

VISION: *To be the provider of choice for “out-of-court” dispute resolution services based on the highest standards of integrity, trust and service excellence*

Chairman’s Report:

*“I am convinced that the **art of collaboration** will be the most distinguishing leadership characteristic of the 21st century.”*

Nick Donofrio - VP Innovation and Technology IBM Corporation

I’ve chosen the above quote because it so succinctly describes the philosophy of the Dispute Resolution Centre. It speaks to not only the nature of our business, but our approach to business. Collaboration is one of the hallmarks of a successful organisation. It is an approach that effectively builds and leverages relational capital through alliances. The Centre continues to partner with key industry players to persuade larger segments of the population to engage in out-of-court dispute resolution.

The Centre enjoyed a phenomenal year through new and on-going initiatives. It was a year of high activity and achievements, of which the Board and the team are justly proud.

I am pleased to announce that at the 5th Annual Mediation Symposium held at Hyatt Regency Trinidad in November 2014, the Dispute Resolution Centre received from the Mediation Board of Trinidad & Tobago, the award for the **Longest Serving Private Mediation Agency**. Established in May, 1995, we celebrate 20 years as a commercial mediation and arbitration Centre in May, 2015. Many have bravely led the charge and many more have supported the Centre from behind. We are grateful to you all and to the Mediation Board for so graciously honouring the Centre.

Court Annexed Mediation Project

Mediation caters to the underlying philosophy that people want to tell their stories - they want to be heard, and that, more than any legal phenomena, will drive practical, sensible resolutions which the parties can live by and feel closure. But also, mediation engenders continuity of relationships, business or otherwise. It is a better process for arriving at out of court settlements.

The Judiciary understands these entrenched expectations and, through a second collaborative engagement with the Dispute Resolution Centre, for the period from 2013/14, the Judiciary referred 222 High Court matters to the Centre for mediation. 84% or 186 of these cases were completed with a settlement rate of 68%. Some cases required two sessions so, in all, the Centre created 292 uniquely positive mediation experiences for the Judiciary’s customers. From the point of referral, the parties were handed over to a private and professional Mediation Centre which assumed responsibility for providing the best possible environment for parties and their attorneys to negotiate principled settlements and avoid further Court proceedings. The project recorded a customer satisfaction rating of 98%!

The level of national exposure for the project was also a significant marker of success. Over 1,200 disputants and attorneys participated in the project. The Centre compiled feedback from 915 evaluation forms of which 100% of the participants reported that they would use mediation again!

97% of the attorneys and disputants reported that the Centre scheduled sessions promptly and efficiently; that the DRC's staff were knowledgeable, responsive and courteous; and that the meeting rooms were comfortable and convenient. Further, 95% of the participants rated the Centre's mediators as professional, effective and competent, respectful, neutral and impartial, good listeners and solution-oriented!

Comments from disputants included:

- *“The mediation closed a rather emotional and painful chapter that now can be looked at as a learning experience.”*
- *“The matter was settled at an earlier stage than anticipated at reduced exposure to legal costs.”*

The support of the Law Association has also been significant. President of the Association Mr. Seenath Jairam S.C. helped in setting the tone for the project by promoting the project in the media; by referring several of his matters to mediation; and by attending and actively engaging in the mediation process which resulted in settlements. Moreover, the Centre is pleased to report increased attorney participation at the three locations in Port-of-Spain, San Fernando and Tobago.

- One attorney commented: *“Mediation helped the clients because they were in a position to put issues on the table which could not properly be included in the proceedings. The mediation assisted in resolving the matter amicably.”*

There is now an ease and familiarity coupled with increased enthusiasm in which attorneys are participating in mediation. This required time and, the structured roll-out of two successive projects by the Judiciary, has created the impetus for change. All efforts must now be made to maintain momentum.

The Centre recognises the commitment and critical role played by the Judges towards a successful project outcome. Mediation begins with the initial contact from the referring Judge. The Judiciary, in its referral of matters for mediation, established an expectation that attorneys and their clients would engage constructively and cooperatively in attempting to resolve the matters.

Sixteen High Court judges participated in the project: 5 judges had over 90% of their referred matters completed and 10 judges had between 70% and 80% of their referred matters completed. Collectively, the judges enjoyed an average completion rate of 86%. In a larger roll-out, results which mirror these would significantly reduce the cost of litigation and create opportunities for the judges to concentrate on matters that require judicial expertise.

The Centre extends its heartfelt thanks to the dedicated efforts of the ADR Committee chaired by Mr. Justice Andre des Vignes, and supported by Madam Justice Charmaine Pemberton, Mr. Justice Vasheist Kokaram and Assistant Registrar Shabiki Gazabon. This high-powered team has once again led the charge for ADR and can be proud of another successful initiative.

The Centre congratulates the Honourable Chief Justice Ivor Archie for confronting the herculean task of delivering justice with speed and efficiency. The Chief Justice has demonstrated once again his determination to explore new service delivery models by engaging the private sector. This approach has the benefit of improving the customer experience at a reduced cost. The Centre thanks the Chief Justice for being the promoter and an integral part of this ground breaking journey. The Judiciary is pursuing the roll-out of mandatory mediation in 2015 and the Centre is ready to serve.

Walk-In Mediations & Arbitrations

As we had hoped, a positive development from the court annexed mediation project has been an increase in “walk-in” mediations and arbitrations at the Centre. The increase from May to December 2014 may be directly linked to the termination of the court project in May of the same year, and the positive reinforcement by the judges to keep mediation alive. The Centre facilitated 28 mediation and arbitration sessions for the year, representing a range of civil disputes, not unlike the Judiciary’s referrals. Compared to our 2014 projections, the Centre doubled its income streams from walk-in mediations and arbitrations. I wish to thank our mediators and arbitrators for a job well done!

Strategic Alliance with the Law Association

Jack Welch, former CEO of General Electric, famously said *“If you think you can go it alone in today’s global economy, you are highly mistaken.”* The Centre realises that with modest resources, alliances are the quickest way to grow a company, particularly in times of change. It unites organisations to achieve common interests, such as reaching new markets or accessing supplementary skills and services, while remaining independent.

The Law Association of Trinidad & Tobago recently purchased a three-story building at a prime location in Port of Spain which is outfitted with rooms of varying sizes to accommodate mediations, arbitrations and training. Both the Association and the Centre operate with a common objective of promoting out-of-court dispute resolution alternatives for the better administration of justice. Our combined resources of talent, knowledge, expertise, market access and fixed assets make a relational model attractive.

To this end, in January 2015, the Centre will sign a Memorandum of Understanding with the Law Association for the Centre to have a presence in its POS building. Jointly, the Centre and the Association will promote ADR to the legal, business and non-business communities. It is hoped that through this relational model, mediations and arbitrations will be conveniently facilitated at the Association and professionally administered by the Centre. As a test run, in December 2014, the Centre administered the first arbitration held at the Association’s building. The feedback was tremendous and both organisations are looking forward to a long-term arrangement. The Centre will maintain its offices at the Chamber building, Westmoorings.

Training & Development

In 2014 the Centre continued to strengthen its relationship with the Citizen Security Programme (CSP) through a public tender awarded in 2013, but executed in 2014. The *Community Mediation and Peace Promoters Programme* which the Centre designed for the CSP is a one-year initiative with at risk communities. In 2014 we worked with several communities in East Post of Spain including: St. Barb’s, Beetham Gardens, Mon Repos, Never Dirty, Gonzales, Dibe, Belle Vue and Dundonald Hill. Not only does the Centre work directly with the participants in a classroom setting, as part of their personal development as community mediators and peace promoters, we also go out to these communities and mediate live disputes.

The value of this programme is its reliance on citizens who live or work within these communities, who will give of their time and services to mediate disputes of which they are more likely to be intimately familiar and, and even more, who have earned the trust of the community. With the rising levels of violent crimes, the Centre is encouraged that citizens are positioning themselves to be part of the solution towards a more peaceful nation.

Collectively, the Centre facilitated 22 workshops (15 in-house and 7 public) to a range of public and private sector organisations. This training was delivered over 52 days which translates to one workshop every week of the year. A total of 741 participants benefited from our workshops and we have noted a trend in repeat business which speaks to the quality of our programmes and facilitators. We wish to recognise our facilitators, coaches and the many clients who have supported us over the years.

Our Team

I wish to sincerely thank the Board of Directors of the Dispute Resolution Centre. Collectively, the Board has continued to stay the course through its insistence on high quality and visionary strategies such as timely alliances. The Board comprises industry icons and we are proud to have this team at the forefront, which includes:

- Mr. Dennis Gurley, S.C. Deputy Chairman
- Mr. Geoffrey Abdullah Director
- Mr. Kenneth Dalip Director
- Mrs. Stephanie Daly, S.C. Director
- Ms. Catherine Kumar Director and CEO of the TT Chamber
- Ms. Yukmai Marsang Director
- Mr. Baliram Sawh Director

Regrettably, the Centre had two resignations from the Board in 2014 and I wish to formally recognise Ken Dalip and Yukmai Marsang for their insight expertise and unwavering support. They truly enriched the Board. We consider them longstanding friends of the Centre and stand ready to welcome them back to the team.

The Board also recognises Executive Director Beverly Britain who continues to lead the charge, manage our rosters of mediators, arbitrators, trainers and coaches and create synergies with our partners and customers. Beverly is a live wire and the Centre has benefited from her strengths in business transformation. She brings ideas to fruition; she keeps the team focused and energised, and she creates alliances and relationships.

Beverly manages and mentors a dynamic team comprising Candy Le Platte, Nigel George, Cadence Benjamin, Michelle Pierre, Christiane Hope and Aurelia Williams. This young, dynamic team is a force to be reckoned with. In times of heightened activity and competing deadlines, they are determined to pull out all the stops and operate as a cohesive team showcasing the Centre's values of service delivery, professionalism and integrity.

We sincerely thank the President and Board of Directors of the T&T Chamber as well as the CEO and her team for their continued support. We look forward to working with you in 2015.

Indeed, as the opening quote says, the Centre has continued to distinguish itself as a leader in ADR through the art of collaboration. Congratulations everyone on another successful year!