles and procedures set out in this Code, or was contrary to natural justice;
- (d) that fresh evidence can be presented, which was not available, and could not reasonably have been made available, to the Legal Advisory Council.

Where an appeal is based on ground (d), the Chair will be furnished with a summary of the fresh evidence to be presented. The Chair of the Appeals Board will decide if an appeal is allowable. His/her decision in this matter is final and will be conveyed in writing.

**41** The Secretary of the Appeals Board will supply that Board and the student making the appeal with a copy of the following documents:

- (a) a statement of the complaint(s);
- (b) a contemporaneous note (not in transcript form) produced by the Secretary to the Legal Advisory Council, who for the purposes of a Disciplinary Panel hearing shall not be the Director of Legal Studies, recording the proceedings of the hearing of the Panel and any other documents available to both sides at this hearing;
- (c) the written notice of appeal together with any other supporting statements by or on behalf of the student
- (d) any written responses from the Law School

**42** The hearing of the Appeals Board shall not be a re-hearing and the appeal shall be determined on the basis of the documents submitted under paragraph 41 of this Code, without the requirement of oral submissions or oral evidence.

**43** The Appeals Board may confirm, reverse or vary the penalty determined by the Panel of the Legal Advisory Council. The Board may impose a more severe penalty. The reasons for the decision will be given.

**44** The quorum of the panel will be three.

**45** The student and the Director of Legal Studies will be provided with a copy of the decision made by the Appeals Board.

**46** The decision of the Appeals Board represents the final part of the Law School procedure and is final.

## 19. Law School and University fees

The total LL.M/PGDip fees are described below:

### FULL-TIME PROGRAMMES

	Caymanians/spouses of Caymanians/legal residents for 10+ years	International / Other students
<b>General application fee</b>	<b>C.I.\$ 150</b>	
<b>Refundable deposit</b> (for student acceptances)	<b>C.I.\$ 250</b>	
<b>LL.M/PGDip tuition fees</b>	<b>C.I.\$ 12,000 p.a.</b>	<b>C.I.\$ 16,000 p.a.</b>
<b>Liverpool Registration fee</b>	<b>£ 1550 p.a.</b>	

### PART-TIME PROGRAMMES

	Caymanians/spouses of Caymanians/legal residents for 10+ years	International / Other students
<b>General application fee</b>	<b>C.I.\$ 150</b>	
<b>Refundable deposit</b> (for student acceptances)	<b>C.I.\$ 250</b>	
<b>LL.M/PGDip tuition fees</b>	<b>C.I.\$ 6,000 p.a.</b>	<b>C.I.\$ 8,000 p.a.</b>
<b>Liverpool Registration fee</b>	<b>£ 775 p.a.</b>	

*\* All fees are subject to change.*

Fees must be paid on the first day of each of the three instalment payment dates, in late September, January and April of the academic year.

**University of Liverpool Registration Fees:** All students are required to pay a fee for registration in the University of Liverpool. This fee is to be made payable in pounds sterling (£) to the University of Liverpool and is due annually in September. This fee is subject to regular incremental revision. This entitles students to valuable services provided by the University, such as assessment moderation and access to the Library's on-line resources.

**Textbook and photocopying costs** are estimated at a rate of C.I. \$ 350+ per year. Photocopying facilities at a subsidised price will be available at TBLs premises.

**Photocopying Fees:** Students are required to supply their own paper which is available for purchase from the front desk.

**Outstanding Fees:** Any student having outstanding Law School or University fees (including outstanding library fines) at the end of the academic year will have examination results withheld until payment has been received. Such students will also not be eligible to receive letters of reference from the Law School. Students with fees outstanding immediately prior to the beginning of a new academic year will not be permitted to register or proceed to the next year of study. Students whose fees have been overdue for 8 weeks or more will be excluded from classes and suspended from studies for 12 months (providing fees/fines have by then been paid in full). Students who have been subject to financial suspension for more than 12 months are liable to have their course of studies terminated.

**Any students having outstanding fees/fines in their final year  
will NOT be eligible to graduate**

## 20. Course calendar 2020-21

### **Semester One**

21<sup>st</sup> – 25<sup>th</sup> September 2020

Registration and Induction

28 September 2020	Week 1	LL.M/PGDip Semester 1 starts; Session 1
5 October 2020	Week 2	LL.M/PGDip Session 2
12 October 2020	Week 3	LL.M/PGDip Session 3
19 October 2020	Week 4	LL.M/PGDip Session 4
26 October 2020	Week 5	LL.M/PGDip Session 5
2 November 2020	Week 6	LL.M/PGDip Session 6
9 November 2020	Week 7	LL.M/PGDip Session 7
16 November 2020	Week 8	LL.M/PGDip Session 8
23 November 2020	Week 9	LL.M/PGDip Session 9
30 November 2020	Week 10	LL.M/PGDip Session 10
07 December 2020	Week 11	LL.M/PGDip Session 11
14 December 2020	Week 12	LL.M/PGDip Session 12, oral presentations

### ***Christmas Vacation:***

21<sup>st</sup> December 2020 – 8<sup>th</sup> January 2021

### **Semester one (Continued):**

11 January 2021	Week 13	LL.M/PGDip revision
18 January 2021	Week 14	Assessment period
25 January 2021	Week 15	Assessment period

### **Semester Two:**

1 February 2021	Week 1	LL.M/PGDip Semester 2 starts; Session 1
8 February 2021	Week 2	LL.M/PGDip Session 2
15 February 2021	Week 3	LL.M/PGDip Session 3
22 February 2021	Week 4	LL.M/PGDip Session 4
1 March 2021	Week 5	LL.M/PGDip Session 5
8 March 2021	Week 6	LL.M/PGDip Session 6
15 March 2021	Week 7	LL.M/PGDip Session 7
22 March 2021	Week 8	LL.M/PGDip Session 8

### ***Easter Vacation:***

29<sup>th</sup> March – 16<sup>th</sup> April 2021

### **Semester two (Continued):**

19 April 2021	Week 9	LL.M/PGDip Session 9
26 April 2021	Week 10	LL.M/PGDip Session 10
3 May 2021	Week 11	LL.M/PGDip Session 11
10 May 2021	Week 12	LL.M/PGDip Session 12, oral presentations
17 May 2021	Week 13	LL.M/PGDip Revision
24 May 2021	Week 14	Assessment period
31 May 2021	Week 15	Assessment period

### **End of Academic Session:**

4<sup>th</sup> June 2021

LL.M/PGDip Resit Assessment Period:

9<sup>th</sup> – 20<sup>th</sup> August 2021

## 21. How to apply

**DUE TO COVID-19 ADJUSTMENTS, APPLICATIONS SHALL BE SENT BY EMAIL TO [LAURA.PANADES@GOV.KY](mailto:LAURA.PANADES@GOV.KY).**

All applicants are encouraged to submit the following documentation in support of their application:

- Truman Bodden Law School application form with all its sections completed, available at [www.lawschool.gov.ky](http://www.lawschool.gov.ky) or in paper form from the Law School reception
- University undergraduate degree or diploma (or a letter from your institution with expected graduation date)
- Application fee (Non-Refundable) of CI\$150.00 or US\$183.00 (bank draft)
- A complete transcript of your undergraduate studies
- Cover letter explaining why you want to undertake the LL.M/PGDip (1,000 words maximum)
- Full Curriculum vitae
- Two recommendation letters (at least one of them academic)
- Evidence of past work experience (optional) and recommendation letter
- Evidence of minimum standard of English language (if English is not your mother language). Either IELTS 6.5 (min 6.0 in each component), TOEFL iBT 88 (minimum band scores of Listening and Writing 21, Reading 22, Speaking 23) or TELS mature entrance examination
- Any other documentation in support of your application, clearly indicating why and how you believe it strengthens your application

Early applications are encouraged. TELS reserves the right to interview applicants.

Applications for the part-time programme are open only to Caymanians and legal residents, and are considered on a rolling basis.

The deadline for applications is **31<sup>st</sup> August 2020**.

## 22. Contacting us

The Law School is located within the Old CIBC Building, at 54 Edward Street, 2<sup>nd</sup> and 3<sup>rd</sup> floors. The opening hours are Monday-Friday, 8:30 am – 5:00 pm (closed weekends & public holidays).

Programme enquiries should be directed, in the first instance, to Ms Laura Panades ([laura.panades@gov.ky](mailto:laura.panades@gov.ky)). Administrative enquiries should be directed to Ms Kady Myers ([kady.myers2@gov.ky](mailto:kady.myers2@gov.ky)) or Mrs Antonette Vernon-Hamilton ([lovisa.vernon-hamilton@gov.ky](mailto:lovisa.vernon-hamilton@gov.ky)).

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Name	Position	Email Address	Phone Ext No.
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Mr Scott Atkins	Deputy Director / PPC Course Leader	<a href="mailto:Scott.Atkins@gov.ky">Scott.Atkins@gov.ky</a>	223
Ms Rhian Minty	Assistant Director	<a href="mailto:Rhian.Minty@gov.ky">Rhian.Minty@gov.ky</a>	230
Ms Laura Panades	Lecturer/ LL.M/PGDip Course Leader	<a href="mailto:Laura.Panades@gov.ky">Laura.Panades@gov.ky</a>	229
Dr Derek O'Brien	Senior Lecturer/ Student Disability officer	<a href="mailto:Derek.O'brien@gov.ky">Derek.O'brien@gov.ky</a>	224
Mr Andrew Perkins	Senior Lecturer	<a href="mailto:Andrew.Perkins@gov.ky">Andrew.Perkins@gov.ky</a>	225
Mr Michael Bromby	Lecturer	<a href="mailto:Michael.Bromby@gov.ky">Michael.Bromby@gov.ky</a>	228
Ms Kerry Lewis	Lecturer	<a href="mailto:Kerry.Lewis@gov.ky">Kerry.Lewis@gov.ky</a>	227
Mrs Beverley Speirs	Librarian	<a href="mailto:Beverley.Speirs@gov.ky">Beverley.Speirs@gov.ky</a>	231
Mr Victor Villarin	Library Assistant	<a href="mailto:Victor.Villarin@gov.ky">Victor.Villarin@gov.ky</a>	221
Ms Kady Myers	Administrative Assistant	<a href="mailto:Kady.Myers2@gov.ky">Kady.Myers2@gov.ky</a>	226
Mrs Lovisa Vernon-Hamilton	Receptionist/Front Office Manager	<a href="mailto:Lovisa.Vernon-Hamilton@gov.ky">Lovisa.Vernon-Hamilton@gov.ky</a>	233



**TRUMAN BODDEN  
LAW SCHOOL**  
CAYMAN ISLANDS



UNIVERSITY OF  
**LIVERPOOL**

LL.M/PGDip IN INTERNATIONAL FINANCE: LAW AND REGULATION

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