



# Mediation Board of Trinidad and Tobago

7<sup>th</sup> Annual Mediation Symposium

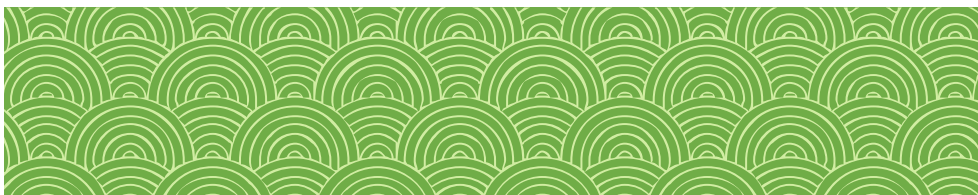
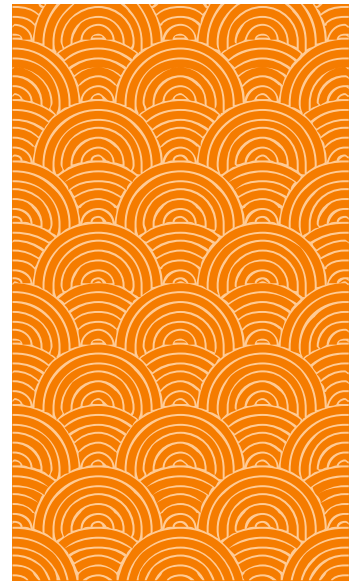
Reframing our Reality Through  
Mediation

11<sup>th</sup> – 13<sup>th</sup> September 2017

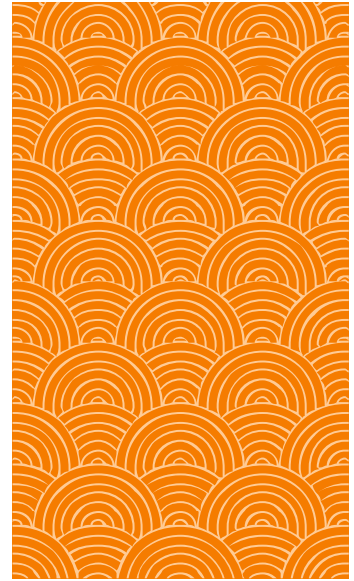
9:00 am – 5:00 pm

The Hyatt Regency

1 Wrightson Road, Port of Spain

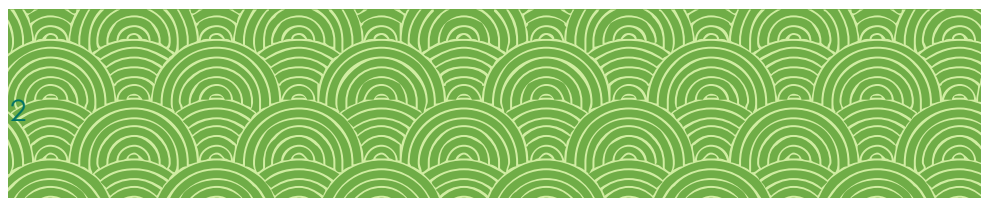


**The Mediation Board welcomes Peacemakers** to our 7<sup>th</sup> Mediation Symposium. The technique of reframing is a vital tool for any mediator. In many cases the mediator will reframe what a disputant has said, using positive language so that the other disputant can appreciate the alternative perspective which is so often lost in the emotional rhetoric of disputes. In a sense, the entire mediation exercise reframes the picture of the dispute and the disputants themselves. When we say a mediator helps a disputant to “walk in the shoes” of the other disputant, we are really instilling an appreciation for alternative views, different perspectives, and the fact that your reality is not the same for others.



We have chosen the theme “Reframing our Reality through mediation” to highlight not only the transformatory aspect of mediation but also to highlight how important it is for us to resolve many disputes by interrogating the different realities for different groups and individuals on the issues which we often have to face and deal with together. The topics that we have chosen this year such as governance, industrial relations, domestic violence, and violence will demonstrate the wider utility of mediation as a mind-set and a process which enables us to patiently appreciate opposing views if we are to collaborate on a joint future.

We hope to achieve the following objectives with this year’s symposium: for our young people to build a cadre of young mediator ambassadors and to increase the popularity of peer mediation programmes; for civil society to create a better awareness of the use of mediation techniques in resolving disputes and creating platforms for dialogue and for our mediators:

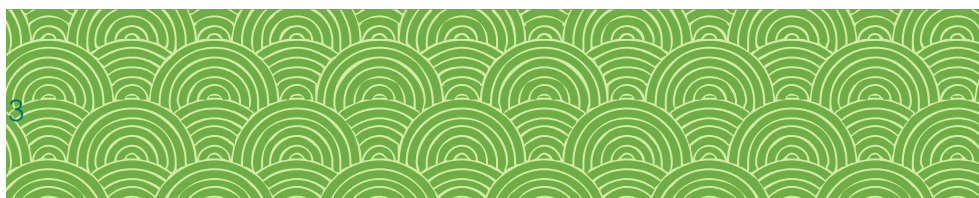
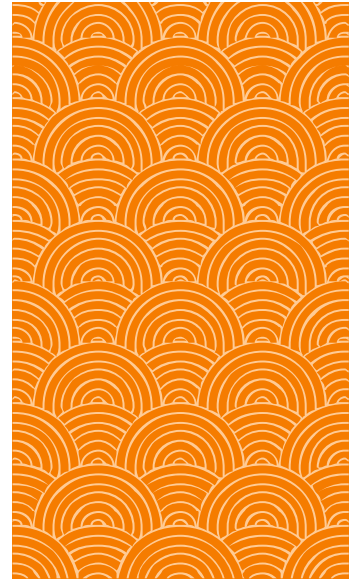


enhancing their mediation competencies and to continue the development of the mediation profession consistent with “best practices”.

We are pleased that this year we have collaborated with our certified mediation agencies in implementing this programme and we acknowledge the assistance and contribution of the Dispute Resolution Centre, Conflict Resolution and Mediation Centre of Trinidad and Tobago, the Environmental Commission, Ministry of Community Development, Culture and the Arts, Mediate It Limited, and TCHD International Centre for Mediation & Mediation Studies and the Judiciary on our working committee. We also acknowledge the assistance and collaboration of the Rotary Club Princess Town on our committee.

Together with our feature presentations in this year’s symposium there are parallel panels, workshops, private meetings and skills-based exercises. Hopefully the variety in our symposium package will be rewarding for all. We have in fact “reframed” our programme to putting the young people first! They will be starting our symposium on the first day with a number of activities some of which they will showcase to the wider delegation during the course of the symposium.

We look forward to sharing our different realities with one another over the next few days. Do enjoy the Symposium!



## AGENDA

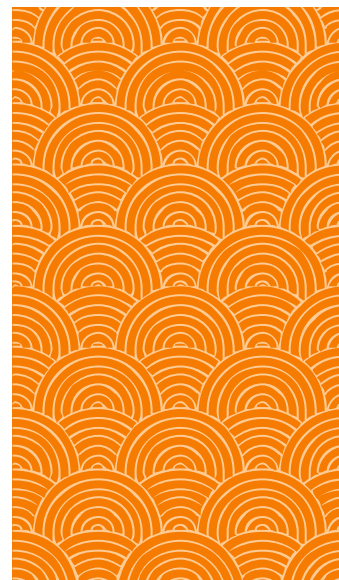
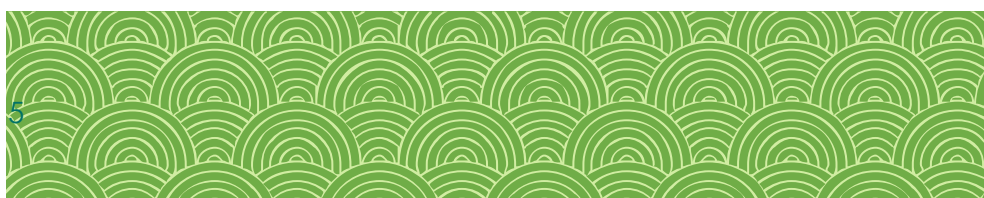
**DAY 1- MONDAY 11<sup>TH</sup> SEPTEMBER, 2017**

### **Youth Day**

<b>TIME</b>	<b>PARTICULARS</b>
9:00a.m. – 930a.m.	National Anthem Prayer Pledge  Opening Act
	Inter-action: setting the stage for collaboration
9:30a.m.- 10:00a.m.	<b>Introduction to Mediation and Conflict Resolution</b>
10:00a.m.- 10:30a.m.	<b>Facilitating Dialogue</b>
10:30a.m.to 11:00a.m.	<b>Break</b>
11:00a.m.- 12:00p.m.	<b>Group Work with Young People</b>  <b>Ballroom: Group work:</b>  <b>Meeting Room 1:</b>

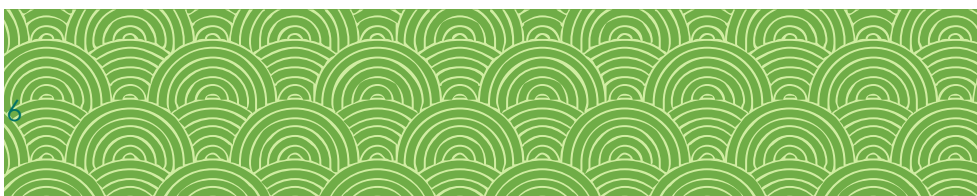
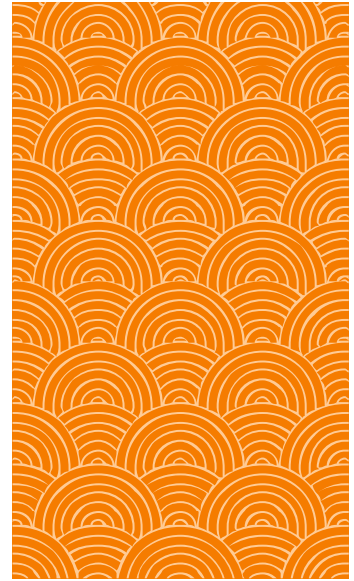
	<b>Meeting Room 2:</b>  <b>Meeting Room 3:</b>
12:00p.m. to 1:00p.m.	<b>Lunch</b>
1:00p.m.- 2:00p.m.	<b>Feedback and moving forward</b>  <i>Group Activities: skits, spoken word, developing a youth charter, identifying youth mediation ambassadors.</i>

2:00p.m. – 4:00p.m.	<b>Bridging the Gap</b> <ul style="list-style-type: none"> <li>• Welcome</li> <li>• Summary of Youth Day’s Activity</li> <li>• Debate: University of the West Indies, St. Augustine vs Hugh Wooding Law School.</li> </ul> <p><i>Topic: Be it resolved that restorative justice is a more effective way of dealing with crime than the criminal justice system especially for capital and serious offences.</i></p> <ul style="list-style-type: none"> <li>• Formal Declaration of the Opening of the Symposium</li> </ul>
4:00p.m. – 5:00p.m.	<b>Networking and Refreshment</b>



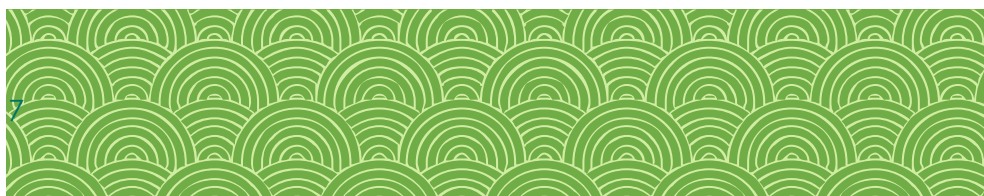
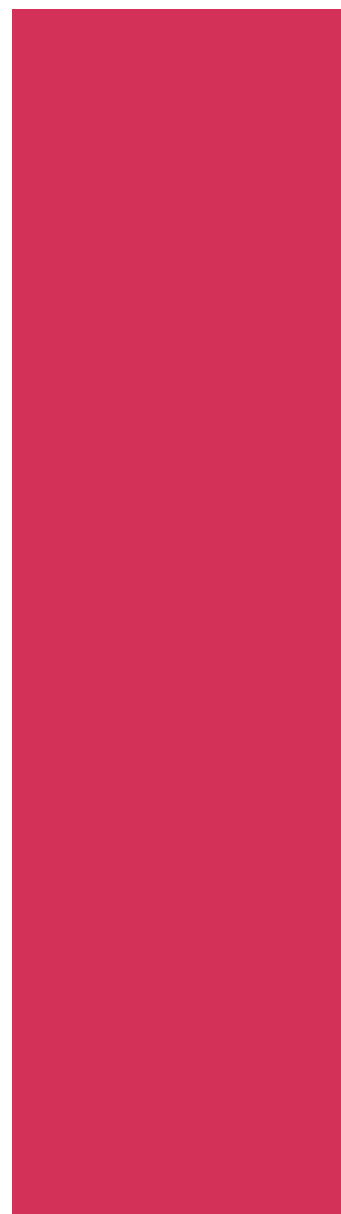
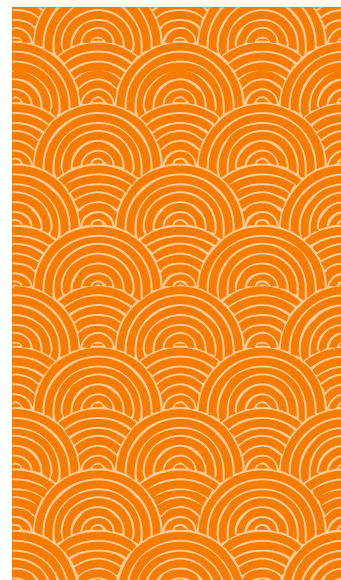
**DAY 2**  
**TUESDAY 12<sup>TH</sup> SEPTEMBER, 2017**

TIME	PARTICULARS
9:00a.m. – 9:10a.m.	<b>Welcome:</b> Ms. Elizabeth Solomon Executive Director Dispute Resolution Centre & Board Member
9:10a.m.- 9:45a.m	<b>Feature Presentation</b>  <b>Mediation and Governance</b>  Honourable Mrs Donna Parchment Brown, CD.JP  Political Ombudsman, Jamaica  <i>In this presentation we will explore how mediation skills and mediation techniques can be applied in our governance styles and in our politics. We will explore how leadership styles in a diverse culture may be more effective if leaders it adopts a collaborative and conciliatory approach. It will reframe how we view social and political issues through a mediation lens.</i>

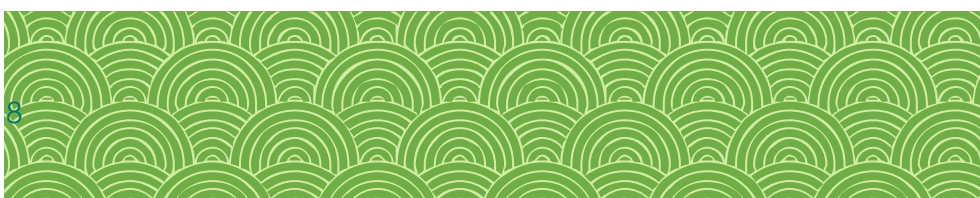
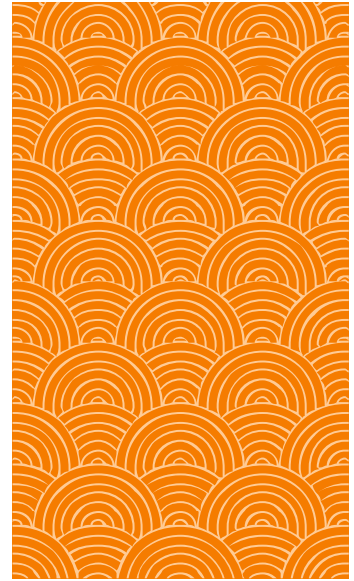




	<p><i>For the Board this is important as it seeks to encourage state agencies and organisations to think carefully about governance styles and to begin the implementation of mediation units and the use of specialised mediators or specific mediation training programmes to assist in leadership and governance issues.</i></p>
<p>9:45a.m. - 11:00a.m</p>	<p><b>Plenary Session: Urban and Community Development- the need for collaboration</b></p> <p>Chair: Ms. Elizabeth Solomon Executive Director Dispute Resolution Centre &amp; Board Member</p> <p><b><i>Panellists:</i></b></p> <p>His Worship Mr. Joel Martinez Mayor of Port of Spain</p> <p>Dr. Debra Thomas Managing Director East Port-of-Spain Development Company Limited</p> <p>Mr. Anthony Vieira Former Independent Senator, Attorney-at-Law and Certified Mediator</p>

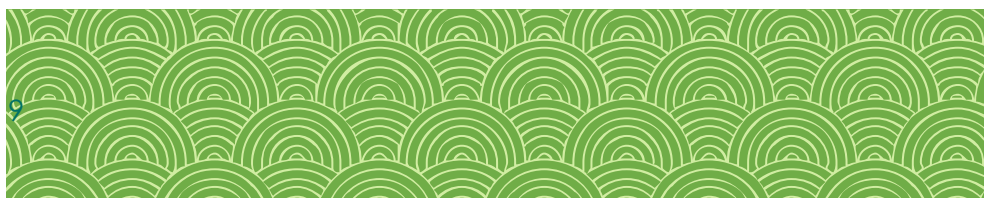
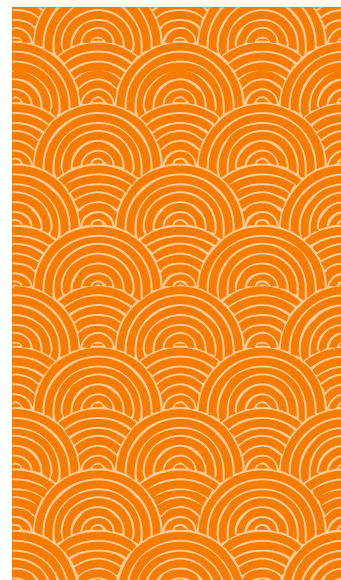


	<p>Dr. Donna Mae Knights</p> <p>Policy Co-Ordinator-Policy Unit</p> <p>Ministry of Community Development, Culture and the Arts</p> <p><i>This panel will highlight an aspect of Mediation and Governance in terms of developing our urban and community spaces. For local government bodies it is important that they understand the many different interests that are at stake in several of the projects engaged in developing our spaces. Mediation skills will assist in navigating the multiplicity of interests, create a culture of conflict avoidance and provide a platform for continuous dialogue. We will explore how city projects impact different groups and how conflict can be avoided. We will explore some litigation emanating from city projects which were missed opportunities for mediation. We will set the stage for the development of peace cities and peace villages where mediation platforms are institutionalised to deal with several aspects of conflict including the reduction of violence.</i></p> <p><i>For the Board we would like the audience to address the questions: what form of mediation style is needed in dealing with large project disputes, what special skills may be needed in disputes between the state and multi parties, how is a peace city to be structured using mediation/ADR platforms.</i></p>
11:00a.m. to 11:15a.m	<b>MEDIATION VIBES</b>





11:15a.m. to 1:00p.m.	<p><b>Parallel Sessions</b></p> <p><b>Session A- Ballroom</b></p> <p><b>“Take yuh rig and go!”- Emotional language and industrial relations disputes</b></p> <p>Chair: TBC</p> <p>Facilitator: TBC</p> <p>Panellists: Mr Wendell Seepersad</p> <p>Dr. Terrence Farrell</p> <p>Trade Union Representatives (TBC)</p> <p>Business and Government</p> <p>Representative of Industrial Court(TBC)</p> <p><i>This panel will explore industrial relations disputes on two levels. First on the level of emotionalism and adversarialism, how can conciliation and mediation work in such a heated environment. How can groups reframe their hostile instinctive responses to conflict.</i></p> <p><i>Second on the level of the methodology to be adopted to have an effective tripartite arrangement. Recognising the need for parties to vent what model should be adopted to allow for parties to work together being hard on issues and not on each other.</i></p>



*For the Board we would want the audience to interrogate the special skills needed to deal with emotional industrial relations disputes and whether a facilitative or evaluative style or mixture of both may be appropriate.*

**Session B- Meeting Room 1**

**“Mediating our religious and cultural differences”**

Chair: Rev. Dr. Daniel Teelucksingh

Board Member, Mediation Board of  
Trinidad and Tobago

Presenter: Mrs. Ann Diaz

Certified Mediator, Mediation  
Trainer

Clinical Therapist

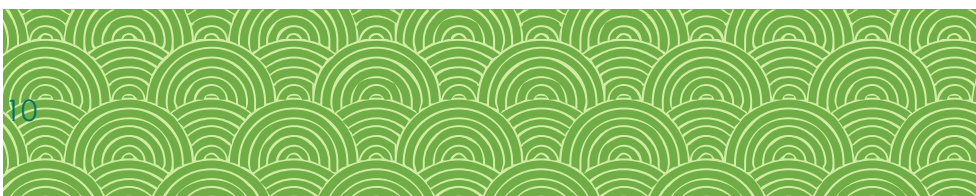
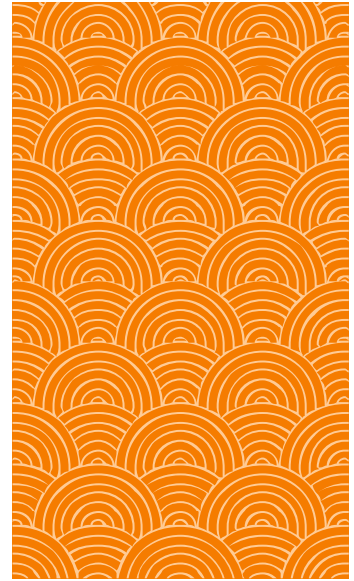
Dr. Nasser Mustapha

Snr. Lecturer, Department of  
Sociology,

U.W.I.

**Session C- Meeting Room 2**

**Chair:** The Hon. Mr. Justice V. Kokaram



High Court Judge & Chairman of the  
Mediation Board of Trinidad and  
Tobago

**“Learning from our Elders- Examining  
indigenous dispute settlement systems”  
blending traditional approaches with new–**

Panellists:

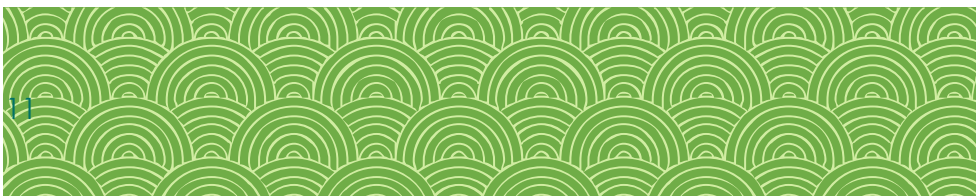
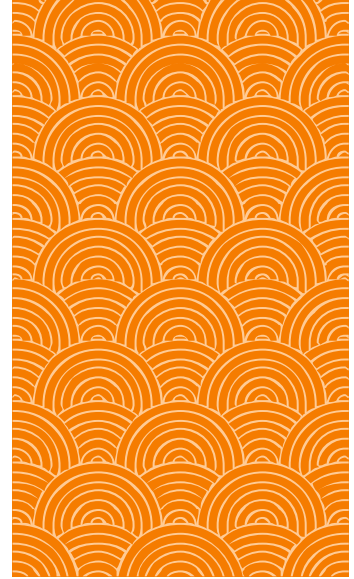
Mr. Ricardo Hernandez  
Head-Original Peoples

Mrs. Pearl Eintou Springer  
Internationally Recognised Poet, Actress,  
Playwright and Storyteller & Librarian

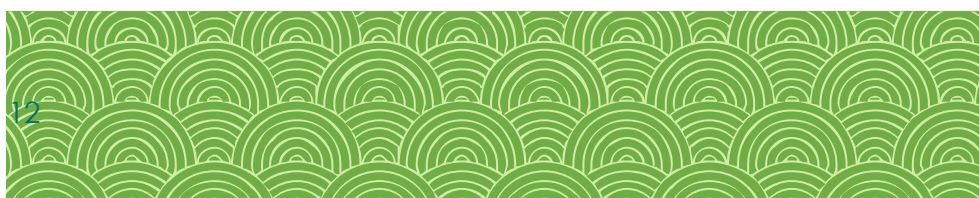
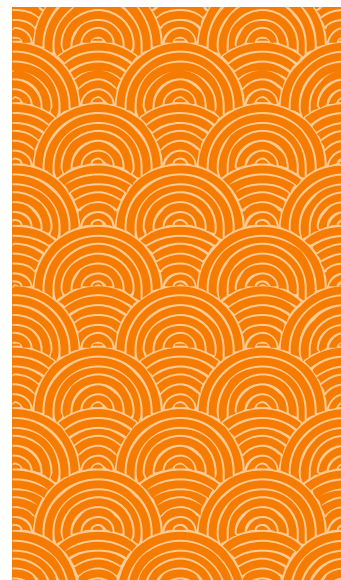
Mr. Ravindranath Maharaj  
Full-time Voluntary Social Worker

*In this session we will explore our traditional  
informal dispute settlement systems and how  
communities once treated with conflict we will  
then focus on how history lessons can help us  
shape a new firm of dispute settlement.*

**Session D- Meeting Room 3**



	<p><b>Conflict Resolution and Mediation Centre of Trinidad and Tobago</b></p> <p>Certified Mediation Agency</p> <p>Fishbowl Exercise– Group A: <i>This session is a working session for those persons seeking to hone their mediation skills for those either seeking certification or having recently been certified.</i></p>
1 00p.m. – 2:00p.m	<p><b>LUNCH</b></p> <ul style="list-style-type: none"> <li>• Spoken Word</li> </ul>
2:00p.m. to 4:00p.m.	<p><b>Breakout sessions<sup>1</sup></b></p> <p><b>Session A- Ballroom</b></p> <p><b>“Through the Looking Glass - Reframing our future, a journalist and filmmakers view”</b></p> <p>Chair: Ms. Elizabeth Solomon</p> <p>Executive Director Dispute Resolution Centre &amp; Board Member</p> <p>Panellists: Dr. Bruce Paddington</p> <p>Founder and Festival Director Trinidad and Tobago Film Festival</p>



Ms. Danielle Dieffenthaller  
Film Producer

Mr Wesley Gibbings  
Journalist and Poet

*This is an important introspection on our society by our artists and journalists. These persons like mediators are trained to “get the story out”. For the journalist we will examine the concept of “responsible journalism” and its synergies with peacemaking. We will learn from filmmakers and journalists how they create empathy with the subject of conflict to effect positive change. We will explore the possibilities of using the medium of film and media to further the work of conflict resolution. We will examine the role of this medium in leading a change in culture in the way we approach controversial social issues.*

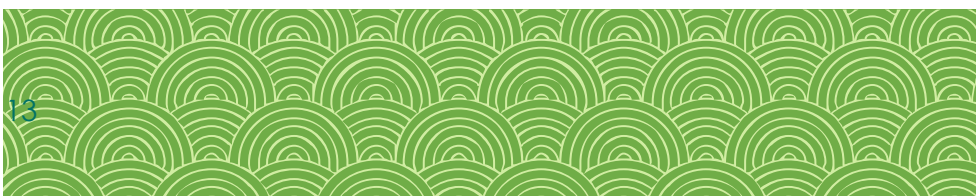
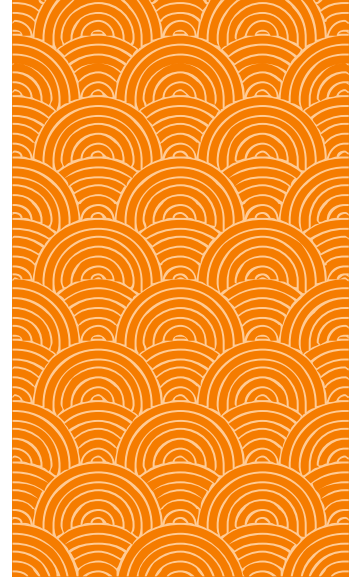
*For the Board we would like to get feedback on what role film and the media can play in promoting mediation. Whether mediation training would be an important skill set for the journalist.*

**Session B- Meeting Room 1-**

**“Reframing Commissions of Enquiry”**

Chair: His Honour Mr. Anthony Gafoor

Chairman, Tax Appeal Board of  
Trinidad and Tobago (Superior Court of  
Record),





Board Member, Mediation Board of  
Trinidad and Tobago

Presenter: Ms. Baria Ahmed

Director, Centre for Effective Dispute  
Resolution (CEDR)

Mr. Shankar Bidaisee

Attorney-at-Law,

Board Member, Mediation Board of Trinidad  
and Tobago

*This is an invaluable presentation on changing the adversarial model of public inquiries. Ms. Baria will present on CEDRs research on inquiries. Between February 2011 and January 2015, CEDR investigated the Public Inquiry system to look at the methodology of system and whether there was ground for change. The research found that the Public Inquiry process had frequently adopted a default adversarial process and had not utilised potential alternative process models. CEDR also found that the Public themselves did not understand the Public Inquiry process.*

*As a result of CEDR's work, they published "Setting Up and Running a Public Inquiry: Guidance for Chairs and Commissioning Bodies" in January 2015 which was launched at the House of Lords. This work is a culmination of the work conducted with a taskforce of Former Inquiry Chairs, lawyers, former civil servants and interested parties. Since publication, the guidance has been requested by a number of Public Inquiries.*



*The Board hopes that this can begin the transformation of our public inquiries into more progressive and useful methods of solving problems rather than creating new ones.*

### **Session C- Meeting Room 2**

#### **Court Annexed Mediation and Judicial Settlement Conferencing**

##### **“Attorneys and Mediators- happy bedfellows?”**

The Hon Madam Justice of Appeal Charmaine Pemberton

*This is a skills based workshop designed for mediators and attorneys. This workshop will focus on the role of attorneys and mediators in mediations and judicial settlement conferences and how attorneys can help the process.*

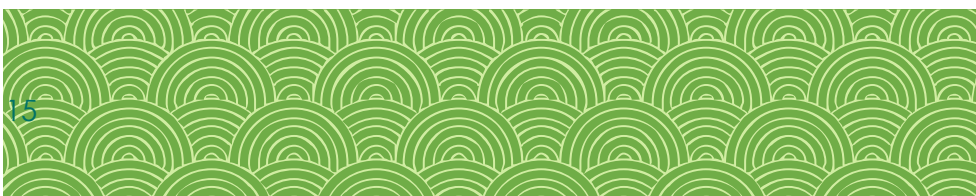
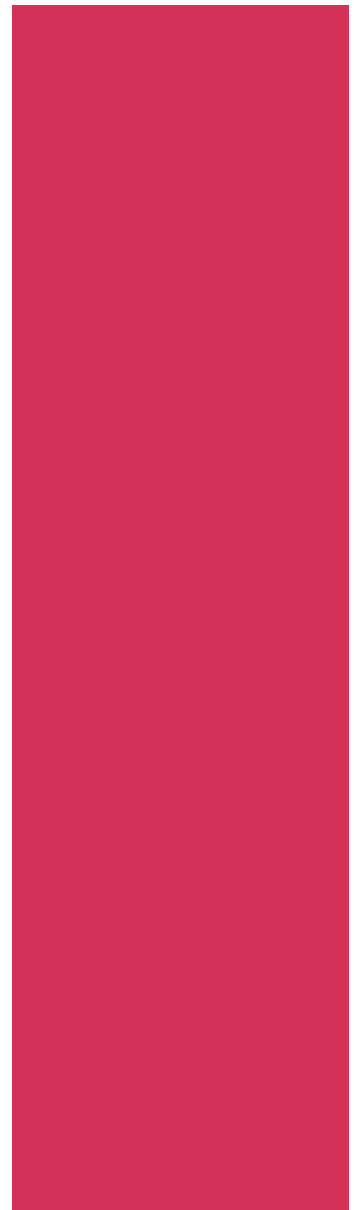
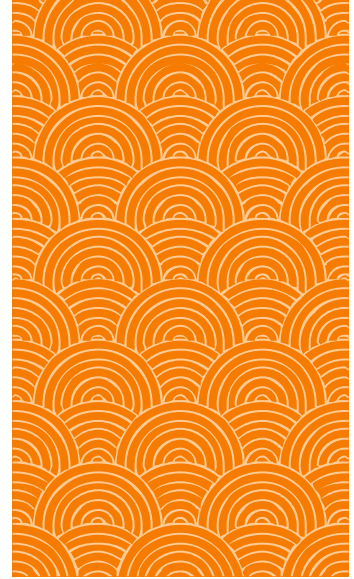
### **Session D- Meeting Room 3**

#### **Restorative Practices in our Prisons**

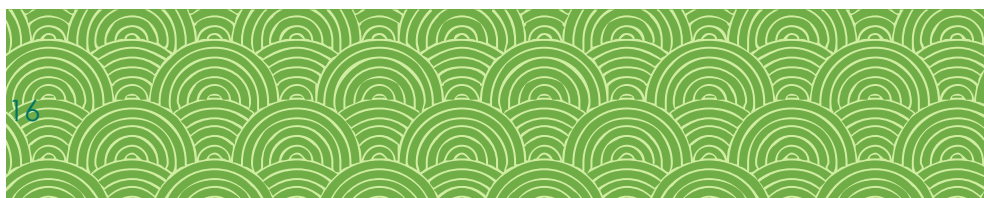
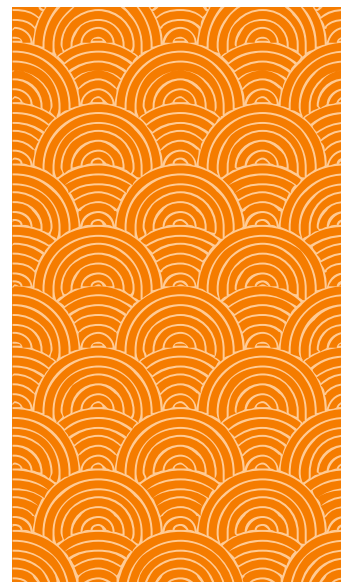
Presenter: Mr Deopersad Ramoutar

Assistant Commissioner of Prisons  
&

Board Member, Mediation Board of  
Trinidad and Tobago



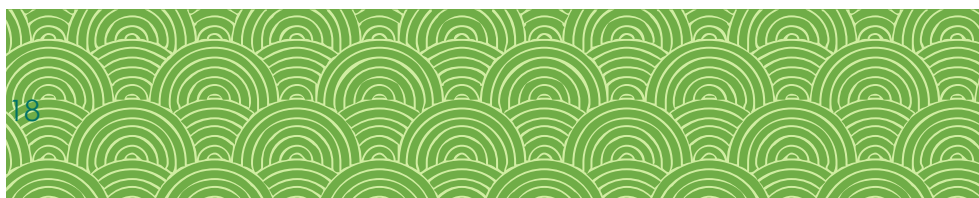
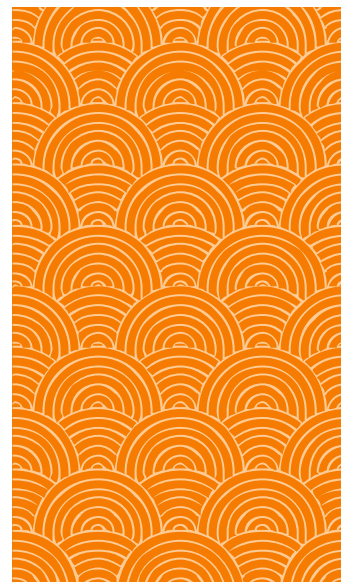
	<p><i>This important session will showcase the work being done in our prisons which exemplify restorative justice practices. It will open our mind to the utility of restorative justice approaches in the criminal justice system.</i></p> <p><i>For the Board we would like delegates to interrogate the elements of restorative justice and what techniques and skills are used in that area.</i></p>
	<p><b>“Confessions of a Mediator- Building a Mediation Career”</b></p> <p><b>Mediate It Limited</b></p> <p>Certified Mediation Agency</p> <p><i>This is an open plenary session dealing with the many questions the Board receives regularly from mediators and applicants. Where do I get experience? How can I practice mediation skills? How do I set up a mediation practice? Who can be my mentors? Is there a mentorship programme or mediation association that can help my career?</i></p> <p><i>The Board would like to receive feedback on the need for a mentorship programme, the type of CPD programmes that will assist mediators in refreshing their skills, what type of mediation styles are being practiced, what is the practice in fee setting, how many certified mediators are actually practicing their skills as mediators and what are the challenges in their way.</i></p>



**Day 3 – 13<sup>TH</sup> September, 2017**

9:00a.m.- 9:15a.m.	<b>Welcome:</b> Dr Krishna Maharaj Senior Clinical Psychologist Board Member, Mediation Board of Trinidad and Tobago
9:15 a.m. - 9:45a.m.	<b>Feature Speaker:</b>  <b>Relationships and Emotions- The Psychology of Mediation</b>  Professor Gerard Hutchinson Professor of Psychiatry Faculty of Medical Sciences U.W.I., St. Augustine  <i>This important presentation will explore the dynamics of relationships, the causes of violent behaviour, how violence and conflict arise in that dynamic and how important it is for us as a society to treat with our relationships as a fundamental step towards the reduction of violence and harm.</i>
9:45a.m. - 11am	<b>Plenary Sessions</b>  <b>“Battered minds-Battered future?- The impact of violence on children”</b>

	<p>Chairperson:</p> <p>Her Worship Mrs. Lisa Ramsumair-Hinds</p> <p>Presenter: Judge Nancy Flatters</p> <p>Certified Mediator, Mediation Trainer,</p> <p>Retired Judge, Canada.</p> <p><b>“Structural violence-another reality”</b></p> <p><i>These two presentations will explore the impact of violence on children and the causes of violent behaviour. It will examine domestic violence through the lens of the aggressor and what steps can be taken to treat with his or her violent behaviour in a therapeutic manner.</i></p>
11:00a.m. to 11: 15a.m.	<b>MEDIATION VIBES</b>
11:15a.m. to 1:00p.m.	<p><b>Parallel Sessions-</b></p> <p><b>Session A- Ballroom</b></p> <p><b>“Daring to help- Mediators approach to handling and detecting Intimate Partner Abuse”</b></p> <p>Chair: Professor Derek Chadee</p> <p>Head Department of Behavioural Sciences</p> <p>University of Trinidad and Tobago</p>



Board Member, Mediation Board of  
Trinidad  
and Tobago

Panellists: Dr. Varma Deyalsingh  
General Medical Officer in  
Psychiatry

Ms. Meera Avatar  
Certified Mediator

*This session will explore in greater depth the issues raised in plenary. From the mediators' perspective it will examine intimate partner abuse and how it can be detected and treated.*

*For the Board we would want to examine the methods of conducting proper intake in family mediation, the concept of "best interest of the child", and in what way mediators can mediate domestic violence cases.*

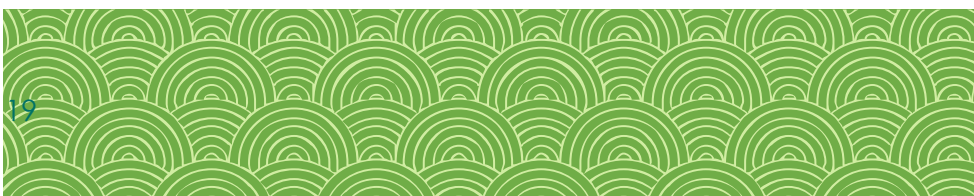
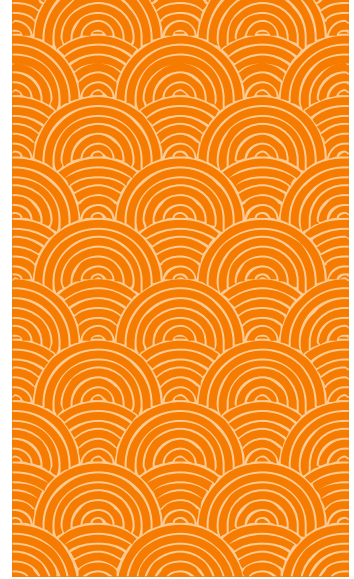
**Session B: Meeting Room 1**  
**Mediators dealing with trauma**

Ms. Joanne Chuckaree  
Attorney-at-law and Certified Mediator

Mrs. Hazel Thompson-Ahye  
Attorney-at-law and Certified Mediator

TCHD International Centre for Mediation &  
Mediation Studies  
Certified mediation agency

*This is an important session for mediators to help them deal with the stress of conducting mediation. Mediators themselves are exposed to the trauma experienced by their parties. Is it a simple case of "switching off" when you leave*





*the mediation room or do you take that trauma home with you?*

*For the Board we would like to obtain feedback on what programmes are recommended to help mediators deal with any trauma they may face arising from conducting mediations.*

**Session C: Meeting Room 2  
Court Annexed Mediation**

*“Settling at trial-what’s the risk?” Mediating Insurance claims*  
Chairperson: TBC

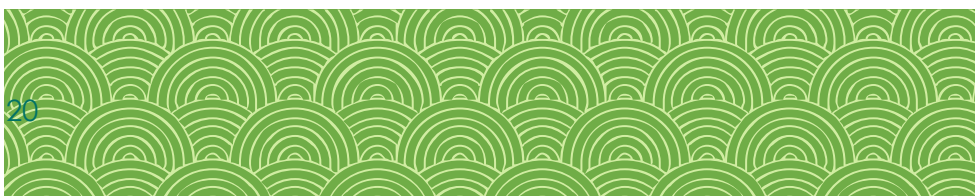
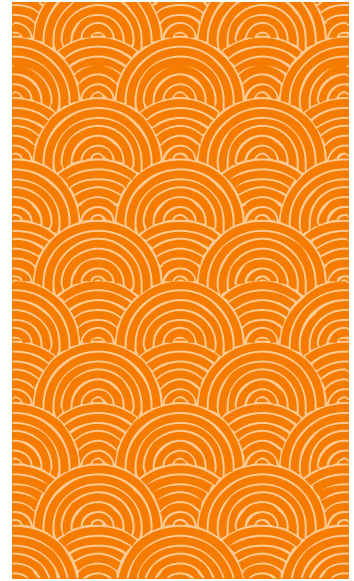
Panellists:

Mr. Ramnarine Mungroo  
Attorney-at-law

Mr. Joseph Camacho  
Attorney-at-Law and Certified Mediator

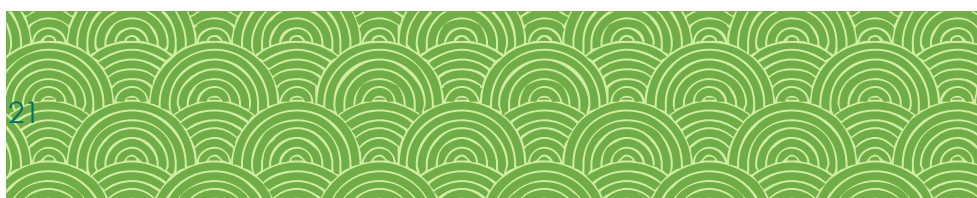
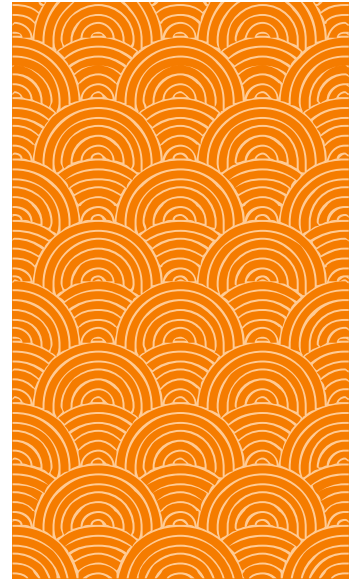
*This session was really sparked by a request from ATTIC to introduce mediation clauses in insurance policies for motor vehicle insurance. Why stop there? What about amending the Motor Vehicle Third Party Insurance Act? We also would like to explore mandatory mediation for insurance claims and the more frequent use of the Financial Services Ombudsman’s Office in the settlement of claims.*

*For the Board we would like to identify the skills necessary for a mediator to conduct insurance mediations and whether it is a specialty separate from that of a general court annexed mediator.*

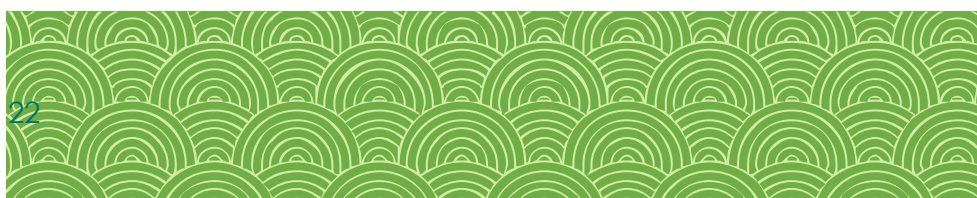
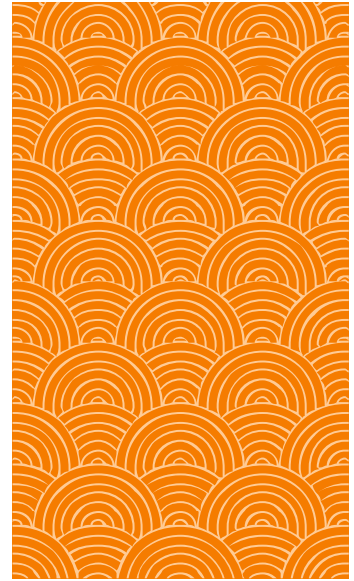




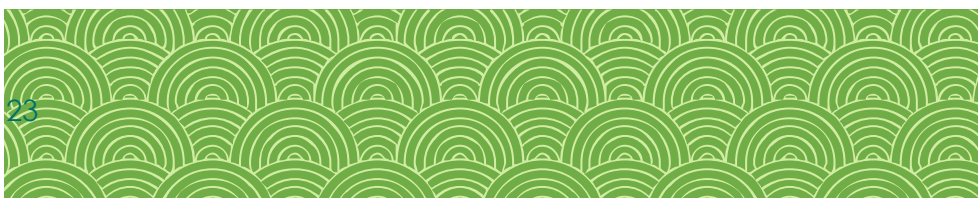
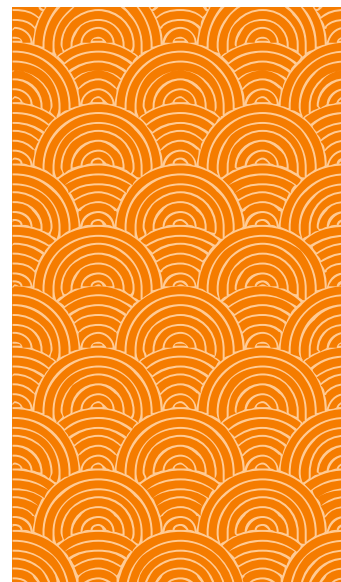
	<p><b>Session D: Meeting Room 3</b></p> <p>Fishbowl exercise-Retooling our Mediation Skills -<b>Group B</b></p> <p><b>Mediate It Limited</b>  <b>Certified Mediation Agency</b>  <i>This session is a working session for those persons seeking to hone their mediation skills for those either seeking certification or having recently been certified.</i></p>
	<b>MEDIATION VIBES</b>
1:00p.m. – 2:00p.m	<b>Lunch</b>
2:00p.m.	<p><b>Caribbean Best Practice and Mediation “Regionalism”</b>  <b>Chair: His Honour Mr. Anthony Gafoor</b></p> <p>Chairman, Tax Appeal Board of Trinidad and Tobago (Superior Court of Record),  Board Member, Mediation Board of Trinidad and Tobago</p> <p><b>Panellists:</b> Justice Courtenay Abel  Judge, Belize High Court</p> <p>Mr John Bassie  Attorney-at-Law, Jamaica</p> <p>Mr Francis Compton  Co-Ordinator, OECS Court</p> <p>Annexed  Project</p> <p>Mr Teni Housty</p>



	<p>Attorney-at-Law, Guyana</p> <p><i>This panel will explore the different mediation practices in the region and their different standards of practice.</i></p> <p><i>For the Board this begins the conversation on the harmonisation of standards and quality control across the region.</i></p>
3:30p.m. – 3:55p.m.	<p><b>Futuristic mediation: Going where no mediator has gone before?</b></p> <p>His Honour Mr. Anthony Gafoor</p> <p>Chairman, Tax Appeal Board of Trinidad and Tobago (Superior Court of Record),</p> <p>Board Member, Mediation Board of Trinidad and Tobago</p> <p><i>This presentation explore various new techniques and future trends in mediation and ADR. It also opens the question of the potential of Caribbean mediation which will be the basis for the Board’s open discussion with the audience in the next session.</i></p>
3:55p.m. – 4:20p.m.	<p><b>Open Discussion- The Way Forward – Forming a Caribbean Mediation Association</b></p> <p>Professor Derek Chadee</p> <p>Head Department of Behavioural Sciences</p> <p>University of Trinidad and Tobago</p> <p>Board Member, Mediation Board of Trinidad and Tobago</p>



4:20p.m. – 4:45p.m.	<p><b>Closing Remarks- His Worship Mr. Aden Stroude</b></p> <p>Deputy Chairman</p> <p>Mediation</p> <p>Board of Trinidad and Tobago</p> <p><b>MBTT's Appreciation Cocktails in Foyer Area with entertainment (small band or soloist)</b></p>
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### **Board members**

The Honourable Mr. Justice Vasheist Kokaram, Chairman

His Worship Mr. Aden Stroude, Deputy Chairman

Mr. Allan Noreiga

Dr. Derek Chadee

Ms. Elizabeth Solomon

Reverend Daniel Teelucksingh

His Honour Mr. Anthony Gafoor

Mr. Deopersad Ramoutar

Dr. Krishna Maharaj

Mrs. Beverly Harry-Emmanuel

Mr. Shankar Bidaisee

Mrs. Giselle Yearwood-Welch

Ms. Sherlanne Pierre, Secretary

### **Acknowledgments**

The MBTT thanks the following collaborators

Dispute Resolution Centre—Conflict Resolution and Mediation  
Centre of Trinidad and Tobago Limited—Mediate It Limited—  
TCHD International Centre for Mediation & Mediation  
Studies—Rotary Club of Princes Town—Ministry of Community  
Development, Culture and the Arts—Environmental  
Commission of Trinidad and Tobago—Judiciary of Trinidad and  
Tobago.