

## **2009 ANNUAL CHAMBER REPORT THE DISPUTE RESOLUTION CENTRE**

**Alternative Dispute Resolution (ADR)** refers to methods of settling disputes outside of the courtroom and embraces a diversity of binding and non-binding procedures such as negotiation, mediation, conciliation, expert determination, early neutral evaluation, and arbitration. Despite historic resistance to ADR, it continues to gain widespread acceptance and some jurisdictions now require parties to resort to ADR of some type, usually mediation, before permitting cases to be tried in courts. Moreover, the rising popularity of ADR hinges on the potential lower costs compared to litigation, swifter solutions, confidentiality, greater control over the selection of the neutral intervenor, and the preservation of relationships among the parties.

**The Dispute Resolution Centre (DRC)** is the premier institution in the country for Commercial Mediations and Arbitrations and has played a leading role in the promotion and operation of a reliable ADR training and referral system within Trinidad and Tobago. Currently the DRC provides public education to broaden the awareness of ADR and has a strong cadre of qualified and experienced mediators, arbitrators and facilitators.

The DRC was launched by the Trinidad & Tobago Chamber of Industry and Commerce in 1996, and the relationship between the DRC and the Chamber models that of International Chambers. As such, the DRC operates as an autonomous mediation, arbitration and facilitation centre, administered by its own Board of Directors.

For over a decade the Centre has been facilitating commercial mediations and arbitrations for the energy, construction, finance, manufacturing and business sectors. We also handle private matters such as land disputes and employee disputes. We facilitate local and international matters and have built a panel of local and international mediators/arbitrators. Our case settlement rate is about 80%.

The DRC runs short courses in Conflict Management & Resolution, Mediation, Negotiation, Arbitration and related fields. The Centre is committed to building career mediators and assist participants in gaining certification by the Mediation Board of Trinidad & Tobago. In this way we are able to expand our panel with professionals from all sectors of society.

Executive Director of the DRC, Beverly Britain, noted that while 2009 was not without its challenges, there were many positives. For example, last year the DRC trained over 450 persons through a combination of in-house and public workshops and although there was a dip in revenue from training in 2009 over the previous year, income from mediations increased by over 100%. Moreover, by keeping a firm grip on expenditure, the DRC was able to enjoy higher profit margins per activity across all business lines and also close the year with receivables at just 8%.

In 2009 the Centre mediated several Construction-related disputes, facilitating over a dozen sessions at its Westmoorings Office. The DRC is continuing to strengthen its relationship with local and foreign construction

experts to provide mediation, arbitration and expert determination in this field. And to showcase the benefits of utilizing ADR to resolve construction disputes and to fast-track its marketing and networking drive, the DRC will also be hosting a breakfast seminar in the first quarter 2010.

Further, since the DRC strives to keep its courses current, relevant and practical, it introduced several new courses and within the last couple years has tripled its base of facilitators. We now have on board ADR facilitators with backgrounds in business, finance, human resource development, community development and even medicine and, by marrying their areas of expertise with ADR, have resulted in the roll-out of new, exciting and customised workshops. The DRC continues to attract a wide cross-section of corporate, social and governmental organisations to its training and enjoys a track record of over 85% of its participants rating the workshops as Excellent. In addition to our standard courses, we now offer the following:

1. Analyzing the Cost of Conflict in the Workplace
2. Successfully Confronting & Resolving Conflict Within Teams
3. Handling Conflict with Ease and Etiquette
4. Conquering Conflict & Stress for Improved Productivity
5. Dealing with Difficult People, Customers and Colleagues
6. Anger Management – Controlling the Volcano Within
7. Strategies for Managing Conflict within Communities
8. Enhancing Practical Mediation Skills
9. Dealing with Telephone Aggression
10. Using Power Negotiations to Influence and Close the Deal
11. Strategic Negotiations and Critical Thinking

Each year the Centre undertakes a community outreach initiative as we believe that ADR programmes increase civil engagement and facilitate other social change by building skills for consensual approaches to problem solving, reducing the level of tension and preventing conflict in communities. Last year the DRC selected the Pride in Gonzales Project which had as one of its goals the recruitment and training of a community group in conflict resolution and mediation skills to build a reservoir of community-based mediators. In July 2009 the DRC trained a group of 25 Gonzales residents in Conflict Management and Resolution. This group included members of the Gonzales Community Policing Division. We followed this up in November with a four-day intervention entitled Building Practical Mediation Skills for Communities. Moreover, we specifically sourced facilitators and coaches who actively work at the ground-level, in the communities and the mediation centres, persons who would have a real-life appreciation for the challenges which these communities face daily. Feedback from both workshops was exceptional, with over 97% of the participants rating the overall programme Excellent. The DRC felt that this was a timely and critical intervention in light of the spiralling crime situation in the country. Our aim was to empower the community to deal with some of its own challenges and to minimize the number of cases that may otherwise reach the courts. The DRC will continue its work with the Gonzales project team in 2010 and will be rolling out a series of workshops on Managing Violence and Aggression in the Workplace and within Communities.

Moreover, the experiences of regional and international jurisdictions demonstrate that ADR increases access to justice for all. It supports and complements court reform and assists in alleviating backlogs, reducing delays, managing case loads and streamlining procedures to accelerate case disposition. The DRC began exploring similar initiatives with the Judiciary in 2009, and will follow through in 2010. We are committed to working with key stakeholders such as the courts, the legal fraternity, the government and the mediation community to make this a reality. Further, the Centre sees the benefits of tapping into the wealth of knowledge and experience of our retired judges and the legal community to offer Early Neutral Evaluation and will be actively pursuing this in the near future.

Ms. Britain reported that the DRC was able to ride out the 2009 storm and is now ever more optimistic about 2010. She credits the DRC's growth on its dynamic Board of Directors lead by Chairman Raoul John, her dedicated team comprising Cadence Benjamin, Candy Le Platte and telemarketer Nigel George, all of whom are committed to excellence and quality service, and the unwavering support of the Chamber, in particular, CEO Joan Ferreira. She is confident that with a strong team, a sound product and exciting initiatives in the pipelines, that the DRC is on a growth path and poised to spread its wings locally and regionally.

The DRC takes this opportunity to thank Mrs. Joan Ferreira for her invaluable contributions to the Centre and the Chamber and wish her all

the best in the future. We also welcome the esteemed Ms. Catherine Kumar to the DRC Family.

**DRC Board of Directors:**

Raoul John	Chairman
Dennis Gurley	Vice Chairman
Dave Aqui	Director
Kenneth Dalip	Director
Stephanie Daly	Director
Christopher Hamel-Smith	Director
Catherine Kumar	Director and CEO of the TT Chamber
Baliram Sawh	Director
Yukmai Marsang	Director
Beverly Britain	Executive Director and Secretary to the Board