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# Standing Committee on Canadian Heritage

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Chair: The Honourable Hedy Fry





## Standing Committee on Canadian Heritage

Monday, June 20, 2022

• (1600)

[*Translation*]

**The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)):** I call this meeting to order.

Good afternoon, everyone.

Welcome to meeting number 38 of the House of Commons Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinaabe people.

[*English*]

Pursuant to the order of reference adopted by the House on Thursday, June 2, 2022, and the motion adopted by the committee on Monday, June 13, 2022, the committee is meeting on the study of Hockey Canada's involvement in alleged sexual assaults committed in 2018.

Today's meeting is taking place in a hybrid format. By now most of you know the rules. Pursuant to the House order of November 25, 2021, members who are attending in person in the room should be masked at all times.

As per the directive of the Board of Internal Economy on March 10, 2022, all those attending the meeting in person must wear a mask. For those remotely using the Zoom application, please remember to mute yourself when you are not speaking, and when I call your name you may unmute so that you can speak.

I would like to remind you, for those who are joining us remotely, that at the bottom of your screen there is a little round globe, which is an interpretation button. You can press that to hear it in the language of your choice. Those on the floor, you know the usual rule. Plug it in and you will be able to get interpretation.

I remind you that all comments should be addressed through the chair.

I need to ask the committee's consent if they will accept Mr. Tom Renney, Mr. Scott Smith, and Mr. David Andrews of Hockey Canada being advised, or assisted, by counsel, Mr. Andrew Winton, when they appear in front of the committee. Do I have committee approval for this?

**Mr. John Nater (Perth—Wellington, CPC):** I have a point of order, Madam Chair.

It is permissible on our side that he appear on the panel, but that he does not answer questions on behalf of the witnesses, and only the three witnesses are permitted to speak.

**The Chair:** That was already told to Mr. Winton, that he is there as counsel and adviser only, and that he's not to speak or answer questions.

Thank you very much for reminding us of that, John.

I think today the committee will begin on the study on Hockey Canada's involvement in alleged sexual assaults committed in 2018.

Participants present are here for two hours, and they are as follows: Andrew Winton, legal counsel, and the witnesses Scott Smith, president and chief operating officer, Hockey Canada; Dave Andrews, chair, Hockey Canada Foundation; and Tom Renney, chief executive officer.

I shall begin. I wanted the witnesses to know that they each have five minutes to present at the committee. At the end of that time there will be a question and answer period.

Thank you.

• (1605)

**Mr. John Nater:** On a point of order, Madam Chair, I would like to request that the witnesses be sworn in.

**The Chair:** Clerk, can we proceed to doing that, please?

**The Clerk of the Committee (Ms. Aimée Belmore):** Mr. Smith, do you swear that the evidence you shall give on this examination shall be the truth, the whole truth and nothing but the truth, so help you God?

**Mr. Scott Smith (President and Chief Operating Officer, Hockey Canada):** I do.

**The Clerk:** Mr. Renney, do you swear that the evidence you shall give on this examination shall be the truth, the whole truth and nothing but the truth, so help you God?

**Mr. Tom Renney (Chief Executive Officer, Hockey Canada):** I do.

**The Clerk:** Mr. Andrews, do you swear that the evidence you shall give on this examination shall be the truth, the whole truth and nothing but the truth, so help you God?

**Mr. Dave Andrews (Chair, Hockey Canada Foundation, Hockey Canada):** I do.

**The Chair:** Thank you very much, Clerk. Now we shall begin with the witnesses.

First up will be Mr. Renney, for five minutes, please.

**Mr. Tom Renney:** Thank you, Madam Chair and members of the committee, for inviting Hockey Canada to appear today.

My name is Tom Renney, and I am Hockey Canada's chief executive officer. I'm joined today by Scott Smith, Hockey Canada's president and chief operating officer, and David Andrews, chair of the board of directors of the Hockey Canada Foundation.

Our former colleague, Glen McCurdie, who retired as senior vice-president of insurance and risk management in December, is not here today due to the recent passing of his father. We appreciate the committee's compassion in not compelling his attendance today.

We welcome the opportunity to respond to the members' questions regarding the allegations involving members of the 2017-18 national junior hockey team and the recent settlement Hockey Canada reached with the plaintiff in that matter. Before we do that, I want to make one thing clear: Hockey Canada is on a journey to change the culture of our sport and to make it safer and more inclusive. We acknowledge that issues of maltreatment, including bullying, harassment, racism, homophobia and sexual abuse, exist in hockey as they do in other sports and in our society. We have been working on this since well before the London incident, but we recognize that as leaders we need to do more, and we are committed to doing just that.

Before we get to your questions, I would like to provide some context for the discussion. Given that some of the public commentary on this very serious issue has been speculative, I would like to ensure that we are starting with a common set of facts. Hockey Canada is aware of reports suggesting that we failed to investigate this incident, attempted to cover it up and generally swept this matter under the rug. Nothing could be further from the truth.

Hockey Canada learned of this incident the day after it was alleged to have taken place. We immediately initiated a process to investigate, beginning by contacting police. We commissioned an independent investigation and appointed an independent adjudication panel of judges to review the findings of that investigation. We also notified Sport Canada, as is our obligation as a federally funded national sport organization.

Our organization, leadership and staff have co-operated fully with law enforcement and the investigator throughout their processes, providing access to all information requested. We cannot speak to the investigation undertaken by the London police. For our part, the independent investigation we commissioned could not ultimately be completed, because the young woman chose not to speak to the investigator. That was her right, and we respected her wishes, just as we continue to respect her clear and repeated wishes not to identify her or the players involved. While we understand the public's frustration that the players involved have never been identified or disciplined, the young woman has agency in this matter, and we encourage everyone to give appropriate consideration and deference to her fundamental desire for privacy above all else.

With regard to the legal action that was filed in April of this year, we settled the claim quickly because we felt a moral obligation to respond to the alleged behaviour that occurred at one of our events by players who attended at our invitation. While we don't know ex-

actly what occurred that night or the identities of those involved, we recognize that the conduct was unacceptable and incompatible with Hockey Canada's values and expectations, and that it clearly caused harm. We felt that the right response to the woman's legal request was one that did not require her to participate in a prolonged court proceeding. The settlement enables her to seek whatever support she might require as she tries to move past this incident.

Although the investigation could not come to a conclusion regarding the role that any player may have played in the incident, the investigator provided advice on areas for improvement, which we have been implementing and will continue to pursue in the line of our work to improve the culture of our sport. This work includes enhancing our code of conduct and improving our education programs. We are happy to discuss these efforts in more detail today.

As I said at the outset, pushing this behavioural change is a priority for our organization.

• (1610)

**The Chair:** You have one minute.

**Mr. Tom Renney:** Our players, coaches, volunteers, and other stakeholders can expect to be hearing more about our actions in this area. As part of doing that, we are eager to work with many stakeholders to help ensure we meet expectations that Canadians have for Canada's game. Earlier this year we appointed our first-ever Hockey Canada executive focused exclusively on safe sport. We also welcomed the appointment this spring of Canada's first sport integrity commissioner and the measures announced by the Minister of Sport last week regarding the accountability of Sport Canada organizations.

Our message to anyone who feels they are a victim of maltreatment by someone affiliated with Hockey Canada is that we want to hear from you. We are committed to ensuring that we are a safe space for raising your concerns—

**The Chair:** You have 16 seconds, Mr. Renney. If you want to finish your sentence, go ahead.

**Mr. Tom Renney:** Yes, Madam Chair.

Finally, on the matter of the source of funding for the settlement in question here, we will be co-operating fully with the minister's financial audit, but I can assure the committee that no government funds were used in this settlement.

I would like to close my remarks—

**The Chair:** Thank you, Mr. Renney.

I'll go to Scott Smith, president and chief operating officer.

Mr. Smith, you have five minutes. Go ahead, please.

• (1615)

**Mr. Scott Smith:** Madam Chair, we deferred the opening statement to Mr. Renney, so Mr. Andrews and I have no opening statement.

Thank you.

**The Chair:** Thank you very much. I will now move to the question-and-answer segment.

The first segment is a six-minute round for each political party, and the six minutes include the question and the answer. Please be mindful of that when you're asking your questions and responding. Thank you.

For the Conservative Party, we have John Nater.

John, please go ahead for six minutes.

**Mr. John Nater:** Thank you, Madam Chair, and thank you to the witnesses for joining us today.

My questions will be relatively brief, and I hope I can have relatively brief answers as well on this matter.

I'm going to use the term "alleged assault", because these allegations haven't been proven in court. We do respect the privacy of the complainant or the individual in question, and none of our questions will be directed in a way that would reveal any identifiable information about the individual in question, as I think is appropriate in this context.

I'd like to know, first of all, when exactly Hockey Canada became aware of the alleged incident that occurred in London on June 19.

**Mr. Tom Renney:** Thank you, Madam Chair.

We became aware of the alleged incident the morning of June 19.

**Mr. John Nater:** How did you become aware of that allegation?

**Mr. Tom Renney:** There was a call to our vice-president of human resources by, I believe, the individual's step-father.

**Mr. John Nater:** At what point did you contact the London Police Service?

**Mr. Tom Renney:** Within hours of learning of that alleged incident, we contacted the London Police Service.

**Mr. Scott Smith:** If I may, Madam Chair, I believe it was between 6 p.m. and 7 p.m. the evening of.

**Mr. John Nater:** Thank you for that clarification.

When did you notify the board of directors of Hockey Canada about the allegation?

**Mr. Tom Renney:** We spoke to the chair of the board of Hockey Canada—I don't have it right in front of me, and I apologize for that—I would say, within a week to 10 days after that.

**Mr. John Nater:** When did Hockey Canada engage legal counsel on this matter?

**Mr. Tom Renney:** We engaged legal counsel when we were served the settlement claim, which was, I believe, May 3.

**Mr. John Nater:** After you were informed of this incident on the day after, when was the first time you had conversations with the players about this allegation?

**Mr. Tom Renney:** When we heard of the allegation, we communicated with the players that we had engaged an independent investigation firm. We told them that it was their choice to participate and that we would recommend doing so, but that it was their decision to make.

**Mr. John Nater:** The firm in question is Henein Hutchison. Am I correct?

**Mr. Tom Renney:** That's correct, sir.

**Mr. John Nater:** When did you engage them?

**Mr. Tom Renney:** I'm not sure.

Scott, thank you.

**Mr. Scott Smith:** A representative of Hockey Canada had conversations with Henein Hutchison on June 19, and I believe we engaged them within 24 hours.

**Mr. John Nater:** How many players co-operated with Henein Hutchison?

**Mr. Tom Renney:** I'm not sure of the exact number, but I know they tried to communicate with every player. I don't know the number for sure, and I apologize for that.

**Mr. John Nater:** Henein Hutchison has drafted a report. Hockey Canada is in possession of that report. Has that been shared with anyone outside of Hockey Canada?

**Mr. Scott Smith:** Henein Hutchison provided us interim advice on the actions we could take in the environment that occurred that evening. They provided advice to us on how we could improve our code of conduct and how we could ensure more responsible service of alcohol. We took that advice immediately on receipt of that in the fall of 2018 and worked on those recommendations. Henein Hutchison was never able to conclude its final report.

**Mr. John Nater:** Would you be willing to share that interim advice with this committee?

**Mr. Scott Smith:** That advice is a matter that's under privilege. Given the fact there are other investigations going on, the advice of our counsel is not to waive that privilege.

**Mr. John Nater:** Are you aware that, should this committee compel that evidence, you would be required to hand it over? Are you aware of that?

**Mr. Scott Smith:** I would seek advice from our counsel on that, but I appreciate your view.

**Mr. John Nater:** How much has Hockey Canada spent on legal fees between June of 2018 and today on this matter?

• (1620)

**Mr. Scott Smith:** I don't have in front of me the total amount we've spent on this.

**Mr. John Nater:** Would you be willing to provide that information to this committee at a future date, by email, after this committee meeting finishes?

**Mr. Scott Smith:** I would as a follow-up, and possibly that is something that could be clarified through the audit that's been commissioned by the Minister of Sport.

**Mr. John Nater:** Were any of the players' teams notified of this allegation from 2018, prior to the settlement and the allegation we've seen?

**Mr. Scott Smith:** You mean the players' teams at what time?

**Mr. John Nater:** I mean between 2018 and the spring when the lawsuit was launched.

**Mr. Scott Smith:** The players' teams were advised in June or July of 2018. I'm sorry, but I don't want to misstep on the dates. It was within days of the incident, and they were encouraged to participate in the independent investigation.

**Mr. John Nater:** The teams were notified of this allegation.

I have one final question. Mr. Renney mentioned in his opening comments that Sport Canada was informed, as per contribution agreements. Who at Sport Canada was informed, and on what date?

**Mr. Tom Renney:** We did inform.... I apologize for my memory.

I'm sorry, Scott. Thank you.

**Mr. Scott Smith:** I believe on June 26 we informed Sport Canada through our sport consultant and our principal contact, Nicole Mulligan.

**The Chair:** Thank you very much. That's the end of your session, John.

I will move now to Anthony Housefather for the Liberals, for six minutes.

Go ahead, please, Anthony.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Thank you so much, Madam Chair.

Thank you, gentlemen, for being here today.

I want to start by saying that I recognize all of the good work that is done by the staff and volunteers at Hockey Canada and all of the different sports federations in the country. I don't view this as an adversarial proceeding. We're here to get information on behalf of Canadians. Hopefully we'll all treat this process in such a way.

You said that on May 3 you were served. There was a claim filed on April 20, 2022, against Hockey Canada, the Canadian Hockey League and the eight John Doe defendants who were alleged to have been involved in the incident. All of the John Doe defendants were served at the Hockey Canada address. How did you transmit that claim to the John Doe defendants?

**Mr. Scott Smith:** We actually were never formally served with the claim. Our offices remain closed due to the pandemic, so the attendance at our office is quite sporadic. We received a copy of the statement of claim through the Canadian Hockey League. Our counsel spoke to the plaintiff's counsel, and we waived the requirement for serving. We communicated with the players' representatives.

**Mr. Anthony Housefather:** You communicated directly with the counsel or representative of the eight different players.

**Mr. Scott Smith:** It was with their representative.

**Mr. Anthony Housefather:** When Hockey Canada settled the lawsuit, did you settle on behalf of only Hockey Canada or was it on behalf of Hockey Canada, the Canadian Hockey League and the John Doe defendants?

**Mr. Scott Smith:** We settled on behalf of all the defendants.

**Mr. Anthony Housefather:** You paid out a settlement—whatever that amount was, because it's confidential—on behalf of all of the different defendants in the case?

**Mr. Scott Smith:** We took the responsibility on the basis that we wanted to respect the young woman's right to privacy. You can appreciate that we've known about this since June 2018. We received the statement of claim through the Canadian Hockey League. We took responsibility to speak to the plaintiff's counsel, and we entered into settlement discussions immediately.

**Mr. Anthony Housefather:** I understand, but just to be clear, that means that none of the eight alleged accused contributed to the settlement amount. Is that correct?

**Mr. Scott Smith:** Hockey Canada took responsibility, yes.

**Mr. Anthony Housefather:** Let me come back, then. You were aware from 2018 of the identity of the accused. Have any disciplinary actions been taken against any of the alleged accused in any way?

**Mr. Scott Smith:** For clarity, we are not aware. We were not able to confirm the identity of the accused—

**Mr. Anthony Housefather:** That's different from what I understood.

**Mr. Scott Smith:** —through our third party investigator.

**Mr. Anthony Housefather:** Let me understand and come back, then.

They served you with the documents. You were never advised of who the eight John Doe accused were. From the independent investigation you did through Henein Hutchison, for whatever reasons—lack of co-operation or whatever—you were never actually able to ascertain who the eight people were.

• (1625)

**Mr. Scott Smith:** As you can appreciate, we wanted a third party to conduct that investigation for us. If they had been able to confirm, there would have been discipline. Actually, it would have gone to a three-person adjudication panel. Neither that third party nor the London Police Service were able to confirm who the accused were.

**Mr. Anthony Housefather:** From your own perspective, while protecting the identity of the alleged victim, Hockey Canada never thought it necessary to try to determine internally, from the limited number of players who were on this team, the actions of the accused?

**Mr. Scott Smith:** Could you repeat that question, please?

**Mr. Anthony Housefather:** There's a very limited number of players who potentially could have been involved in this case. I understand the need to protect the identity of the victim—you obviously wanted to do that and to respect her wishes. Did Hockey Canada take any proactive steps other than the investigation by Henein Hutchison, in which you advised the players it was up to them whether they wanted to co-operate to figure out which players may have been involved in this incident and to get their stories?

**Mr. Scott Smith:** We turned that over to our third party investigator. We strongly encouraged all players to participate in that investigation.

**Mr. Anthony Housefather:** Did various committees of the board of directors become aware of the case, and did the board and various committees approve the settlement?

**Mr. Scott Smith:** I don't think it would be various committees. The board of directors was updated on a regular basis from 2018 through until sometime in 2020.

We had a discussion with our current board of directors, because we have had some changes, in the middle of May. They endorsed management proceeding with the settlement, on the advice of counsel.

**Mr. Anthony Housefather:** Thank you.

Were the funds that were paid to the alleged victim paid through insurance proceeds? Did insurance take over the defence of the claim and settle through insurance, or did Hockey Canada pay from Hockey Canada funds?

**Mr. Scott Smith:** For clarity, we've been asked that question. We look forward to an audit confirming this for you and for all Canadians. We liquidated a portion of our investments to pay for the settlement. That is kept in a separate account apart from our government funding, our business development and sponsorship funding, our ticket revenues, our merchandising, etc.

**Mr. Anthony Housefather:** Thank you very much. I think that's probably my time.

**The Chair:** Yes, Anthony, that's your time.

Now I go to the Bloc Québécois and Mr. Lemire.

[*Translation*]

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Thank you, Madam Chair.

I want to thank the officials from Hockey Canada for being with us today.

I think it's very important that you've come to testify on this matter, which has personally shocked me, many hockey fans and many Canadians. That's why I introduced a motion in the House of Commons to have you come and answer our questions.

First, I'd like to know why Hockey Canada is the only signatory to the out-of-court settlement.

[*English*]

**Mr. Scott Smith:** The incident in 2018 occurred at an event under Hockey Canada's responsibility. It was our year-end celebration of the Hockey Canada Foundation to recognize gold medal teams

and the Order of Hockey in Canada recipients. This was a Hockey Canada Foundation event, but the operation of that is by Hockey Canada. It was under our responsibility. We took responsibility because it happened at an event under our control.

[*Translation*]

**Mr. Sébastien Lemire:** Madam Chair, out of a concern for fairness for anglophones and francophones, I would ask you to adjust my speaking time to compensate for the delay caused by the interpretation.

Gentlemen, you also took down the photographs from Facebook after the incident was made public.

Was that a coincidence or was removing photographs part of the crisis management related to the incident?

[*English*]

**Mr. Tom Renney:** Thank you.

I can't tell you that anyone was instructed to take those photos off of Facebook.

[*Translation*]

**Mr. Sébastien Lemire:** Mr. Renney, you resigned as president and CEO when the suit was filed.

Was there a connection between the two events?

• (1630)

[*English*]

**Mr. Tom Renney:** Thank you, Madam Chair.

No, actually, there is not. I had informed the current chair of the board of Hockey Canada on April 3, 2021, that, with much appreciation, I had chosen not to extend my contract. I am still the CEO of Hockey Canada until June 30, so anything that might suggest that was contrived—and I'm not suggesting you're using those terms—is really coincidental. There was no prefabrication here whatsoever. It's a function of my doing what I needed to do over a year ago.

[*Translation*]

**Mr. Sébastien Lemire:** You said in your opening statement that you had to settle the claim quickly because you felt a moral obligation to do so. You said you didn't know exactly what had occurred or who was involved.

However, you also said you had contacted the teams that were involved.

Doesn't that seem somewhat contradictory?

[*English*]

**Mr. Tom Renney:** Thank you, Madam Chair.

No, because we contacted all players and every team. We had no idea of knowing where to focus our energy at all, and it would have been wrong nonetheless, so we contacted every player and all the teams.

[*Translation*]

**Mr. Sébastien Lemire:** You mentioned that an investigation was still under way.

Is that in fact the case?

Who's conducting that investigation and how's it being conducted?

[English]

**Mr. Tom Renney:** Thank you, Madam Chair.

I believe I heard you ask if the investigation is still under way and who is conducting that investigation. Is that correct?

**The Chair:** Yes, you did hear that.

**Mr. Tom Renney:** Thank you. I'm sorry about that.

The investigations right now have been suspended. The investigating team has chosen to close its books on this. There is no investigation at this point in time, and that also helped us understand what would be in the best interests of the young woman and deal with this accordingly.

**Mr. Scott Smith:** If I may, Madam Chair...

**The Chair:** Yes, you still have time.

**Mr. Scott Smith:** Thank you.

Should we be in a position where the young woman were to change her mind, we would welcome the opportunity for her counsel to speak to our counsel. We would revert back to the process that we identified in the summer of 2018. We would refer her to our third party investigation group and, provided that there was an outcome or finalization of that investigation, any actions that would be taken would be handled by a three-person disciplinary panel, not managed by Hockey Canada.

[Translation]

**Mr. Sébastien Lemire:** Out of a concern for transparency, I would ask you please to provide the committee with the report that you asked the Henein Hutchison firm to prepare.

Did you submit it to the police too?

What were its findings?

[English]

**Mr. Scott Smith:** I don't believe that the police asked our third party investigator for the report. The advice we received from our independent investigator was related to our code of conduct, which at the time covered only.... It was broad enough only to cover on-ice hockey events, so tournaments and camps—

**The Chair:** You have one minute.

**Mr. Scott Smith:** —and we've broadened that. We've increased our education on that, and we continue to do so.

As I mentioned earlier to one of your colleagues, I also identified that we have adjusted and modified some additional requirements on alcohol service at fundraising events.

Thank you.

[Translation]

**Mr. Sébastien Lemire:** Would you please provide the emails, letters and texts that were exchanged between the head of communications at your organization and the senior management people

concerned at Hockey Canada regarding the events surrounding the gang rape allegations?

For transparency's sake, the committee would also like copies of the exchanges that you or members of your senior management had with the Minister of Sport, the members of her staff and Sport Canada, as you called it, from 2018 to the present.

The minister says that was the first time she was advised of the situation. Did you have any contact with her predecessor?

May we presume that Sport Canada or the department was aware of the situation?

[English]

**Mr. Scott Smith:** As Mr. Renney mentioned earlier, we made contact within days with our principal contact at Sport Canada, Nicole Mulligan. I do not recall—and I apologize for that—if the then Minister of Sport would have been advised, but certainly the current Minister of Sport was advised the day before this became public.

**The Chair:** Thank you very much. Your time is up.

**The Chair:** I'll go to Peter Julian for the New Democratic Party.

You have six minutes, Peter.

[Translation]

**Mr. Sébastien Lemire:** Thank you very much.

[English]

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Thanks very much, Madam Chair.

This is important testimony. These are horrific allegations. Canadians want answers, there is no doubt, and our thoughts are certainly with the victim.

I wanted to just come back over your testimony from earlier. You told us, Mr. Renney and Mr. Smith, that you were advised on the morning of June 19 by the stepfather.

Mr. Smith, you said the police were contacted between 6 p.m. and 7 p.m. that evening.

• (1635)

**Mr. Scott Smith:** That's my recollection, yes.

**Mr. Peter Julian:** Can you please tell us what happened at Hockey Canada between being advised in the morning and advising the police that evening? What were the discussions internally?

**Mr. Scott Smith:** Mr. Renney and I were both on a flight back; we were in a car to London and then on a flight back to Calgary. I believe we arrived in Calgary at—I'm going to estimate—around 12:00 or 12:30. We had our first conversation related to the message that came in. Then we had an opportunity to review it with additional staff members, meaning our now-retired senior vice-president of risk management and insurance. I believe that was at two o'clock. He then had the discussion with the law firm. We reported this to our insurers. I believe that at six o'clock eastern—my times are Mountain Time—so I guess at four o'clock Mountain Time, the London Police Service would have been advised.



**Mr. Peter Julian:** I think most people would ask why, given that these were horrific allegations known since the morning, the police were not advised until the evening. Why did you have those internal discussions first, including advising your insurer?

**Mr. Scott Smith:** We just wanted to make sure we went through the steps that were required, and then we divided those steps up and assigned the responsibility.

**Mr. Peter Julian:** I would question you on the delay in responding or advising the police, but you also mentioned earlier in your testimony that you don't know ultimately the number of players that co-operated with the investigation that Henein Hutchison coordinated. To this day, you don't know how many players co-operated and how many players did not. Is that true?

**Mr. Tom Renney:** I would tell you that's true. We have not received a complete report as yet, and with that being said, I can't tell you that we've confirmed a number of players who identified and communicated with the investigation. I don't know that number specifically. I'm going to give you an opportunity to hear a guess, which is that it might have been four to six, and I apologize for not being more succinct.

**Mr. Peter Julian:** I'm sorry. Was that four to six who did not co-operate or four to six who did?

**Mr. Tom Renney:** That's four to six who were able to participate in a discussion. Beyond that, I don't know.

**Mr. Peter Julian:** My goodness. The vast majority of the players did not participate or did not co-operate with the investigation. Is that—

**Mr. Tom Renney:** I can't answer that. I apologize. I don't know for sure, but I can tell you that because of the incomplete report, there is not much more that we have to offer in terms of information along those lines.

**Mr. Peter Julian:** You can understand that's quite shocking to hear. There are serious allegations, and yet there does not appear to have been a follow-up from Hockey Canada to determine...to make sure that players were co-operating with the investigation. You can understand how people would be surprised and shocked by that.

**Mr. Tom Renney:** I can, and if you don't mind, I will ask Mr. Smith to bring a little more definition to my answer.

**Mr. Scott Smith:** I believe the number is larger than that. I just don't have it at my fingertips. I may be able to pull it out in some of my reference documents here.

I'm like you. If I were in the Canadian public, I'd want to know that we did everything we could to determine what happened that evening. We encouraged all players to participate fully in the investigation, and it definitely wasn't four to six. It was a larger number than that.

**Mr. Peter Julian:** It's disturbing to me, though, and I think it would be disturbing to many Canadians that you don't actually know the number or that all players did not co-operate.

Mr. Smith, we referenced earlier the interim report, and we asked that Hockey Canada share the interim report with the committee. I believe I'm quoting you. You said that you didn't think it was appropriate because there are "other investigations". I wrote that down and put it in quotation marks.

Are there other investigations that are currently taking place around impropriety of any nature of players that are linked to Hockey Canada?

**The Chair:** You have one minute, Peter.

**Mr. Scott Smith:** My reference was to the fact that I believe the NHL is conducting an investigation. That was my reference in answer to that earlier question.

• (1640)

**Mr. Peter Julian:** Okay, but I'll come back to my question: Are there currently any other investigations or any other complaints that have not been resolved that have come to Hockey Canada?

**Mr. Scott Smith:** In recent years, I believe that we have reported three incidents of assault, as required, and I know this is one of them. I know that I cannot comment on the level of investigation of the other two.

**Mr. Peter Julian:** You can't comment because they're not complete....

**Mr. Scott Smith:** I do not have that information in front of me. It wasn't necessarily what I was prepared to discuss today.

**The Chair:** Thank you, Peter. That ends the first round.

I'm going to the second round now, which is a five-minute round.

I'll begin with Kevin Waugh for the Conservative Party.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Thank you, Madam Chair, and welcome, Hockey Canada.

Whose decision was it in June 2018 to keep this quiet, and why did you keep it quiet for four years? The players were interviewed. We heard prior to the NHL's Stanley Cup series that one of the star players on the team said, "I'm not involved, but I was interviewed." Who made the decision to keep this quiet?

**Mr. Scott Smith:** I don't believe we made any decision to keep quiet. We undertook the process to have an independent group do an investigation for us. That investigation was ongoing, as was the criminal investigation by the London Police Service. I'm not sure we kept anything quiet. We did the work we needed to do and we were prepared to respond once the investigation on the criminal level or once the investigation by our third party was complete. Unfortunately, neither one of those could be completed.

**Mr. Kevin Waugh:** Mr. Smith, if you want real accountability by Hockey Canada, you should have demanded that all players participate in the interviews with Hutchison. You own that. It is unacceptable that you sat back and let the investigation go on while the eight John Does, as we know, did not participate.

**Mr. Scott Smith:** If I may say so, just for you and the members of the committee as well as Canadians, we borrow these players from other leagues. We take great pride in the responsibility that we have for our national team program. We've made some changes to our code of conduct. We're having discussions right now as to whether or not we can strengthen the ability to compel players we borrow to participate in an investigation regarding what happens under our care.

**Mr. Kevin Waugh:** So were any Hockey Canada officials at the bar that night, on June 18 and 19?

**Mr. Scott Smith:** There were staff members from Hockey Canada, but none that are here in front of you.

**Mr. Kevin Waugh:** Okay. Did you have discussion with any of the Hockey Canada officials about what went on at the bar that night?

**Mr. Scott Smith:** The third party investigator interviewed all the people who were at the bar that evening.

**Mr. Kevin Waugh:** This is the Hockey Canada Foundation. You make a lot of money off the foundation. A lot of charitable money goes to Hockey Canada, so, Mr. Andrews, when were you notified of these allegations? You were hosting the event in London, Ontario, with the Hockey Canada Foundation. When did you hear about these allegations? When were you informed?

**Mr. Dave Andrews:** Madam Chair, I was informed on May 24 of this year.

**Mr. Kevin Waugh:** Four years later you were informed.

**Mr. Dave Andrews:** I should clarify that the Hockey Canada Foundation has no role in the day-to-day operation of Hockey Canada.

**Mr. Kevin Waugh:** You hosted it.

**Mr. Dave Andrews:** Excuse me?

**Mr. Kevin Waugh:** You hosted the event.

**Mr. Dave Andrews:** Yes. Let me just.... If you don't mind, I'll just finish.

**Mr. Kevin Waugh:** Okay.

**Mr. Dave Andrews:** The Hockey Canada Foundation is made up of a board of directors—

**Mr. Kevin Waugh:** I know it is.

**Mr. Dave Andrews:** Hockey Canada management does not report to the Hockey Canada Foundation. We have no involvement in their governance, none.

**Mr. Kevin Waugh:** Do you think there should be a governance change considering what happened that night, June 18, 2018?

**Mr. Dave Andrews:** No, Madam Chair, I do not. The Hockey Canada senior management team and staff report to the Hockey Canada board, not to the Hockey Canada Foundation.

**Mr. Kevin Waugh:** Does it concern any of you in front of me today that these alleged so-called rapists have ongoing careers in amateur and professional hockey today, and some day could be coaching? What is your comment on this? I'm going back to the Graham James situation, which you know about, in Saskatchewan. Today, does it not resonate with you that these eight could be coaching five years down the road or whenever?

• (1645)

**Mr. Scott Smith:** If I could, to you, to the members of the committee and to all Canadians, Mr. Renney made reference to the fact that we're on a journey and we are driven to drive changes in behaviours in this game, to achieve the culture that you and I and everyone in this room and everyone in this country desires.

We have 650,000 registered participants in this country, registered players. Unfortunately, we're a microcosm of society. We're a microcosm of this country, and we're going to drive our efforts to the extent that we can to make sure that we build the culture and improve the culture. We believe we've made changes in the last four years and will continue to make changes in the next four years and beyond, to make sure that every Canadian knows that this game is a safe place for their daughter or son.

**Mr. Kevin Waugh:** This incident from June 2018 will be talked about in many homes in this country: Should I sign up my daughter or my son into Hockey Canada programs? I'm not sure of the answer here today. I haven't really gotten from any of your reassurances that Hockey Canada has changed in its harassment, bullying and abuse policies.

**Mr. Scott Smith:** If we're asked what we are doing, what we have done since and what we are going to do on a go-forward basis, we can reassure Canadians that hockey is a safe place. We're not perfect, but we're doing everything we can to make sure that hockey is a safe place for young Canadians.

**The Chair:** Thank you, Mr. Waugh.

I will now go to Anthony Housefather for the Liberals.

You have five minutes, please, Anthony.

**Mr. Anthony Housefather:** Thank you so much, Madam Chair.

Gentlemen, I assume you're all aware of the Jenner & Block report on the Brad Aldrich affair at the Chicago Blackhawks. Is that correct?

**Mr. Tom Renney:** Yes.

**Mr. Anthony Housefather:** In that case, the Blackhawks chose transparency. They made the report completely available. I'm wondering if you would reconsider the issue of the report you received from Henein Hutchison, to allow the public, at least, to understand. If there need to be redactions related to attorney-client privilege, and certainly anything that would necessarily reveal the alleged victim, that's understandable.

Would you consider providing to this committee a redacted version of that report?

**Mr. Tom Renney:** Madam Chair, thank you.

I would tell you that an incomplete report is just that, and I don't know that it suffices, because beyond that it's speculation. I don't think any of us in this room want to work beyond speculation.

**Mr. Anthony Housefather:** That's a very fair point, Mr. Renney. Let me come back to the path you're on. I heard very well that you're on a path, and I appreciate the path. It's great to have a forward-looking path that improves the organization's harassment and bullying policies going forward. I'm going to have some questions about that, but I think people are probably—I guess I am, just as an ordinary guy here—at a bit of a loss as to how that path doesn't include trying to get to the bottom of which eight players were involved in this incident. A very limited number of players could have been involved on this team at that event. Numerous other people could testify as to who might have gone into that hotel room.

Are there any plans at this point at Hockey Canada or any of the member organizations to delve further into this matter to, for example, create rules requiring all the players who were at the event to speak to investigators to try to get to the bottom of who these players are? As Mr. Waugh said, it is of concern that you may have perpetrators of a very serious alleged incident, who were never even identified, either playing in the league or coaching.

The fact that they haven't been identified sort of shocks me. Please speak to that.

**Mr. Tom Renney:** Thank you very much, Madam Chair.

I would tell you that we seem to have forgotten about one individual in our conversation at this point in time, and that's the young woman. By her request, we have not, obviously, identified her, because she wishes not to be, and she also wishes not to identify any of the players.

With that being said, your questions are good ones. Don't get me wrong: I believe they're good and I think they're solid. They give us room to think. We are here to learn. We are here to understand what your constituents are looking for with respect to responses and guidance and a path forward that keeps everyone safe, healthy and enjoying sport, never mind just hockey. I certainly understand that.

I can tell you that what we've done since 2018 is recognize the value of a robust interrogation, if you will, of coaches who might in fact be interested in any of our high-performance programs. Those are programs from an under-16 level all the way up to and including under 20, and on the women's side, the women's national team. We are working hard to try to do the right thing here, recognizing that your feedback is important and recognizing that what you've addressed with us is really quite significant. We will contemplate that and integrate those thoughts, should they become necessary and relevant to us, which they are today, into what we need to do moving forward.

As Mr. Smith has identified, we are on a journey here. We take full responsibility for where we are today, and we wish to take full responsibility for where we go tomorrow. We owe that, and have an obligation to every Canadian to do as much.

• (1650)

**Mr. Anthony Housefather:** I really appreciate that.

I appreciate your incredible sensitivity to the wishes of the alleged victim here. I think what I would say, though, is that of course her wishes have to be respected, certainly, with respect to her own identity. Often, though, you will have victims, and then the

same people will do the same thing to somebody else. By not trying to identify the gentlemen allegedly involved here, we may have other women who are potentially attacked in the future. I don't think it's enough to simply rely on the desire of the victim not to disclose the identity of the potential perpetrators. I would ask you to think about that.

I want to come back to Mr. Julian's question. Has Hockey Canada received other allegations of sexual misconduct by players in the last, say, 10 years?

**Mr. Scott Smith:** Again, those details are beyond the scope of what we were expecting for today. I did have an opportunity to speak to our staff who are responsible for that. Mr. Renney made reference to the fact that we've recently hired a director responsible for safe sport. She is new to the role and just getting up to speed.

My understanding is that we've had one to two cases on an annual basis over the last five to six years. I apologize, but I can't give you more detail than that.

**Mr. Anthony Housefather:** That's totally fair.

**Mr. Scott Smith:** Can I close off? I would tell you that one in the last five to six years—not one to two each year—is too many. That's why we're driven to change the culture in this game, as Mr. Renney made reference to.

**Mr. Anthony Housefather:** I appreciate that. I have one other question—

**The Chair:** I think you've ended, Anthony. I'm sorry.

**Mr. Anthony Housefather:** Thank you, Madam Chair.

I was going to ask if they'd entered into any other settlement agreements. Can you confirm that you haven't entered into any other settlement agreements?

**Mr. Scott Smith:** Going back to the Graham James situation, as Mr. Waugh said earlier, I believe there were settlement agreements over the years related to those incidents.

**Mr. Anthony Housefather:** Thank you so much.

**The Chair:** Thank you very much.

I'll go to Ms. Larouche from the Bloc Québécois for two and a half minutes, please.

[*Translation*]

**Ms. Andréanne Larouche (Shefford, BQ):** Gentlemen, thank you very much for being with us today.

First, I would like to say that I'm the critic for status of women and that I've replaced colleagues on many other committees, including the Standing Committee on Public Safety and National Security and the Standing Committee on National Defence.

Mr. Renney, you said in your opening remarks that there had been assault cases as there are elsewhere in society.

Don't such remarks contribute to a form of trivialization of assault cases?

Doesn't that have the effect of discouraging certain victims from reporting that form of trivialization?

[English]

**Mr. Tom Renney:** I would like to think that today's proceedings, which we completely embrace, will help everyone understand that responsibility is important and we take it seriously, and that we have not normalized the function of women and assault at all.

My suggestion to you is that on a go-forward basis.... We anticipate that what Mr. Smith identified as our safe sport director and executive will help us along those lines to make sure that the dialogue is appropriate and all-encompassing, not just of women but of anyone who might be marginalized, for example.

That being said, I believe strongly that we are on the right path to dispel any expectations that we might be marginalizing women.

[Translation]

**Ms. Andr anne Larouche:** In addition, Glen McCurdie, the vice-president for insurance and risk management at your organization, took up his position in 2018. He describes himself in his LinkedIn profile as an expert on insurance claims, including claims related to sexual assault.

Isn't it somewhat strange to see that he was promoted in July 2018, only a month after the incident in question?

Was he promoted on merit? If not, how many sexual assault allegation cases has he handled for Hockey Canada?

[English]

**Mr. Tom Renney:** I do not know to what level Mr. McCurdie worked on sexual assault cases. I do not have that information. I know that it certainly was not a function of his gaining any type of a promotion, because of what we would have considered success in that field. He is very good at what he does. He has served Hockey Canada well. We respect that and endorse that. There's no question about it.

I can tell you right now that anything that would appear to be marginalizing women is inaccurate. Going forward, that will not be the case as we identify what we need internally, as far as staff is concerned, to help us do our due diligence in that area.

• (1655)

[Translation]

**Ms. Andr anne Larouche:** Since you mentioned the need to do what has to be done, I'd like briefly to go back over the code of conduct issue. You talked about expanding its scope, and you said it would henceforth apply off the ice as well.

What will the consequences of applying that code of conduct to tournaments be? What more could that do?

Could that code of conduct help prevent the kind of incident in question here?

[English]

**Mr. Tom Renney:** Thank you, Madam Chair.

We believe that we can improve on the scope and skill of what we do in our code of conduct right now. Our code of conduct, as it sits with our high-performance programs and in competition, has zero tolerance for any type of a breach of the code. Where I think

we have an issue internally is that the lines are blurred when it comes outside of the code of conduct for events such as our Order of Hockey in Canada and gala, but also symposium seminars, clinics or whatever the case may be.

Again, I look forward to the work of our director of safe sport to help us along the lines of making sure that we identify ways and means with which to mitigate any issues we may have for women in our country.

We don't know that we have all the answers at this point in time. We certainly don't profess to. As Mr. Smith stated earlier, we are far from perfect, but we are not at all—

**The Chair:** Thank you. I think your time is up. You can finish that thought with another question that may be asked of you.

I'll go to Peter Julian for two and half minutes.

**Mr. Peter Julian:** Thank you, Madam Chair.

As a number of other committee members have mentioned, these are alleged perpetrators of horrific sexual assault. You mentioned earlier, Mr. Renney, that there is zero tolerance for violations of the code of conduct, but at the same time there was an investigation in which, it appears, the majority of the members of the team did not participate.

What is the code of conduct worth if you don't participate when there are alleged horrific sexual assaults? Shouldn't that be a condition of being involved in any way with Hockey Canada? Isn't that a fundamental violation of the code of conduct?

**Mr. Tom Renney:** Thank you, Madam Chair.

I believe it is. That's where, as I mentioned, the line is blurred between what we do and what we have our players adhere to in competition and where, under the jurisdiction of Hockey Canada.... Even though at an event like the gala event I think there was misinterpretation, I don't know that we represented the code of conduct as accurately and precisely as we should have for those players attending the gala to understand what would have been in everyone's best interest in the first place.

**Mr. Peter Julian:** Everyone knows right and wrong, though. Everyone knows that horrific sexual assault is wrong. I don't understand why Hockey Canada did not enforce a rule that every single member of that team had to be part of the investigation and had to co-operate with the investigation by Henein Hutchison.

I have a short time, so I will move to another question, and that is around your testimony, Mr. Smith, that we are seeing assaults. You mentioned one to two per year over the last five to six years. Is it accurate to say that we're looking at about a dozen cases over the last five to six years?

You mentioned earlier as well that two assaults currently being investigated are of the same nature as those horrific alleged sexual assaults that we have seen in this case that's before us.

**Mr. Scott Smith:** I didn't comment on the investigation. I think I told you that I couldn't. I shared with you that we have reported three to Sport Canada. This is one of them.

If I could just step back for a second to the incidents from 2018, we weren't able to confirm through our third party investigator what happened that evening, so although the code of conduct has been strengthened, it's not as though we're condoning the behaviour that potentially happened that evening. We were not able to confirm who was involved and what happened that evening.

I think a lot of people are taking the allegations and the statement of claim as fact. I'm not in a position to debate many of those allegations because I'm not aware, but I do know that three of them are clearly not true. There's an allegation that we didn't report it to the London Police Service. We did. There's an allegation that we didn't have a third party investigation. We did. There's also an allegation that we didn't offer support to the young woman, but we did.

The challenge we have is that despite extensive efforts over, I believe, a 26-month period, we were not able to confirm what happened that evening.

• (1700)

**The Chair:** I'm sorry, but can someone tell me what's going on?

**Mr. Peter Julian:** Well, Madam Chair, if you're permitting me another question, I will certainly take it.

**The Chair:** No, I'm not, Peter. I know you would take it.

What I'm asking is whether that was the end of the answer to your question.

**Mr. Peter Julian:** That was the end of the answer, but I'm perfectly willing to ask another question.

**The Chair:** Yes, I know. Thank you, Peter.

Now we're going to go to Richard Martel for the Conservatives, for five minutes.

[Translation]

**Mr. Richard Martel (Chicoutimi—Le Fjord, CPC):** I want to thank the witnesses for being with us to discuss this important matter today.

These players currently represent Hockey Canada, and they have a responsibility in that regard. What concerns me is the way they are supervised. When they take part in a fundraiser, they represent Hockey Canada, even if they aren't participating in a tournament.

I'd like to know more about how you supervise these players. Are they aware of the fact that they represent Hockey Canada at those events?

[English]

**Mr. Tom Renney:** Thank you, Madam Chair.

Again, I can tell you that during competition we have very strict measures with which to provide oversight to the players, staff in general, and obviously the volunteers who help us at these events. I can tell you it's my belief that at an event such as the gala, for example, as was suggested by the independent report, we needed to strengthen our supervision over the event of that evening and certainly our players. I cannot hide and duck from that. I would tell you that I agree with that. That is a fault of ours for sure, and it would certainly be represented in the code of conduct as it is now, moving forward.

I appreciate your concern. I don't disagree with it. I take responsibility for where that sits today, as I did then. I think we've improved upon that, but there's no question: Your concerns are legitimate. We shared them and we are working hard, as I mentioned earlier, with respect to the independent report to rectify the problem of supervision at non-hockey or non-competitive events. I think, as I mentioned earlier as well, that the line was blurred there, and we fell short.

[Translation]

**Mr. Richard Martel:** Do you have a mechanism to ensure that players are held accountable for their conduct at all times when representing Team Canada, in this instance, whether at events such as the one we're discussing or as part of the team?

[English]

**Mr. Scott Smith:** In the follow-up to the events of 2018, we have had only one year-end celebration because of the pandemic, and that was in 2019. We took extra measures there that were consistent with what we take around our on-ice events, whether that be camps or tournaments, selection camps or the actual world championship event. We believe that we've structured an environment that has stricter protocols and stronger supervision, and we believe that our code of conduct has been improved and strengthened. The education and code of conduct give us an opportunity to address those issues, but our approach is preventive measures, as I think you and all Canadians would expect.

• (1705)

[Translation]

**Mr. Richard Martel:** How will you feel if the National Hockey League sanctions the players following its investigation, even though Hockey Canada hasn't done so in the past?

[English]

**Mr. Scott Smith:** Madam Chair, if the young woman were to come forward or there were any additional information, we would immediately re-engage our third party investigation law firm. We would have them conduct their business, as they did from June 2018 through until September 2020. We would re-engage in the investigative process. Any actions or any discipline that would be required out of that we would then turn over to the three-person adjudication panel that we appointed in 2018 to do just that.

[Translation]

**Mr. Richard Martel:** Madam Chair, do I have any time left?

[English]

**The Chair:** You have 24 seconds.

[Translation]

**Mr. Richard Martel:** Mr. Smith, you say you've worked hard to improve the corporate culture over the past four years.

What observations have you made on the change in culture? Do you have any specific examples?

What remains to be done to improve corporate culture in the hockey world?

[English]

**The Chair:** Thank you. I think we're going to have to answer that in another round with another questioner.

I'll go to Lisa Hepfner for the Liberals, please, for five minutes.

**Ms. Lisa Hepfner (Hamilton Mountain, Lib.):** Thank you, Madam Chair.

I think the last question had to do with culture in hockey, and that's exactly where I was going to go anyway.

The minister, as we know, has said that the culture in hockey has to change. You made comments to that effect today. I'm wondering if you can describe what about the hockey culture needs to change. Whichever witness feels it is most appropriate can respond.

I'd also like to give you the opportunity to give us more detail about the things you've done over the past few years to try to address the problems that allow things like mass violence against women to happen at a hockey event, which of course is very shocking to all of us.

**Mr. Scott Smith:** Thank you, Madam Chair.

First of all, I'll speak to what we did in the fall of 2018 with respect to our code of conduct. I've made reference to it, but I'll touch on it briefly. I think we strengthened our code of conduct. We furthered our education and our requirements. We have also been in a process of adding to our education initiatives training with respect to sexual assault and references to our code of conduct, as well as morality clauses.

We're in the process right now.... We've engaged a third party consultant to review all of our education initiatives. That's everything from abuse to bullying, harassment, sexual misconduct, compliance, etc. I really believe that we need to have a thorough assessment of our education initiatives to make sure that we are comfortable—not just we in this room, but all Canadians—that our education initiatives are driving the change that we desire in hockey.

I would tell you, quite frankly, that we probably are behind, because of the two years of stop-and-start in sport due to the pandemic. We're not unique in sport in having that situation, but we are driven to make sure that every Canadian understands that we want to further our education.

I've said publicly that I don't want education to be a box-checking exercise. I don't want to check the box and say, "Yes, I took that education initiative." I want people to invest their time in education that is going to drive the change in behaviour that we all desire and that Canadians can be really proud of.

We're reviewing all of our education initiatives, and we'll do that over the next, I believe, eight to 10 months. These include initiatives around abuse, bullying and harassment, where we have been leaders in sport through our work with Respect Group since back in the early 2000s, I want to say.

**Ms. Lisa Hepfner:** To follow up, I think we've heard today that you've been dealing with one to two cases a year. I'm sure we all know that not all cases get reported. Not all cases are known about.

How widespread is this problem?

• (1710)

**Mr. Scott Smith:** Those are cases that have been reported at the national level. As I mentioned earlier, we just recently hired a director of safe sport. We will be building out a safe sport department that will allow us to continue to address any issues that come to us at the national level. We'll also be working through our membership of 13 members across the country and building out safe sport requirements with them—and probably additional people within that department—to make sure we can handle things that come in varying degrees of issues, whether they are abuse or harassment at the local, the member or the national level.

**The Chair:** You have one minute, Lisa.

**Ms. Lisa Hepfner:** Thank you, Chair.

I'm wondering what you take from the evidence we've heard today that many players who may have been involved didn't participate in the investigation.

What do you think that says, and what do you think it means?

**Mr. Scott Smith:** I'll be honest with you: I'm not sure what it means. I think it's part of the reason we're driven to review with our partners. We borrow these players. It's an ability for us, if we ever need to—hopefully, we never do—to look at strengthening our ability on a go-forward basis to compel individuals to participate in investigations.

**The Chair:** Thank you very much.

This round is over. We're going to the third round. It is, again, a five-minute round.

I'll begin with the Conservatives and Karen Vecchio. Karen, you have five minutes.

We can't hear you, Karen. I'm going to stop the clock.

Can a technician help Ms. Vecchio?

**Mr. John Nater:** Madam Chair, we're going to go to Madame Ferreri and then come back to Ms. Vecchio.

**The Chair:** I was going to suggest that we do something like that. Thank you.

We have Ms. Ferreri for five minutes, please.

**Ms. Michelle Ferreri (Peterborough—Kawartha, CPC):** Thank you, Madam Chair, and thank you to our witnesses for being here today.

I want to start by talking about the amount of money Hockey Canada is getting from the federal government, the \$14 million in federal funds. I know you've said on the record that none of this federal money was used to pay the victim. Where did the money come from?

**Mr. Scott Smith:** I believe I stated that earlier. We liquidated a portion of our investments and we used that to settle this lawsuit.

**Ms. Michelle Ferreri:** Can you be a little more specific? What we have here says that there is “\$9.64 million in insurance premiums” in your fiscal 2021 “for everything from incidental medical and dental treatment to third-party sexual misconduct”. You actually have insurance for third party sexual misconduct liability. Of that \$9.64 million, how much is always going to third party sexual misconduct liability?

**Mr. Scott Smith:** I apologize. I don't have that available to me here today.

**Ms. Michelle Ferreri:** Can you get that for us, please?

**Mr. Scott Smith:** I think we would be happy to share that with the minister and the compliance audit; any of the financial discussions we look forward to confirming through the audit process.

**Ms. Michelle Ferreri:** With the committee, not just the minister. Thank you.

**Mr. Scott Smith:** Okay. I'm sorry.

**Ms. Michelle Ferreri:** I think there have been some troubling things come out of today's testimony—I want to go on record here—with quotes like “we borrow” them.

With all due respect, they're under your watch. As a mom, if you have my son or my daughter and they do something on your watch, you're accountable for that. To say you're borrowing them and that you're not responsible is upsetting.

**Mr. Scott Smith:** Thank you, Madam Chair.

I don't believe I said we borrowed them in the context that we're not accountable. I said that these players play on a full-time basis in other leagues and we “borrow” them for our national team program.

We took responsibility and we hold accountability, and that is the very reason we undertook the process in June 2018, as well as in recent weeks, to settle the lawsuit. I never used the word “borrow” to avoid our responsibility or accountability in this area, and I would hope that you and all Canadians hear me say that.

• (1715)

**Ms. Michelle Ferreri:** Why did you wait four years to hire a safe sport coordinator—only when it became public—if you care so much?

**Mr. Scott Smith:** The two are not related at all. I think reference was made in Mr. Renney's opening statement to the fact that we had the retirement of a long-term employee. That then allowed us to reorganize our department that used to be responsible for insurance and risk management.

We've separated the insurance and risk management and created a new safe sport department. I think we followed on the principles that have come through all sports with respect to safe sport over the last number of months. The hiring of a safe sport manager has nothing to do with this. It has everything to do with our trying to be best in class in that area.

**Ms. Michelle Ferreri:** Thank you for that.

I guess what I ask is, do all three of you think these eight players should be known and identified? Much as we have in a similar situ-

ation for a school, you would have it made public to parents if somebody had a record as somebody who could be a danger.

We can go back to Mr. Waugh's comment about whether these players are going to go out and coach or play. Do you think they should even be allowed to play?

**Mr. Tom Renney:** We are certainly paying very close attention to the young woman and her wishes at this point in time. Should that manifest itself into more, where our legal assistance chooses to have that discussion about further information to be forthcoming, we would look forward to that and look forward to that level of participation between the two legal concerns.

I can't tell you right now that anything usurps what concerns me more—because I'm a father of two girls—than what this young lady is going through. I'm concerned about that. I'm concerned that if she in fact wishes not to be identified and at this point in time wishes the players not to be identified, I really don't know what more we can do along those lines, notwithstanding the fact that your comment is a good one, and it's fair, and it definitely resonates with me.

I'm concerned about that. I would like to tell you that we're working on that. Where this ends up at this point in time today, I don't know, other than to make sure you understand that it's certainly duly noted.

**Ms. Michelle Ferreri:** I appreciate that. I think Canadians and everyone would like a bit more.

**The Chair:** Thank you, Ms. Ferreri.

Now I go to Chris Bittle for the Liberals.

You have five minutes, Chris.

**Mr. Chris Bittle (St. Catharines, Lib.):** Thank you, Madam Chair. I believe Mr. Maloney will be taking my time.

**The Chair:** Thank you.

James Maloney, you have five minutes, please.

**Mr. James Maloney (Etobicoke—Lakeshore, Lib.):** Thank you, Madam Chair.

Gentlemen, I want to pick up on what Mr. Housefather started with, to thank the three of you for being here today and to thank Hockey Canada for all it has done over the years. I also want to add that you've been quite candid today, and I am very grateful. I believe everybody is. This is a very, very serious situation, and it's apparent to me that you treat it as such.

I want to go through some of the process so that I can understand it and so that people listening can understand it a bit. You learned of this. You reported it the same day. You reached out to your insurance company. You contacted the police. You reached out to a third party investigator, Henein Hutchison. Is that right?

**Mr. Tom Renney:** Correct.

**Mr. James Maloney:** They started their investigation, which has stopped. Now, I understand that the NHL is conducting an independent investigation as well, because 22 of the players on that team have been drafted by the NHL. That investigation is ongoing. Is that right?

**Mr. Scott Smith:** Yes.

**Mr. James Maloney:** Okay. I take it that you're co-operating with that investigation to the extent that you've been asked to do so.

**Mr. Scott Smith:** Yes.

**Mr. James Maloney:** You'll obviously do so going forward. Okay.

Now, depending on the outcome of that investigation, further action could be taken by Hockey Canada. Is that correct?

**Mr. Scott Smith:** I believe I said, in answer to a previous question, that if there is additional information that would be appropriate to refer to our third party investigation law firm, then we would re-engage with them and go through the process. Ultimately, any outcomes of that, if they were disciplinary in nature, would be handled by a three-person adjudication panel that we appointed in the summer of 2018.

• (1720)

**Mr. James Maloney:** Right. Thank you.

Did the NHL specifically ask Hockey Canada to stop its investigation pending the NHL's investigation?

**Mr. Scott Smith:** No. We were advised in February 2019 that the London Police Service had stopped its criminal investigation. We kept our investigation open through our third party investigator until September 2020.

On multiple occasions, our third party investigative firm reached out to the plaintiff's counsel, the young woman's counsel. Through the summer of 2019, there was a suggestion that she may be willing to provide a written statement. That never materialized. She never followed through on doing that. We continued to follow up. In September 2020, we suspended the investigation.

**Mr. James Maloney:** Okay. Thank you.

**Mr. Scott Smith:** That was 26 months later.

**Mr. James Maloney:** There's no ongoing investigation by the police. My understanding is that it's at the wish of the plaintiff. Is that right?

**Mr. Scott Smith:** I'm sorry, Madam Chair. I don't know if I can comment on procedures with respect to the London Police Service.

**Mr. James Maloney:** All right. Thank you.

I want to go back to this word "borrow" that's been thrown around a bit. The way I interpreted it was that Team Canada borrows these players, because they all play for teams across Canada.

Was each of the teams that these players came from advised of what took place?

**Mr. Scott Smith:** I believe I mentioned that earlier in a response. We advised the teams of the players at the time—the teams at the time.

**Mr. James Maloney:** Right.

Hockey Canada is an umbrella organization. When you say you borrow from the teams, in fact it's really an extra layer of protection, not a way of deferring it to somebody else, if I can put it that way.

**Mr. Scott Smith:** Thank you, Madam Chair.

I believe I used the term "borrow", and I've probably used it in proceedings that are much different from this.

**The Chair:** You have one minute.

**Mr. Scott Smith:** Player X plays for a team in the NCAA or the CHL. They then leave those teams and come to a selection camp for our national junior team. If they're fortunate enough, they're one of 22 players who are on that roster. We borrow them for that period of time. Then they return back to their club team.

**Mr. James Maloney:** That's right, so their conduct is still governed not only by Hockey Canada but also by the team from which you "borrow" them. That's a hockey term, in fairness. Is that correct?

**Mr. Scott Smith:** Yes.

**Mr. James Maloney:** Thank you for that.

Are there any other steps that in your view you could be taking right now to further this investigation that would not run contrary to the wishes of this young woman?

**Mr. Scott Smith:** To the best of our knowledge right now, no, there are not, based on the feedback we received in September 2020 from our third party investigative firm.

**Mr. James Maloney:** Thank you, gentlemen. I appreciate that.

**The Chair:** Thank you.

I now go to the Bloc Québécois and Ms. Larouche for two and a half minutes.

Go ahead, please.

[*Translation*]

**Mr. Sébastien Lemire:** Madam Chair, I will be taking the floor.

We're discussing sexual assault allegations here. In light of the answers that you've given today, my sense is that the Hockey Canada Foundation hasn't been all that proactive. It has conducted investigations and prepared reports, but those reports are incomplete. It's responsible for the out-of-court settlement. You're quick to pay and cover up the affair, even though you didn't know what had happened.

The Hockey Canada Foundation demonstrated a form of complicity in covering up this affair. There was talk of an independent investigation, which was conducted without speaking in particular to the persons responsible for organizing the Hockey Canada Foundation gala where the incidents occurred. I sincerely hope you didn't put pressure on the victim to secure that out-of-court settlement.

I'd like you to release the minutes of the board meeting and those of the Hockey Canada Foundation from June 2018 to the present. In addition, I'd like to know how many times these sexual assault allegations appeared on the agendas of those meetings.

I'd also like to give you some food for thought. The Kyle Beach affair was settled, and the name of the person responsible for the sexual assault was removed from the Stanley Cup. Ten years later, the trainers and executive directors who decided to cover up the affair were fired.



The Victoriaville Tigres players who behaved so scandalously, including Logan Mailloux, were suspended for a year.

What's key in national and international sport is the team logo. It seems that's how it works. When the Russian players were involved in a doping scandal, they were stripped of their team logo but were still able to participate in the Olympic Games. They weren't penalized for their federation's lack of action or, in that case, its complicity. They played as Olympic Athletes from Russia.

It seems to me that the only acceptable penalty for your sloppiness is to demand that you not play under the Hockey Canada logo for the next year. The idea is to force you to consider the culture that Hockey Canada conveys and to make you accept your responsibility. I think you've acted as a John Doe 9 in this matter.

What do you think of that?

• (1725)

[English]

**The Chair:** You have 39 seconds.

**Mr. Scott Smith:** First of all, to suggest that it was a cover-up or that we swept it under the rug.... I'd like everyone to step back for a second. With respect to the incident in 2018, the police were notified; we engaged a third party investigator; we notified Sport Canada, and we offered support to the young woman. That is not an indication of sweeping something under the rug.

The process that we undertook to settle this is common in civil claims. We have a situation in which both parties were represented by qualified counsel. Agreements such as this are common. They are intended to protect all concerned, and they are mutually agreed to, so no one was silenced.

I adamantly oppose the suggestion that we covered this up or swept something under the rug related to an incident in 2018, which we have been dealing with over the past four years.

**The Chair:** Thank you.

That's the end of that time. I now go to Peter Julian for two and a half minutes.

[Translation]

**Mr. Peter Julian:** Thank you very much, Madam Chair.

What happened to the victim was horrible. Nothing in your testimony today suggests that there has been a change of course as a result of these serious allegations.

I'm struck by one fact. When you discussed the code of conduct, you mentioned that most players on the team weren't required to take part in the investigation.

Have you made any changes in that regard?

If another horrible crime were committed, like the one alleged in 2018, would all the players now be required to take part and cooperate in the internal investigation conducted by Hockey Canada or in the police investigations?

Investigations lead to truth and justice.

[English]

**Mr. Scott Smith:** Thank you, Madam Chair.

First of all, we share the view that these allegations are troubling. As we've said from the outset, we take them very seriously. If there's any Canadian watching today who thinks that Hockey Canada doesn't take these seriously, we do.

We've shared with you on a few occasions and in the answers here that we've improved and enhanced our code of conduct. We've strengthened the education. Because these players are registered members of other teams, we will be working with our partners to make sure we can compel people to participate in an investigation when it takes place under our care and under our responsibility. That is a work in progress as we speak today. It's not something, as you asked, sir, that has concluded, but it's certainly a priority for us and a work in progress.

We've focused our efforts on education.

**The Chair:** Thank you.

You have 12 seconds, Peter. I know you like to have the last word, but you have only 12 seconds.

[Translation]

**Mr. Peter Julian:** Thank you, Madam Chair.

Mr. Smith, earlier you mentioned two more complaints that are currently under investigation.

Are those investigations related to sexual assault allegations?

[English]

**Mr. Scott Smith:** I believe I've answered a couple of times that I wasn't prepared to speak to the specifics of those today. I didn't see that as part of the mandate of today's discussion. It's not—

[Translation]

**Mr. Peter Julian:** Thank you.

[English]

**The Chair:** Thank you.

**Mr. Scott Smith:** I'm under oath. I don't want to tell you something I don't know. I apologize.

**The Chair:** Thank you.

Now I'll go to Karen Vecchio for five minutes.

We still can't hear you, Karen.

• (1730)

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Can you hear me now?

**The Chair:** Now we can hear you, yes.

**Mrs. Karen Vecchio:** Fantastic. Thank you. I'm sorry about that. You would not think that I'd done this for the last two years.

One quick question to start off: Is there a non-disclosure agreement regarding this settlement? Is there one that is available, or is there a non-disclosure agreement on this settlement, Mr. Smith?

**Mr. Scott Smith:** The minutes of settlement are covered under settlement privilege.

**Mrs. Karen Vecchio:** Okay. I'm going to come back to this question.

There were some questions asked about these types of behaviours happening. I want to try to work with you on the theme of assaults.

How many complaints has Hockey Canada received regarding bad behaviour of the players? I want to look at overall—not just sexual assault, but overall. You've described about one to two per year. Does that one to two a year include other types of assault, or just sexual assault?

**Mr. Scott Smith:** I believe the number that I shared in response to the previous questions was related to sexual assault. Over a year ago, our members and our board approved a new rule with respect to maltreatment to eradicate all forms of discrimination.

**Mrs. Karen Vecchio:** Fantastic. I'm going to go into that. I have read that report. I've already read your lines of codes and things like that.

Two a year are just sexual. How about if we're looking at other sources? We're looking at any other type of treatment, on the ice or off the ice. Have you had any other complaints outside of just sexual assault?

**Mr. Scott Smith:** The answer to that is I believe we have. I can't provide you the details of that, unfortunately. I wasn't prepared for that today.

**Mrs. Karen Vecchio:** Going back to Hockey Canada, we know there were players involved. Were any coaches, trainers or managers also involved in what happened in 2018?

**Mr. Scott Smith:** As I've said on multiple occasions, neither the London Police Service nor our third party investigator could confirm what happened that evening. To the best of—

**Mrs. Karen Vecchio:** That's fair enough, but I'm asking one of the people who's in charge of one of the biggest and strongest organizations here in Canada, which is Hockey Canada. I am asking you. These are people who are working for you.

Were any coaches, trainers and managers involved in any of this?

**Mr. Scott Smith:** Again, I can't confirm. I don't believe so, but I can't confirm that.

**Mrs. Karen Vecchio:** The reason I'm asking you is that I think one of the most important things is leadership and the type of leadership we have. We can educate people all we want, but unless we're leading by our actions, it's not going to work out very well.

I want to turn it into.... How many times has Hockey Canada paid out to any complainant?

**Mr. Scott Smith:** Again, that is beyond the scope of what we're discussing here today. I think I made reference to that in an earlier question. I think there were settlements before my time of being directly involved in those, related to the Graham James incident. I am aware of that, but I don't have them all in front of me.

**Mrs. Karen Vecchio:** I'm looking at training and education when it comes to Hockey Canada, and at sexual harassment and

healthy relationship policies. Obviously you would have those. What are the consequences for somebody who has been found to be in violation of one of your policies? What are some of the consequences for players?

**Mr. Scott Smith:** What we've talked about is that at a national level, we don't want to be in a situation in which we're handling that discipline. We would assign that to a third party adjudication panel so we could not be perceived as interfering in any way.

It's more perception than anything. I don't believe that Hockey Canada would interfere, but we want to avoid any perception that we would interfere with the discipline.

**Mrs. Karen Vecchio:** Thank you.

I think sometimes there may be discussions.... What's the difference between the CHL—which has the OHL, the Quebec Major Junior Hockey League, and the Western Hockey League—and Hockey Canada? What is the relationship between Hockey Canada and the CHL?

**Mr. Scott Smith:** Hockey Canada is the national sport organization. We're responsible for all national teams, from the women's under-18 team, which won gold last week, to the Olympic teams. We're also the governing body for about 650,000 registered players, in terms of prepandemic numbers.

**Mrs. Karen Vecchio:** Would you be the governing body under the CHL, then, with the CHL being—

**Mr. Scott Smith:** The CHL is an independent league that is a partner of Hockey Canada. We partner in the operation of our under-17, under-18 and under-20 programs.

**Mrs. Karen Vecchio:** I want to turn, if you don't mind, to Mr. Andrews.

You talked about the Order of Hockey gala and looking at restrictions you may have to place on that. Since Hockey Canada, I believe, is for children and youth under the age of 20, what is the average age of your players who come to these types of hockey galas?

• (1735)

**Mr. Dave Andrews:** Generally speaking, the players who attend are members of teams that win world championships. The example this year would be the women's under-18 world champions, the women's Olympic team gold medalists and the women's world champions.

**Mrs. Karen Vecchio:** You would have a cross-section of any of our U17 teams and national teams that would be playing annually.

**Mr. Dave Andrews:** Yes, it would be from any of those teams. I don't believe the under-17s would qualify. I might be wrong. I believe from under-18 up on both the men's and women's sides, if they were to win a world championship, they would be invited to the gala.

**Mrs. Karen Vecchio:** With Hockey Canada, what is the mandate of the foundation itself? What is it that you are raising monies for when it comes to Hockey Canada?

**Mr. Dave Andrews:** I'll be as brief as I can. We have a mission with our board of directors across the country to raise money, particularly to remove barriers to participation for young children across the country. We have the Hockey Canada Foundation Assist Fund, which has provided money to help with registration during the pandemic. We have the Hockey Is Hers program the main focus of which is to help us grow women's hockey.

**Mrs. Karen Vecchio:** Fantastic.

In all of that, do you have a sexual assault policy or an abuse policy for the foundation?

**Mr. Dave Andrews:** The foundation does not.

**Mrs. Karen Vecchio:** It does not have one.

Do you think that's something, as you're dealing with this...? We're looking at the fact that this is the Hockey Canada Foundation. We're seeing some of these gaps. [*Technical difficulty—Editor*] We know there's a problem. We've known for generations.

Are we all done? Thanks very much.

**The Chair:** Thank you, Karen. Perhaps somebody can pick up that question in another round.

We now go to Adam van Koeverden.

Adam, go ahead for five minutes, please, for the Liberals.

**Mr. Adam van Koeverden (Milton, Lib.):** Thank you, Madam Chair, and thank you to the witnesses and their representation for joining us today. This is a very important meeting.

First I'd like to make sure it's on the record—I know it's been said in other words—that it is imperative and we insist that no documentation be presented to this or any committee that might compromise the identity of the alleged victim. I also feel it necessary to state on the record that in cases like this, victims are far too often obliged to make their identities known in order to legally identify an accused. That's a challenge for the system, and that's a problem with this system, in my view.

I have two adjacent questions. I'll be the next Liberal on the list.

I would like to start by discussing some of the issues that have occurred since. You've mentioned a few times changes to the code and how Hockey Canada is on a journey. Can you point to specific changes to that code of conduct, please?

**Mr. Scott Smith:** I believe I made reference to the depth of our education around the code of conduct, as opposed to maybe a situation in which it was reviewed not as extensively or thoroughly, or assessed and talked about with specific examples. We've added information with respect to sexual assault and morality clauses. We continue to review that and link it to overall education initiatives that are not specific to just the signing of our code of conduct. We're building out additional modules with respect to appropriate consent, sexual assault and appropriate behaviour.

**Mr. Adam van Koeverden:** Thank you. I'm glad to hear that sexual assault is included.

You also mentioned a zero tolerance policy for harassment and sexual abuse. What does a violation of this code of conduct result in?

**Mr. Scott Smith:** I believe I said that our approach, to avoid any perception that we would be managing that, is that we would appoint a third party adjudication panel to handle that on our behalf. We believe that's the best practice.

**Mr. Adam van Koeverden:** Thank you.

Do players involved in all of Hockey Canada programming receive anti-harassment training or any training along those lines?

**Mr. Scott Smith:** We've had a relationship with the Respect Group and the respect in sport program, dating back to sometime in the early 2000s, targeted at activity leaders. I think the sexual assault training has been in place for the better part of four to five years.

I apologize that I can't give you the specifics on that, but it is there, and it's focused on activity leaders. Parents take the respect in sport program. It's not necessarily specific to all players at the under-12 or under-10 levels, but it is focused on activity leaders to make sure we manage—

**Mr. Adam van Koeverden:** Could you define “activity leaders” for the committee?

**Mr. Scott Smith:** That's coaches, officials and trainers.

• (1740)

**Mr. Adam van Koeverden:** Just to reiterate, do the athletes involved in your programming receive any mandatory anti-harassment training?

**Mr. Scott Smith:** The training is at our national team level but not necessarily at the community level for the younger ages.

**Mr. Adam van Koeverden:** When a member joins Hockey Canada as a national team member, do they receive mandatory anti-harassment training?

**Mr. Scott Smith:** It's part of our education initiatives in our program of excellence. It's education that we're evaluating the effectiveness of and also the content to make sure of its appropriateness. We will be making improvements in that area going forward.

**Mr. Adam van Koeverden:** Every athlete belongs to a home club in most sports. I belonged to a home club and I competed for Canada. I never felt “borrowed” by national teams. I felt that I qualified for national teams, that it was something that I should feel proud of, and that the country was proud to have a national team competing at a high level.

Our national team still confronts challenges around underage drinking and other things like that. Do you think underage drinking was present, or is present, at Hockey Canada or gala events?

**Mr. Scott Smith:** In 2018, yes, there was, and we take full responsibility for that. We took corrective measures at our 2019 year-end celebration, as well as what's planned for the 2022 event.

**Mr. Adam van Koeverden:** Thank you.

I'd like to come back to the fact that Hockey Canada has made no attempt to identify the alleged perpetrators of this alleged assault. I'm struggling to understand how one could have a zero tolerance policy that is not implemented against people who are accused, who then cost the organization considerable time, resources and money, and no effort is made to ensure that those athletes are held accountable.

**The Chair:** There are 30 seconds left for your answer.

**Mr. Scott Smith:** I think it's important to note that we took extensive effort. We appointed a third party law firm to conduct an investigation. We notified the London Police Service and we notified Sport Canada. Our third party investigator and the London Police Service were not able to confirm. I don't think to characterize Hockey Canada as having made no effort is appropriate.

**Mr. Adam van Koeverden:** I would like it to be known that I didn't suggest that you made no effort. I've acknowledged the fact that you haven't swept this under the rug and you've done some good work.

Thank you. I'll be back with some more questions momentarily.

**The Chair:** Thank you very much, Adam.

Now we go to the fourth round. I have no idea who the Conservative questioner is going to be.

**Mr. John Nater:** Thank you, Madam Chair. It's John Nater.

**The Chair:** All right, John. Go ahead for five minutes.

**Mr. John Nater:** Thank you, Madam Chair.

I've been concerned by some of the comments I've been hearing today. I say that honestly as a parliamentarian, as a parent and as a parent with kids in hockey, ringette and organized sport. I come back to the phrase "accountability versus responsibility".

I acknowledge that Hockey Canada has tried to take responsibility for this incident, but I'm quite concerned that you're not taking accountability for this situation. I've heard comments about education, about improving education around the code of conduct, but my God, sexual assault is wrong, and it's always been wrong, and there ought not to have been a need for education that sexual assault is wrong. I say that as a comment because I find it troubling. I find it troubling that in the past four years no one has been held accountable.

I recognize that some changes have been made, and I think that's important, but I recognize that no one has been held accountable. No one lost the privilege of wearing the maple leaf on their jersey. No one was disciplined by the organization. No one lost their employment at the organization. No one was truly held accountable by the organization. I recognize that no one wants to reveal the identity of the victim, but individuals who wore the maple leaf—individuals who were on the national team—were alleged to have participated in very serious sexual assaults. We know that the NHL is now conducting its investigation, and I think it will be a black mark on the organization of Hockey Canada if the NHL holds individuals accountable and Hockey Canada fails to do so.

I'm going to share my time with Mr. Waugh afterwards, and I'm going to give you an opportunity to make a comment in just a second.

I've heard "zero tolerance" mentioned today. I wish that were true, but if there were truly a zero tolerance situation, there should have been more than six or eight players or 10 players who participated in that third party review. Every single player who was in London that weekend should have been mandated to participate in that review or lose the opportunity and the privilege of being associated with Hockey Canada. The club organization could be its own situation, but Hockey Canada should have said, "Those who do not participate in this third party review are no longer affiliated with this organization." That could have been one way that Hockey Canada could have taken accountability four years ago, but that didn't happen, and now, four years later, we're only just finding out about what happened four years ago.

I'll give you an opportunity to comment on that. Then Mr. Waugh has a question.

Thank you.

● (1745)

**Mr. Scott Smith:** First of all, I think everyone at this end of the table shares your concerns for what was alleged to have happened that evening. That is not something that we would ever want in any activity, in any sport or anywhere in this country. If you're feeling that we don't share that view, I apologize, and I want every Canadian to know that we take this seriously, and we've said it from day one.

We undertook an extensive process. Neither the London Police Service nor our third party investigator was able to confirm what happened that evening, and that was not from lack of effort. Our investigation took place over a 26-month period. On the advice of our third party investigator, we were not able to impose sanctions. They advised us that we lacked due process for them.

It's not something that we take lightly, and I've said multiple times that if further information were to come forward, we would re-engage the investigative process and we would handle the investigation and any potential discipline exactly the way we intended it to be handled in the summer of 2018. We take responsibility. We hold ourselves accountable for this.

**Mr. Kevin Waugh:** I have a question.

On the waiver claim, going forward, can players now sign a waiver claim for third party investigation? Is that something Hockey Canada would do immediately—say that every player must sign this waiver claim?

**Mr. Scott Smith:** I'm confused. The waiver would mean they would waive the right to participate in an investigation—

**Mr. Kevin Waugh:** No, it's to—

**Mr. Scott Smith:** I think I mentioned earlier that we're going to be in the process of discussing with our hockey partners about an ability for us in the code of conduct to be able to compel participation and investigation.

**Mr. Kevin Waugh:** Okay.

**The Chair:** Thank you.

We are going to run out of time, so I'm going to have to eliminate the second Conservative and Liberal turns in this round. I will go to the Bloc Québécois for two and a half minutes. I don't know who that will be.

Will that be Ms. Larouche or will it be Mr. Lemire?

[*Translation*]

**Mr. Sébastien Lemire:** I will take the floor, Madam Chair.

Thank you very much.

[*English*]

**Mr. Anthony Housefather:** Madam Chair, on a point of order, there is a Liberal round following the Conservative round, before the Bloc's, that we've skipped over.

**The Chair:** I'm so sorry, Anthony. Thank you. Yes.

Who is that going to be? Is it Mr. van Koeverden?

**Mr. Adam van Koeverden:** Yes, Madam Chair. Thank you.

Could you give me a one-minute to 90-second warning? I'd like to share my time with Anthony Housefather.

**The Chair:** All right.

**Mr. Adam van Koeverden:** Thank you.

Very quickly, Hockey Canada recommended or encouraged players to participate in the process, but who deemed them not required to?

**Mr. Scott Smith:** I believe they made that choice on their own—either with their representative or on their own—but Hockey Canada strongly encouraged them to participate in the investigation.

**Mr. Adam van Koeverden:** It was not required or made mandatory.

**Mr. Scott Smith:** No.

**Mr. Adam van Koeverden:** Sport Canada was notified. I acknowledge that. Were any other funding partners, sponsors or broadcast partners notified around the same time frame?

**Mr. Scott Smith:** I don't believe so.

**Mr. Adam van Koeverden:** Thank you.

This isn't surprising anybody. Hockey is part of our collective Canadian identity in this country, and we have a lot to reconcile as a nation, but this is another chapter in our development as a country. You mentioned that this has created a lot of room to think.

Do you believe this is also an urge to act and change some of those culture challenges we're confronted with, as Canadians who love hockey?

• (1750)

**Mr. Scott Smith:** As you know, Mr. Renney finishes in 10 days and then I'll take over. I would tell you that even prior to the announcement of our transition, it has been part of our mandate to make sure that we improve the culture in the game. We want to make sure not only that every Canadian knows that hockey is a safe environment for them, but that it is something they can be proud of.

I'm not sure that we will ever have an end to or a finish line in that effort. It's a constant effort for us, and we're driven to making the change that all Canadians desire. It's a constant effort for us, and it's something that we're driven to making sure we can deliver for you and every Canadian to be proud of.

**Mr. Adam van Koeverden:** I agree. Those types of journeys don't have finish lines. That's a path to development to which we all have to commit.

Does Canadian hockey have a culture of toxic masculinity that needs to be addressed?

**Mr. Scott Smith:** I believe when we sit and discuss the topic that we're talking about today, we certainly have an issue. How widespread that issue is, I'm not sure, but I'm also not sure that is really what you're asking.

If we have issues like this in the game, even if they're limited in scope or limited in number, it's an issue that's important to you, me and every Canadian, and it's something we need to eliminate from the game.

**Mr. Adam van Koeverden:** Thank you.

I'll pass it over to Mr. Housefather.

**The Chair:** Anthony, you have two minutes and 17 seconds.

**Mr. Anthony Housefather:** Thank you so much, Adam.

Gentlemen, you mentioned that you had no new evidence today that would allow you to change what happened in 2018 or 2019, when your investigator came back to you and said they couldn't do anything further. Did you know everything that was in the statement of claim that came from the alleged victim, which you found out on May 3 when you received the claim?

**Mr. Scott Smith:** No, we did not, and I believe I mentioned earlier that there are things in the statement of claim that we can clearly outline as not being accurate.

**Mr. Anthony Housefather:** Okay, but you have new information. For example, did you previously have the birth dates? In the statement of claim, did you have the year that all of the alleged perpetrators were born?

Did you have that information before?

**Mr. Scott Smith:** No, we did not.

**Mr. Anthony Housefather:** You have new information to take back to your third party law firm, Henein Hutchison, don't you? You can say, "We have new information that would perhaps enable us to identify some of the alleged perpetrators."

**Mr. Scott Smith:** That may be something we can take away from this proceeding and discuss with Henein Hutchison. I will tell you that our approach, and the approach and the advice we had up until September 2020—not 2019, but September 2020—was that Henein Hutchison conducted their investigation. We were waiting on the—

**Mr. Anthony Housefather:** I understand. I have very limited time. I know there's new information, and I suggest you go back to Henein Hutchison and try that again.

Did you change the contracts that you entered into with players to join the national team as soon as 2018 happened and you realized that people weren't co-operating with the investigation? Did you change the contracts to require people joining the national team to co-operate with investigations?

**Mr. Scott Smith:** I answered that question earlier. No, we did not.

**Mr. Anthony Housefather:** Will you now do that?

**Mr. Scott Smith:** I answered it earlier. I said we're in discussion with our partners to change the signature of the code of conduct to compel people to participate in investigations.

**Mr. Anthony Housefather:** Thank you very much.

**The Chair:** Thank you, Anthony.

I don't know if it's Ms. Larouche next—

[*Translation*]

**Mr. Sébastien Lemire:** I will be speaking, Madam Chair.

[*English*]

**The Chair:** Thank you, Mr. Lemire. You have two and a half minutes, please.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

Gentlemen, the only code of conduct that should be acceptable is one of zero-tolerance. I really want to give you a chance, but I'd like to know if you've planned to conduct a full audit of current practices in the players' dressing room, in particular, and at evening events held in bars, for example.

Will you take into account the fact that a local or national star may occupy a position of authority over a young woman?

Above all, would you be prepared to commit to reappearing before the committee over the next three years to report on measures you've put in place with respect to your code of conduct and the results you've achieved?

[*English*]

**Mr. Tom Renney:** I'll let Mr. Smith take a breather here.

We certainly have every desire, through our maltreatment initiative and policy, to identify, with our 13 members across the country and 650,000 players in 2,500 minor hockey associations, and commit to what the code of conduct looks like, what it feels like and how it is supposed to be implemented.

There's no question that we have no problem with any kind of audit and reporting as we move forward with respect to this issue.

It's very, very clear that we've all struggled with this very much. Accountability lives there, and I think that's fine. We own that. I also think that by the nature of the constituents across the country and other NSOs, as we have collaborated in the meantime, we'll continue to collaborate as NSOs to make all Canadians of all athletic denominations proud of what we do. That's not to mention the fact that public servants have an opportunity to speak from something they know, not something that's hypothetical.

We would definitely agree with anything that would require us to perform any kind of audit on an annual basis and perform, as we do through Sport Canada, the delivery of that information.

• (1755)

[*Translation*]

**Mr. Sébastien Lemire:** I believe an amount of pride attaches to the notion of responsibility.

How would you react if a player were to demonstrate his responsibility publicly, to apologize and to make his name and the alleged facts public?

[*English*]

**Mr. Tom Renney:** You know, that is a hypothetical situation and a hypothetical question that I don't know is a real good idea to speculate with, quite honestly. I think that's something to discuss with our legal representatives on both sides of this, to understand better what might be in everyone's best interest.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you very much.

You mentioned...

[*English*]

**The Chair:** Thank you, Mr. Lemire.

I will now go to Peter Julian.

Peter, you have two and a half minutes, please.

**Mr. Peter Julian:** Thanks, Madam Chair.

As others have said, representing our country is an honour. It's a privilege. When someone is involved in alleged sexual assaults, they are dishonouring their country as well as creating what we see, which is the victim going through a horrific, horrific experience.

I hear words like “zero tolerance” and “strongly encourage” being thrown around today, but I don't see any specific measures that end what are allegations of horrific sexual assault. The reality is that today there is still no mandatory participation in investigations, criminal investigations. When I see the pattern of most players on that team not co-operating with an investigation, when this should be absolutely fundamental to any participation on a hockey team, and when I see that today you didn't come prepared to speak to two other investigations that apparently are ongoing, I don't see the transparency either.

To do justice to the victim, we need to change practices so that there are no longer any victims. I don't see that yet. I don't see zero tolerance when in a code of conduct you can simply refuse, and the majority of the team can refuse, to participate in an investigation.

**The Chair:** You have 40 seconds, Peter.

**Mr. Peter Julian:** I don't see Hockey Canada coming forward with the transparency that is required, when you're not prepared to talk of other investigations that are ongoing.

What has changed? What has changed at Hockey Canada, when you don't have the answers that Canadians are seeking today?

**Mr. Scott Smith:** I'd like to clarify, and I stand to be corrected on this, but I'm fairly confident that 12 to 13 of the 19 players who were at the gala participated in the investigation. The numbers that Mr. Renney referred to were not necessarily the numbers of those who did participate, but those who did not. I just wanted to clarify that.

With respect to the other incidents, or other issues, that we have, we would be prepared to talk about those, but it's not something that we've prepared for, because it wasn't expected to be part of the mandate today. The mandate today was to discuss the incidents around the 2018 gala.

**Mr. Peter Julian:** But it's a broader mandate. We're talking about—

• (1800)

**Mr. Scott Smith:** No problem. We hold that broader mandate, but I'm talking about our preparation here today before this committee.

**Mr. Peter Julian:** We need transparency.

**The Chair:** Thank you very much, Peter.

**Mr. Scott Smith:** You have it.

**The Chair:** We have finished this round. I want to thank the witnesses for coming and answering our questions, but I am surprised, as Mr. Julian and others have noted, that you did not come prepared to answer other questions that pertain, in general, to this issue of conduct.

As chair, listening to all of this, I am surprised that this happened, that even though the victim was paid a sum of money, and even though we have all agreed we don't want to find out who the perpetrators were, there was no internal investigation that would have identified the perpetrators, or all the people, at that event.

I think there was impunity here, and it's not good enough to say what you're going to do. I wonder why it took you four years to find a person who would deal with this kind of conduct. This is something that should have happened almost immediately. This should have been an internal thing that Hockey Canada wanted to do, again, to be transparent and accountable.

However, I thank you for coming, and for answering the questions.

I would like to suspend this meeting for our next witness.

Thank you very much.

• (1800)

(Pause)

• (1815)

**The Chair:** Colleagues, are we ready to begin?

**An hon. member:** Yes, Madam Chair.

**The Chair:** Thank you.

As you know, this is hour three of our hearings. We have present with us today the Minister of Sport, the Honourable Pascale St-Onge, and her deputy minister, Isabelle Mondou.

Without any further ado, I will welcome the minister.

Welcome, Minister. You have five minutes to present. Then there will be a question and answer period. Thank you very much.

Please begin, Minister.

[*Translation*]

**Hon. Pascale St-Onge (Minister of Sport):** Thank you, Madam Chair.

Good afternoon, members of the committee.

This is the first time I have appeared before your committee in my capacity as minister, although I would have preferred to do so in different circumstances. I would nevertheless like to thank you for the opportunity to give you my perspective on this situation.

I must say at the outset that I was deeply shocked by this affair. I wholly share the indignation Canadians feel as a result of it, and my thoughts are first and foremost with the alleged victim.

What we learned on Thursday, May 26, rightly shook the entire country. Apart from the indignation we feel, we have some serious questions about the significance of that incident.

This is a sadly troubling example of sexual violence based on gender and a culture of silence. That culture shields individuals who face allegations of appalling behaviour from accountability for their actions. In the meantime, the victims bear a heavy burden for the rest of their lives. This culture of silence hasn't emerged on its own; it is fostered by the choices made by officials and individuals in leadership positions in sports organizations.

Madam Chair, after everything we have lived through in recent years, particularly with the #MeToo Movement, this type of culture must no longer be tolerated. Given the facts reported by the media, we may well wonder why this organization chose not to send out a clear message of zero tolerance of sexual misconduct.

• (1820)

[*English*]

There is no question that the right of the victim to privacy in this case is absolutely paramount and must be protected. Too often, those who come forward with their experiences of sexual abuse are revictimized in the very system that is there to protect them. This is a powerful reason why so many remain silent.

It is the responsibility of our leaders in sport and society to condemn this type of behaviour. They must also make every possible effort to prevent sexual violence in the clubs, teams and events that they run and for which they set the code of conduct and rules of engagement. Abusers and those who are complicit must be held accountable for their actions—or lack thereof. Zero tolerance for maltreatment and abuse in sport is the only option.

[*Translation*]

All those in positions of leadership and authority must help put an end to the trivialization of sexual violence. I hope that everyone listening to us today hears that message and that they will join in our collective effort to put an end to this type of violence.

Since 2018, under the contribution agreements with Sport Canada, the sport organizations that we fund have had a responsibility to report assault and maltreatment cases to us. This enables Sport Canada to perform two tasks: first, to ensure that the organization in question has established and enforces policies on maltreatment and, second, to verify that complainants have access to an independent third party to review complaints and conduct investigations or that they are directed to the competent authorities. Under this protocol, Hockey Canada reported the incident to Sport Canada, which ensured that both of those tasks had been completed. You will therefore understand our consternation when, four years later, we learned the actual turn of events.

On May 24 of this year, two days after the article on the incident was published, I received a call from Tom Renney, the president of Hockey Canada, informing me that the media would be reporting a story about sexual assault allegations involving hockey players dating back to 2018. Mr. Renney told me that an out-of-court settlement had been reached and concluded by telling me that he was prevented by a confidentiality agreement from providing me with any further information. I therefore learned the details of this sordid affair at the same time as other Canadians.

I would also like to note that, as Minister of Sport, my connection with sport organizations is mainly financial. I have therefore requested that an audit be conducted to ensure that no public funds were used in this sad affair. I have read Hockey Canada's statement on the matter but nevertheless feel we must work together to get to the bottom of it. I want to assure you of my full and wholehearted cooperation.

It's not unreasonable now to imagine that many of the eight players subject to these gang rape allegations enjoy lucrative professional careers. What message does that send to our young men, daughters, parents and sports fans?

I think the professional sport community has some soul-searching to do. Amateur and professional leagues alike must conduct themselves as responsible corporate citizens. The officials in those leagues, who have an enormous audience and considerable social influence, must send a clear message about responsibility and zero tolerance for sexual violence.

I would also like to add that this sport gradually occupies a larger part of players' lives as they move on to careers in the professional ranks. In my view, the people supporting these young players and the organizations themselves have a responsibility to supervise the

players adequately, particularly with regard to issues of consent and toxic sexual behaviour.

Members of the committee, this is why your work today is so important. This is a key moment for sport, in all respects. Major efforts are now being made to effect a cultural change in which toxic behaviour and assault have no place.

I recently announced measures to increase accountability and promote better governance in the sport organizations that we fund. In our last budget, we allocated \$16 million to establish the Office of the Sport Integrity Commissioner, an independent mechanism that athletes and organizations have called for to handle complaints.

We will continue to work hard to make our sports safe, but those efforts must also be supported by those in leadership positions in all aspects of sport. We can no longer tolerate incidents like the one that shocked us on May 26. It can't happen again.

Thank you.

I'm now ready to answer your questions.

• (1825)

[*English*]

**The Chair:** Thank you very much, Minister.

We're now going to go to the round of questions. The first is a six-minute round.

As you're well aware, Minister, the six minutes include questions and answers.

I'm going to begin with the Conservative Party and Richard Martel.

[*Translation*]

**Mr. Richard Martel:** Thank you, Madam Chair.

Minister, thank you for being with us.

Hockey Canada has said that the Department of Canadian Heritage was aware of the allegations in 2018.

Ms. Mondou, you were around at the time. Were you the deputy minister in 2018?

**Ms. Isabelle Mondou (Deputy Minister, Department of Canadian Heritage):** No, I took up that position in October 2018.

**Mr. Richard Martel:** Minister, when were you made aware of these allegations?

**Hon. Pascale St-Onge:** As I said in my opening statement, I was made aware of the allegations when Tom Renney, the president of Hockey Canada, called me on May 24 last, two days before the article revealing the affair was published.



He called to advise me that a story about sexual misconduct allegations would be coming out in the media in the following days. He thought it would be the next day, but it ultimately took another day. He told me that the allegations dated back to 2018 and involved some hockey players. He also said at the time that an out-of-court settlement had been reached and that he was prevented by a confidentiality agreement from disclosing any further information to me. I therefore learned about the rest of the story in the newspapers at the same time as everyone else.

**Mr. Richard Martel:** Do you think it would be appropriate to have your predecessors, Ms. Duncan and Mr. Guilbeault, come and testify?

**Hon. Pascale St-Onge:** Here's what I know about how this kind of information is handled. In 2018, my predecessor, Ms. Duncan, introduced the Universal Code of Conduct to Prevent and Address Maltreatment in Sport. Since then, organizations that receive federal funding have been required to report all assault cases and complaints in the sport community to Sport Canada.

A few days after the interviews I gave on the affair, I was advised that information had been sent to Sport Canada on June 26, 2018. I could read you the information that was forwarded to me.

**Mr. Richard Martel:** I understand the background you're giving us, but the fact remains that, in 2018, the Minister of Sport at the time declared that organizations were required to report assault and harassment allegations or else they would lose their federal funding.

So I wonder now why you're calling for a mere audit of Hockey Canada. In view of what happened, why isn't Hockey Canada's funding automatically suspended?

**Hon. Pascale St-Onge:** Organizations are required to report cases and to take appropriate measures. According to the information I received at the time, Hockey Canada had contacted the police. We didn't learn that an out-of-court agreement had been reached between the parties until four years later. That's why I requested that a financial audit be conducted to ensure public funding hadn't been used in that affair.

**Mr. Richard Martel:** Minister, do you sincerely think the audit will reveal anything?

• (1830)

[English]

**The Chair:** You have one minute, Mr. Martel.

[Translation]

**Mr. Richard Martel:** Thank you, Madam Chair.

Minister, why didn't you take stronger measures instead by calling, for example, for a more exhaustive investigation to be conducted by a third-party into the facts and actions of the members of Hockey Canada to determine what they did and what they knew? The players in question are still employed by Hockey Canada.

Why don't you take stronger measures than just requesting a financial audit?

**Hon. Pascale St-Onge:** What connects Sport Canada to the sport organizations it funds are, first and foremost, all the contribution

agreements. The only lever available to me to conduct an investigation is to request a financial audit.

**Mr. Richard Martel:** Who in the department was aware of the allegations at the time?

**Hon. Pascale St-Onge:** On June 26, 2018, Hockey Canada made a statement or report to Sport Canada. As I said, I was informed of the affair a few days after the story broke in the media.

**Mr. Richard Martel:** How much time do I have left, Madam Chair?

[English]

**The Chair:** Thank you very much, Mr. Martel. I think your time is up.

I'm going to go now to Tim Louis for the Liberals for six minutes.

**Mr. Tim Louis (Kitchener—Conestoga, Lib.):** Thank you, Madam Chair.

Thank you, Minister St-Onge, for being here and thank you, Madame Mondou, for this very important conversation.

To claim that these serious allegations are disturbing is probably an understatement, from the testimony we've heard. Some may feel that this matter is settled, but that's not the case. There are questions about players' accountability, about systematic abusive behaviour and about what happens moving forward, which is why I appreciate your being here today.

I think we all agree that this abusive behaviour should not be tolerated or accepted. I want to give you, as the Minister of Sport, a chance to expand on what your reaction was when you learned about the Hockey Canada situation.

[Translation]

**Hon. Pascale St-Onge:** I made the safety of athletes in sport a priority when I took up this position, and I've enhanced the accountability and governance of organizations since the start of my mandate. Above all, I use the levers available to me to ensure better oversight of sport organizations, all for the purpose, first and foremost, of protecting athletes more effectively.

When I heard about the affair involving Hockey Canada and read what had been reported in the media, I was absolutely outraged. Like all Canadians, I had some serious questions about the accountability of the players and the reasons why Hockey Canada had entered into an out-of-court settlement. Since it was one of the levers available to me, I requested that a financial audit be conducted. I wanted to ensure that no public funds had been used.

More generally, one of the initiatives I have announced is the creation of the Office of the Sport Integrity Commissioner. The new commissioner will take up her duties today and will have authority to receive complaints from athletes and to handle them independently.

[English]

**Mr. Tim Louis:** Thank you.

Minister, you've mentioned a financial audit for this out-of-court settlement. Can you explain to us the steps that will be needed to respond to this request? What comes next?

[Translation]

**Hon. Pascale St-Onge:** Canadian Heritage, and more specifically Sport Canada, will be auditing funding recipients to ensure that Hockey Canada complied with the terms of its existing contribution agreements with the department for the April 1, 2018 to March 31, 2023 period. It will apply to future commitments as well. Samson, the firm hired to conduct the audit, is currently examining the documentation in order to plan the audit.

Samson will be visiting Hockey Canada, on-site, between June 27 and July 7, 2022, for its auditors to conduct a financial review of expenditures reported to Sport Canada. They will accordingly be able to verify the eligibility of these expenditures, and Hockey Canada's governance structure. They will also check Hockey Canada's internal controls and implementation policies in the administration of the department's funding.

The auditors may also examine current policies and processes for dealing with requirements pertaining to harassment and assault, dispute resolution, anti-doping measures and any other requirements in the policies, as set out in the contribution agreements.

Following the on-site visit, and between now and the end of July 2022, the auditors will wrap up their review and prepare the preliminary findings for validation purposes. A draft of the report is expected by the end of August 2022. This report will be sent to Hockey Canada for validation and to obtain responses to the recommendations made by the firm.

• (1835)

[English]

**Mr. Tim Louis:** Thank you for that quick and decisive response.

Our thoughts here are with the alleged victim. I can't help but say we shouldn't be having conversations about women being abused; we should be having conversations about men not abusing women. If we keep using the same systems, how can we expect different outcomes? What are your expectations of Canada's sports organizations with respect to safe sport?

[Translation]

**Hon. Pascale St-Onge:** Since the start of my mandate, I have had several discussions with the leaders in the Canadian sport system. I asked them to contribute to the efforts being made and to make full use of their leadership to break down the culture of silence in sport and to introduce appropriate measures to prevent assault and abuse. We are going to set up a committee of athletes at Sport Canada so that they can tell us about their concerns, their ideas and their solutions, and also keep us informed about any new measures introduced.

As I mentioned, the government and the sports organizations are bound by the contribution agreements. We will completely review the funding system and the contribution agreements. We are going to introduce new measures in the form of a system of checks and balances, for accountability, and to ensure that checks are carried out and implemented. Their purpose is to prevent assaults and,

when incidents occur, to break the silence so that people to stand up and take action.

[English]

**Mr. Tim Louis:** Thank you. I have only a few seconds, so I just want to say thank you.

**The Chair:** You have 59 seconds, Tim. You have a bit of time.

**Mr. Tim Louis:** Fifty-nine seconds, I can do that.

Maybe you could expand on your mandate letter. It is specifically addressing maltreatment in sport. If you had less than a minute to explain what's in the mandate letter...

[Translation]

**Hon. Pascale St-Onge:** One very important step was the establishment of an independent organization, the Office of the Sport Integrity Commissioner. I'm going to make sure that all sports organizations are required to comply with the new mechanism. By this I mean a safe place where athletes can submit their complaints so that they are dealt with independently and transparently. It will be compulsory for all sports organizations. In the last budget, we provided \$16 million to ensure that the office had the resources required to take rapid action to deal with any issues.

[English]

**Mr. Tim Louis:** Thank you very much.

**The Chair:** Thank you very much, Tim. I think you're out of time.

I'm going to go to Sébastien Lemire for six minutes.

[Translation]

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

Minister, as you know, in April 2021, my Bloc Québécois colleague, Denis Trudel, the member for Longueuil—Saint-Hubert, put forward a motion requesting that the Standing Committee on Canadian Heritage undertake a study pertaining to the establishment of an independent agency to deal with complaints in sports. The motion was adopted unanimously.

In January 2022, my colleague Martin Champoux and I wrote in response to the *Globe and Mail* article to support the establishment of this agency. You created it, and I wanted to congratulate you and thank you for your interest in making sports safer for athletes. In the current incident being dealt with, the athletes are not the victims, but rather the assailants.

I'd like to hear what you think about the testimony we heard a little earlier from Hockey Canada management.

**Hon. Pascale St-Onge:** First and foremost, I would like to point out that allegations of gang rape are among those situations that need to be dealt with by the traditional courts, and always will be. It falls under the Criminal Code.

In situations like these, the Office of the Sport Integrity Commissioner could investigate Hockey Canada's corporate culture, make recommendations, and even suggest sanctions. However, with respect to the allegations themselves, they really have to be dealt with by the traditional courts responsible for doing so.

**Mr. Sébastien Lemire:** Government funding represents only a tiny part of Hockey Canada's budget, because it receives money from all its sponsors and has other television revenues.

What would force Hockey Canada to follow your recommendations?

• (1840)

**Hon. Pascale St-Onge:** Hockey Canada is one of Canada's most powerful sports organizations. It has broad support from the public, and from the registration fees paid on behalf of young players who want to play hockey, and from sponsors.

Like any other socially responsible undertaking, Hockey Canada has to be accountable to the people of Canada. It's true that public funding may not be the largest source of Hockey Canada's revenue, but that doesn't mean its leaders are not accountable for the role they play, their actions, and their decisions.

**Mr. Sébastien Lemire:** Hockey Canada's management mentioned that they had established a code of conduct. I'd like to hear what you think about this code of conduct.

Do you think they are accountable to elected representatives for the outcomes of this code of conduct, particularly in connection with today's appearance?

**Hon. Pascale St-Onge:** I'm very happy about the fact that the committee called upon and questioned Hockey Canada's management to hold them to account for their actions before the committee today.

It's clear that the Hockey Canada code of conduct needs to be improved. The firm conducting the financial audit will be making recommendations, because it will also look into some of the provisions in the funding agreement. These provisions include matters of safety, and the prevention of assault and abuse in the sport.

**Mr. Sébastien Lemire:** My understanding was that, under your authority or the authority of your predecessors, Ms. Mulligan was to report on the information she received on January 26, 2018.

You also said that you had never before been informed of the fact that obscene incidents had occurred at events organized under the aegis of Hockey Canada. Your policy advisor, Mr. Raphael Yacobi-Harris, met Hockey Canada representatives on two occasions, on November 30, 2020 and January 26, 2021.

What was the purpose of the meeting, and did Hockey Canada tell you about the obscene incidents that occurred at the time or at any other time?

Could you also send the committee all communications via email or text message between your office and Hockey Canada since June 8, 2018? That would of course include those from Mr. Yacobi-Harris or any other member of your office.

Could you provide us with all communications from the day you were informed to the present, as well as the briefing notes that your office prepared?

**Hon. Pascale St-Onge:** There are several parts to your question.

For the meetings held in 2020 and 2021, it was the office of my predecessor. I don't have any information about it.

As I said earlier, I was informed by Hockey Canada two days before the article appeared in the media. Otherwise, a mandatory statement was made by Hockey Canada on June 26, 2018. I was informed a few days after the article was published that this statement had been made.

As for the documents, we'll see to collaborating with the committee.

**Mr. Sébastien Lemire:** You mentioned that you had been expecting Hockey Canada to behave like a responsible citizens' organization and that it would introduce a zero-tolerance culture.

In recent years, Russia lost its right to fly its flag at sporting events because of a doping scandal. The Olympic Games launched the idea of sanctioning Russia and Belarus, among others, as a consequence of their actions in the war against Ukraine.

Do you think sanctions like these would be appropriate if parliamentarians deemed the Hockey Canada actions in this matter to have been unacceptable?

**Hon. Pascale St-Onge:** Once again, the government and all the sports organizations are essentially bound by the public funds paid to them in support of all their activities.

Of course, if the committee makes recommendations, we will study them very seriously, but we are also going to take action within our own purview.

**Mr. Sébastien Lemire:** You are no doubt aware of just how important logos are in the world of sports.

Do you think it's still legitimate for Hockey Canada to use the maple leaf logo?

**Hon. Pascale St-Onge:** I believe that the situation brought to our attention is absolutely distressing and horrible and that there have to be consequences.

Hockey Canada also has a women's hockey team. Its range of activities is much broader than the context of this event. We now have to clear things...

• (1845)

[English]

**The Chair:** Thank you, Minister. I'm sorry. We've ended that round.

[Translation]

**Mr. Sébastien Lemire:** Thank you, Minister.

[English]

**The Chair:** I'm going to Peter Julian for six minutes.

[*Translation*]

**Mr. Peter Julian:** Thank you very much, Madam Chair.

Thank you, Minister, for being here today.

You said that you'd received a call from Mr. Renney about this horrible gang rape incident.

In the course of the conversation, did he mention any other complaints that Hockey Canada is now investigating?

**Hon. Pascale St-Onge:** No. Our telephone conversation was very short. I was not informed of other incidents being looked into at Hockey Canada.

**Mr. Peter Julian:** Okay.

I am asking you because Hockey Canada representatives revealed today that there are indeed two other complaints being investigated. Hockey Canada did not want to provide information about these two cases. It may be sexual assault or serious misconduct, but they have not confirmed anything.

Within your department, do you keep up-to-date files on all complaints received by every Sport Canada member sport association? Whenever there is a complaint, does it get to your Sport Canada office?

**Hon. Pascale St-Onge:** Since 2018, sports organizations funded by the Canadian government are required to report complaints they've received and are being dealt with.

I should also remind you that Sport Canada is neither a regulatory nor an investigative body. However, Sport Canada ensures that organizations have an independent system in place to investigate complaints received and to make sure that there are policies in place to prevent assaults and harassment within the various organizations.

**Mr. Peter Julian:** Does this mean there is a sort of national registry for all sports associations?

**Hon. Pascale St-Onge:** Complaints reported to Sport Canada have been compiled since 2018.

**Mr. Peter Julian:** How many complaints have been recorded in this registry since 2018?

**Hon. Pascale St-Onge:** All told, 45 complaints have been brought to the attention of Sport Canada since 2018 for all of Canada's sports organizations.

**Mr. Peter Julian:** What's the nature of these complaints?

Are they as serious as the gang rape allegation?

**Hon. Pascale St-Onge:** I don't have any details about these complaints. They might be cases of psychological harassment, some form of abuse in an organization, or something more like what Hockey Canada reported on June 26, 2018.

**Mr. Peter Julian:** Do you know how many of these 45 cases were criminal in nature?

**Hon. Pascale St-Onge:** No, I don't have that information today. The deputy minister may be able to answer the question.

**Mr. Peter Julian:** All right.

**Ms. Isabelle Mondou:** Mr. Chair, we can provide that information, which is in the database containing our records.

**Mr. Peter Julian:** Thank you very much.

We'd be very grateful, because we need an overview of the situation, which is a matter of concern to Canadians. It's not just this horrible incident, but also the possibility of others. The fact that Hockey Canada was unable to answer or provide information is also worrisome.

For the contribution agreements, are all sports associations funded by the federal government required to adopt a code of conduct?

Should such a code be mandatory?

When there is an investigation, like the one launched in the horrible Hockey Canada incident, do the contribution agreements make the participation of players, trainers and everyone involved compulsory?

**Hon. Pascale St-Onge:** The contribution agreements require that sports organizations adopt a policy on harassment, assault and abuse in their sport, in other words, a sport safety policy. The organizations must also adopt an independent mechanism for receiving and dealing with complaints. For the time being, the contribution agreements are limited to that.

The athletes also told us that when they availed themselves of the independent mechanisms offered by the sports organizations themselves, they had the impression that they were not independent enough. They didn't always trust them.

That's why my predecessors and I established the Office of the Sport Integrity Commissioner, which is independent from the sports organizations and will be able to receive complaints from athletes and deal with them transparently, professionally and independently.

Given that I, as the minister, have only the contributions agreements for dealing with the sports organizations, I am going to make it mandatory over the coming months for them to adhere to this independent mechanism to give athletes a place they can turn to when they encounter problems in their sport.

● (1850)

[*English*]

**The Chair:** Thank you, Peter. You have nine seconds left.

[*Translation*]

**Mr. Peter Julian:** Will federal government funds be withheld from the sports organizations that do not adhere to this mechanism?

**Hon. Pascale St-Onge:** Withholding funding from organizations until they comply with the contribution agreements could be sanctioned.

[*English*]

**The Chair:** Thank you very much, Peter. That's the end of the round.

We're going into the second round. Because of time limits—we have to be out of here at a particular time, a hard stop—I'm going to shift the second round to three minutes for the Conservatives, three minutes for the Liberals, and one and a half and one and a half for the Bloc and the NDP. I'm sorry, but that's it. We're going to get kicked out of here if we don't do this.

Beginning this round is Kevin Waugh for three minutes.

**Mr. Kevin Waugh:** Sorry, I'm going to give it to Mr. Martel.

**The Chair:** All right. Mr. Martel, go ahead.

[*Translation*]

**Mr. Richard Martel:** Thank you, Madam Chair.

Minister, I'd like to get back to what I said earlier.

In 2018, the then minister of sports had mentioned that organizations were required to report allegations of assault or harassment or be subject to having their funding requests denied. Earlier, you told me that Hockey Canada had received its funding because the incident had been reported to the police.

Is that right?

Why should just reporting the case to the police mean that the funding is granted anyway? There are, after all, serious allegations involved.

In 2018, the sports minister mentioned cutting off funding immediately. I think that would be most appropriate.

**Hon. Pascale St-Onge:** The obligation for the sports organizations is to report complaints to Sport Canada and explain what action they have taken.

I'll read you the Hockey Canada statement, in English, which was sent on June 26, 2018.

[*English*]

“On June 19, Hockey Canada held a golf and gala for their national junior men's hockey team. Alleged sexual assault happened after the golf portion of the event. Involves member of the national junior team. Hockey Canada reported the incident to London police. Hockey Canada has contracted outside counsel. Hockey Canada has asked counsel to involve a third-party company. The victim has attended a rape crisis centre. Hockey Canada has offered counselling to the victim.”

[*Translation*]

The Hockey Canada organization therefore complied with the established requirements. It then of course left follow-up action to the police.

**Mr. Richard Martel:** The Hockey Canada representatives mentioned earlier that there were two other cases. I'd like to know whether you are aware of these.

**Hon. Pascale St-Onge:** I am not aware of these two cases.

**Mr. Richard Martel:** Do you believe that Hockey Canada is treated in the same way as other amateur sports organizations?

Is the funding granted equitable in comparison to the funds received by other amateur sports organizations, where athletes start

their training at the age of 12 or 13 and work as hard as, if not harder than, hockey players?

• (1855)

**Hon. Pascale St-Onge:** Canadian sports organizations are required to sign contribution agreements that are more or less the same. Hockey, it must be admitted, is a very popular sport in Canada. A portion of the funding is based on the number of participants in the sport. The system is based on standards to which all sports organizations are subject. The requirements are the same for all sports organizations.

**Mr. Richard Martel:** I've often heard it said that the other sports are not promoted as much as hockey, and that hockey is always in the forefront. This penalizes athletes in other sports, who need as much recognition as hockey players. These athletes, after all, put in the same effort, and sometimes even more effort, than hockey players, and are subject to extremely strict discipline.

Are you envisaging any changes in this area in future?

[*English*]

**The Chair:** Thank you. Can we wrap that up right now, please?

I'm going to go to Adam van Koeverden for three minutes, please.

[*Translation*]

**Mr. Adam van Koeverden:** Thank you, Madam Chair.

Thank you, Minister, for being here with us today to discuss this very difficult but very important matter.

[*English*]

As the previous minister Kirsty Duncan's work has been mentioned a couple of times, I would like to at least make the committee aware of the fact that she convened a working group to combat gender-based violence in Canada a full year prior to this incident. Minister Duncan was and continues to be a strong advocate for this. As a former gymnast, she has lots of lived experience, and she continues to be a wonderful advocate. I say that because I was a member of that working group prior to my time in politics.

We came to Ottawa a number of times. At that time, we established four things. We said there needed to be a universal code of conduct. There needs to be an independent organization to investigate, adjudicate and deal with all of the issues in safe sport. That needs to be mandatory for all national sport organizations, and that system needs to be fully vetted by the federal government.

As a result of the \$16 million that you made sure was in this last budget, all four of those things are true.

I wrote my first letter to Sport Canada in 1999. I've urged action from and worked at arm's length with sports ministers in Canada for over 20 years, and I've been parliamentary secretary for sport for almost three.

It's my objective opinion that no previous minister of sport has ever worked harder or responded so swiftly or with more concrete action than you have, Minister. I want to acknowledge that. Obviously, this is my objective opinion as your parliamentary secretary, but I'm so tremendously proud of the work you have done and the work that your team has done. I want to thank you on behalf of the Canadian sports system. This is something that has been asked of this government, and previous governments too, for a really long time.

We are doing a good job, and I would love to provide you with an opportunity to talk about some of the work we've done so recently that it might not even be in the news. It was even just last weekend.

Please, the floor is yours.

**The Chair:** You have 51 seconds, Minister.

[*Translation*]

**Hon. Pascale St-Onge:** Thank you very much, Madam Chair.

Thank you, Mr. van Koeverden.

As a former athlete who had some wonderful experiences in sports, whether in swimming or volleyball, I know just how important sport is in people's lives, particularly for young people. I know how formative it is, and just how it shapes human beings and makes us the adults we are today. That's why sexual assaults in sport horrify me so much, and that's what motivates me to make changes. I want to work with key players in the Canadian sports system to break down the culture of silence and ensure that situations like these will no longer occur.

We established a committee of athletes to make sure that theirs is the predominant voice. We announced that as of today, the Office of the Sport Integrity Commissioner will be able to receive complaints, in keeping with the four objectives you mentioned. We also said that we would...

[*English*]

**The Chair:** Thank you, Minister. I think your time has ended.

[*Translation*]

**Mr. Adam van Koeverden:** Thank you, Minister.

[*English*]

**The Chair:** Thank you.

I'll now go to Sébastien Lemire for a minute and a half, then to Peter Julian.

Peter, you are winding up this meeting.

[*Translation*]

**Ms. Andréanne Larouche:** I'll be speaking, Madam Chair, rather than Mr. Lemire.

As the status of women spokesperson, I am pleased that you spoke about the culture of silence, because it is clearly related to this incident.

In the incident involving Hockey Canada, it was reported that the victim did not make a complaint. This toxic male culture also exists

in many other public spheres. Indeed, cases have come up in the Royal Canadian Mounted Police and the Canadian Armed Forces. Generally, victims have trouble making a complaint. You've been talking at length about the Office of the Sport Integrity Commissioner, whose mandate is to help victims make a complaint against their assailants in the world of sports.

However, given that there will likely be an increase in the number of cases reported in future, will you be making sure that this office has all the resources needed to deal with the growing number of complaints?

I am the mother of a four-month-old daughter named Naomie. I would really like this little girl to be able to engage in whatever sports she chooses in total safety and to associate with people involved in sports without fear.

• (1900)

**Hon. Pascale St-Onge:** I fully share your concerns. For children practising a sport today, I'm going to make sure that I can work with the commissioner's office to ensure that it has all the resources required to deal with the complaints. We are expecting a lot of them. In the United States, where a similar case occurred, it took three years to deal with the complaints.

The \$16 million in funding from the federal government is specifically intended to ensure that the office has the resources needed to deal with these complaints and break down the culture of silence. It will be a place that not only victims can rely on, but witnesses as well, to report cases of sexual assault or abuse in sport.

It was essential to establish the office because it will help to break the culture of silence and make Canada's sports system healthier

[*English*]

**The Chair:** You have 13 seconds, Minister. Thank you very much.

I'll go to Peter Julian now, for one and a half minutes.

**Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP):** Thank you, Madam Chair. I am filling in for Peter Julian. Is it okay if I continue with the questions?

**The Chair:** Yes, it's fine.

**Ms. Lisa Marie Barron:** That's great. Thank you.

I'm happy to be here today. I'm very saddened to hear the stories of those who've been victims of sexual assault in sports, and of their families, of course. It's awful to hear this. It's important for me to be part of this conversation. I'm happy to be here to do so.

I want to ask the minister, in my very short time, about mechanisms in place that allow victims of sexual assault to share their experience and get the help they need in a way that is safe and takes into account their best interests, such as a victim line or any other mechanism that may be in place.

[*Translation*]

**Hon. Pascale St-Onge:** My predecessor had introduced a telephone helpline that athletes could call for assistance in finding the right organizations and appropriate services.

The Office of the Sport Integrity Commissioner will be able to provide services to athletes, steer them the right resources so they can receive assistance and advice, and also see to it that their psychological state is taken into consideration in situations like these.

[*English*]

**Ms. Lisa Marie Barron:** Thank you. Are there any other mechanisms you can share along these lines, so we can encourage athletes to understand what their rights are and ensure they will not be negatively impacted by coming forward with this information? Is there information they can access about where to go externally so as not to be impacted by a lot of the power dynamics we see in sports?

[*Translation*]

**Hon. Pascale St-Onge:** Through the Office of the Sport Integrity Commissioner, we will be able to ensure that appropriate training is given to Canadian athletes about the difference between what is considered sexual assault and what is considered normal in sport.

We will also ensure that there are sessions on prevention and awareness for coaches and managers, and that these resources be well known and properly used by athletes, whether involving the Office itself or any other resource that can coach them through any situations they are experiencing.

Needless to say, more awareness is required about such matters throughout the Canadian sports system. All stakeholders need to shoulder their responsibilities in this regard. We will be making sure that athletes can speak out so that their needs are fully taken into consideration.

[*English*]

**Ms. Lisa Marie Barron:** Thank you.

**The Chair:** Thank you very much, Minister. The time is up.

I want to thank the minister for coming in and for expanding on what the department intends to do and the government intends to do to deal with this problem in the future and to deal with people who have contribution agreements.

I want to thank everybody for being here.

Is the committee in agreement to adjourn the meeting?

**An hon. member:** Yes.

**The Chair:** Thank you.

Goodbye, everyone.

Thanks again, Minister, for taking the time to come.

The meeting is adjourned.

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