



**EQUAL
OPPORTUNITY
TRIBUNAL**
Trinidad & Tobago

OPPORTUNITY KNOCKS

Newsletter

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Inaugural Issue



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Photo: Her Honour Madam Justice Donna Prowell-Raphael, Chairman and Judge, Equal Opportunity Tribunal.

We Can Draw From The Best In All Of Us!

On behalf of the Equal Opportunity Tribunal, I greet you in the spirit of joy and sanctity of the season. Christmas signals a time of light and hope as we dissipate the anguish of the past and cuddle the miracle that the story of the birth of the Christ child promises.

As I reflect on 2022, I realise that it has been a seminal year for the Tribunal. Our team has been passionate about what we do and what we can achieve with hard work. This collective spirit has ignited the transmutation of the Tribunal literally from dark to light. From the gloom of its court operations being crippled by lack of electricity, internet and even air-conditioning, to the lustre of impending first world digitalisation and relocation.

I recall with delight the new friends the Tribunal has made during the year. As 2023 beckons the Tribunal stands on the threshold of valuable collaborations, cooperation, and evolution. At the end of a year in which the Tribunal has been asked to overcome so many challenges, we commit to continue to strive for the realisation of balanced social relationships that will inure to equity and equality of opportunity, and the ultimate elimination of cultural, ethnic, racial, and other historical forms of discrimination.

As the Tribunal expresses gratitude to our many friends and stakeholders, and advances into a season of new beginnings and possibilities, it does so with courage and a real will to create a conscious and astute institution that will benefit future generations, and style the continued advancement of a just and fair society. It is my hope that we can all draw from the best in all of us to defeat the adversities of the thorny world in which we live.

It's hard to believe that 2022 is already ending! My family joins me in wishing each and every one of you a peaceful Christmas and a purposeful and productive 2023.

Let's Talk

The Equal Opportunity Tribunal has embarked on a series of stakeholder engagements entitled Let's Talk. The engagements target Governmental and Non-Governmental Organisations, International Organisations, Trade Unions, academia and the media.

The purpose for the engagements are to:

- ⇒ promote dialogue aligned with the Equal Opportunity Tribunal's strategic development goals which include but are not limited to serving those who are vulnerable and susceptible to discrimination and victimization;
- ⇒ promote the work of the Equal Opportunity Tribunal;
- ⇒ build collaborative partnerships and new relationships that generate value by pooling knowledge, experience, and expertise to create solutions that will benefit Trinidad and Tobago; and
- ⇒ lift the profile of the Equal Opportunity Tribunal to a robust court of excellence.

To date the Equal Opportunity Tribunal had several engagements with the Media, Professor Rhoda Reddock, member of the Convention on the Elimination of Discrimination against Women (CEDAW) Committee, the Delegation of the European Union to Trinidad and Tobago and the United Nations High Commissioner for Refugees (UNHCR).

In 2023, the Equal Opportunity Tribunal will continue its Let's Talk initiative with key stakeholders and is aspiring to host an NGO Forum to collaborate with organisations in the areas of civil and human rights.



Photo (L-R): Ms. Miriam Aertker, Head of the UNHCR National Office in Trinidad and Tobago presents a token of appreciation to Her Honour (HH) Madam Justice Donna Prowell-Raphael, Chairman and Judge of the Tribunal. The token presented was created by a refugee.



Photo (L-R): His Excellency Peter Cavendish, Ambassador for the European Union and HH.



Photo (L-R): HH presents Professor Rhoda Reddock with a token of appreciation.

The Tribunal Meets the COLAC Delegation

The European Union (EU) delegation for Trinidad and Tobago hosted a cocktail reception on November 17, 2022 for the Working Party on Latin America and the Caribbean (COLAC) members. COLAC is a body of the Council of the European Union, which comprises representatives from each of the 27 EU member state countries and handles EU relations with countries in Latin America and the Caribbean.

The group was led by Tomás Reyes Ortega, COLAC Chair. The delegates represented the EU countries of Czech Republic, Germany, Finland, France, Ireland, Luxembourg, Slovenia and Spain.



Photo 1 (Front L-R): Her Honour (HH) Madam Justice Donna Prowell-Raphael, Chairman and Judge of the Equal Opportunity Tribunal being greeted by His Excellency Peter Cavendish, Ambassador of the Delegation to Trinidad and Tobago at the Cocktail Reception for the Working Party on Latin America and the Caribbean (COLAC) Delegation.

Photo 2 (Front L-R): HH Madam Justice Donna Prowell-Raphael, Chairman and Judge of the Equal Opportunity Tribunal; Mr. Tomás Reyes Ortega, COLAC Chair and Ms. Deborah Thomas-Felix, President of the Industrial Court.

(Back L-R): The Honourable Justice Ivor Archie, Chief Justice; The Honourable Farley Chavez Augustine, Chief Secretary, Tobago House of Assembly and His Excellency Peter Cavendish, Ambassador of the EU to Trinidad and Tobago.

Sharing Holiday Cheer



The Equal Opportunity Tribunal presented small holiday hampers to members of staff for their commitment in fulfilling the mandate of the court. Members of staff were commended for their team work, resilience, passion and steadfast focus in ensuring that the Tribunal met its strategic goals for 2022. Here are a few pictures from the distribution:

Photos (L top):
Ms. Urvashi Ramsawak receiving her holiday hamper from Her Honour.

Photo (L bottom):
The tokens distributed to staff.

Photo (R):
Ms. Janel Naimool-Graham collecting her hamper.





Clarise Jupiter v

Petroleum Company of Trinidad and Tobago Limited

On November 17, 2022, the Equal Opportunity Tribunal made a ruling in a complaint brought against the respondent (Petroleum Company of Trinidad and Tobago Limited) by the complainant (Mrs. Clarise Jupiter). The complainant alleged that she was victimized by the respondent for making a statement that may have implied racial discrimination.

The ruling in this case deals *inter alia* with the admissibility into evidence of a Witness Statement of a dead person through a Hearsay Notice under Part 30 of the Civil Proceedings Rules (CPR) 1998. If admitted in this way, the evidence tendered in the Witness Statement would not be tested by cross examination.

The Tribunal, following the principles set out by Boodoosingh J in *Tucker Energy Services Ltd v Weatherhead Trinidad Ltd.*, CV 2730 of 2010 which held that Part 30 of the CPR is not applicable to Witness Statements. In any event in this case, the deceased's Witness Statement, was more probative than corroborative. Therefore even if admitted into evidence under Part 30, the material statements in it, would have little or no weight without cross-examination.

Takechand Jaisarie v

The Trinidad and Tobago Defence Force

HH Donna Prowell-Raphael made a determination in the case between Takechand Jaisarie and the Trinidad and Tobago Defence Force on September 16, 2022. The case focused on racial discrimination.

In this case the complainant (who had received two prior re-enlistments after his retirement) alleged that his third re-enlistment application to the respondent was not granted because of his race. The pivotal evidence provided by the complainant in support of the allegation of discrimination related to three other officers of the respondent (comparators) who the complainant alleged were of a different race and who received re-enlistment contracts from the respondent around the same time that the complainant did not.

The Equal Opportunity Tribunal held that there was no evidence of racial discrimination on behalf of the respondent and that the re-enlistments granted to the comparators by the respondent were in relation to positions which were materially different from the specialism of the complainant. The complaint was dismissed.

Celebrating Diwali

The Equal Opportunity Tribunal celebrated the festival of lights with a staff brunch on October 21, 2022. The observance was celebrated with the Jyotisham Kirton Mandalee performing the Havan and several Bhajans, as well as, sharing Indian delicacies and lunch. Staff also participated in a Deya Decorating Competition and Fashion Show. See highlights from the celebration:



Photos (Above L-R): Most Outstanding Outfits goes to Ms. Mintri Beharrylal and Mr. Damian Gangerbisson. Other models are Ms. Alisa Samai, Ms. Sally Rogers-Charles and Ms. Caroline Mascall-Beckles. The winning Deyas.

Photo (Below Right): Ms. Urvashi Ramsawak joined the Jyotisham Kirton Mandalee to performed a Bhajan.



Blessing of the Crèche

In keeping with the Equal Opportunity Tribunal's Christmas tradition, staff annually re-create the Nativity scene (i.e. Crèche) which is the central story to the Christmas season. The Crèche was blessed by Deacon Dennis Hamid of the St. Philip & St. James R.C. Church on December 7, 2022. In Deacon Hamid's exhortation, he shared that "the message of Christ is the message of equal opportunity, justice, peace and human rights. Jesus came to shine a light in dark areas." He encouraged staff of the Tribunal to be servants of God, to be his arms and legs extended to humanity.



Photos: (L-R): Deacon Dennis Hamid blessing the Crèche, Ms. Victoria Benicourt reading a passage of scripture from the book of Luke and Deacon Hamid leading staff in a Christmas Carole.

Staff Christmas Luncheon

The Equal Opportunity Tribunal hosted its Staff Christmas Luncheon on December 16, 2022. The Christmas season is a time of reflection and thanksgiving, as well as, a time to express thanks for the dedication of staff.

Highlights:

Photo 1: Her Honour addressing staff.

Photo 2: Ms. Sally Rogers-Charles sharing on the reason for Christmas.

Photo 3: Ms. Lana Katwaroo participating in the Pass the Parcel game.

Photo 4 (L_R): Ms. Kemba Dillon, Ms. Sally Rogers-Charles and Ms. Victoria Benicourt singing an original piece entitled "The Tribunal's 12 Days of Christmas."





Photo: Staff during the Foster Care and Adoption presentation.

Edu-Session

On September 21, 2022, staff at the Equal Opportunity Tribunal joined the Children's Authority of Trinidad and Tobago (CATT) in observing Foster Care and Adoption Awareness Month. Commemorated in the month of September, the observance focuses on heightening awareness on the care and protection of vulnerable children.

The Tribunal welcomed presentations from Ms. Renee Neptune, Adoption Manager (Ag.) and Ms. Avion Thompson, Children's Services Associate, Foster Care Unit. Staff were able to ask questions and receive feedback from the facilitators. Special thanks to the CATT for the stimulating session!

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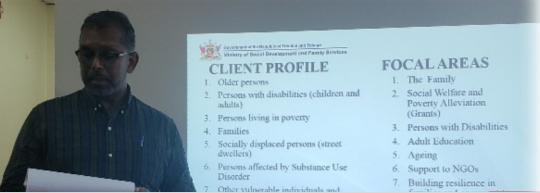


Photo: Mr. Renee Mohammed, Public Relations Officer, MSDFS.

Social Services

The Equal Opportunity Tribunal partnered with the Ministry of Social Development and Family Service (MSDFS) to host an Information Session for Staff on October 13, 2022. The session focused on the services offered by the Ministry including Social Welfare, National Social Development Programme, Sowing Empowerment through Entrepreneurial Development, Disability, Family Services and the various grants offered. Staff also had the opportunity to interact with personnel from MSDFS.

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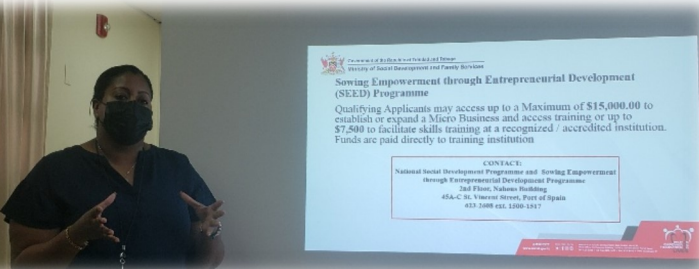


Photo: Ms. Ginevra Guevara, MSDFS presenting of the SEED Programme.

Government of the Republic of Trinidad and Tobago Ministry of Social Development and Family Services		
GENERAL ASSISTANCE GRANTS		
Special Child Grant (\$800 per month)	Household Items (Generally \$600, Disaster Only \$10,000)	Domestic Help (\$1800, Minimum 3 months, Maximum 6 months)
Prosthetics (Up to \$40,000.00)	Rental Assistance (Up to \$2500 per month for the first three months then reviews)	Funeral Grant (\$7,000)
Medical Equipment (\$7500)	Clothing Grant (\$1000 per person in the family)	Dietary Grant (\$600 per month per person)
Pharmaceutical Grant (\$2500)	School Supplies Grant (Primary school - \$700 Secondary school \$1000.00)	Free Bus Pass
Education Grant (\$500 per month per child)		Urgent Temporary Assistance

Photo: All the grants offered by MSDFS.

Annual Health and Vaccination Drive

The Equal Opportunity Tribunal hosted its Annual Health and Vaccination Drive for staff, their family and members of the Equal Opportunity Commission on November 18, 2022. The Drive offered participants the Yellow Fever, Tetanus, Hepatitis B and Influenza vaccines, as well as, blood pressure and sugar screening. Special thanks to Ms. Lisann Sookdeo; Ms. Mellissa Nelson-Castillo; Ms. Debra Ramsumair and Ms. Gail Morris, nurses from the Chaguanas District Health Facility. Here are some highlights from the Drive:



Photos: Members of the Equal Opportunity Tribunal and the Equal Opportunity Commission participating in the Health and Vaccination Drive.



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