



Chasing cash in the Caribbean

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Caribbean lawyers, says **Frank Walwyn**, relish the theatricality of a courtroom in a way that feels foreign to Canadians. Barristers in the region build their reputations with rhetorical flourishes, forcefully whipping their robes around their shoulders to make a point.

“We’re far more excitable in the Caribbean,” said **Mr. Walwyn, a partner at WeirFoulds LLP** who heads the Canadian Association of Black Lawyers. “It is a performance. To the extent that there is a culture difference or culture shock in the profession, it is that, for me – a Canadian lawyer going down and seeing the raised voices at witnesses, and not just arm waving but the throwing of the robe.”

Mr. Walwyn, who was born in St. Kitts and moved to Toronto as a young boy (one of eight children), has managed to adapt his more reserved Canadian style to Caribbean courtrooms. He has also honed a specialty in working with forensic investigators and made use of the expertise in large complex corporate litigation that comes with an address on Bay Street.

He studied law at Ontario’s Queen’s University before starting at WeirFoulds in the 1990s. (Sister Donna Walwyn also became a lawyer, and is now a partner at Baker & McKenzie LLP in Toronto.) Early in his career, he spent several months in Nassau, earning a certificate that allowed him to be called to the bars of St. Kitts and Nevis, Dominica, Anguilla, and Antigua, the British Virgin Islands and Barbuda.

It turned out to be a good decision. Too few Canadians, he said, are exploiting the country’s reputation for fairness in the Caribbean and the obvious common-law links.

There is lots of legal work to be done in the Caribbean; the region’s low or no-tax jurisdictions and secretive banking rules attract big pots of money. And when disputes arise with firms or hedge funds, the litigation path often follows the money back to the Caribbean.

Mr. Walwyn, for example, has been retained by anti-corruption investigators in Trinidad and by a receiver trying to get secret bank account information from Nevis. He was also hired by a Caribbean government (he declined to say which one) for advice on litigation around the \$7-billion Ponzi-scheme allegations facing Texan businessman Allen Stanford, whose Stanford International Bank operated out of Antigua.

“At the end of day, when the story is told, it is very exciting,” Mr. Walwyn said. “It’s all about flows of money through offshore jurisdictions and secret bank accounts and things like that. But the actual work that we do – it is mind-numbingly detail-oriented.”

Jeff Gray