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Chair: The Honourable Hedy Fry



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• (1610)

[*Translation*]

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

Good morning, everyone. Welcome to meeting number 71 of the Standing Committee on Canadian Heritage.

I want to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

Today's meeting is taking place in a hybrid format, pursuant to the House order of Thursday, June 23, 2022.

[*English*]

I'm going to suggest a couple of housekeeping things to you.

While masks are not mandated any longer, it is recommended that you wear one to protect yourselves from respiratory illnesses.

I want to remind everyone that you are not allowed to take screenshots—

[*Translation*]

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Madam Chair, I apologize for interrupting you. We're not receiving the interpretation.

[*English*]

The Chair: Are we not getting translation?

When I checked in everything seemed to be fine with the translators. I don't know what's happened since.

The Clerk of the Committee (Mr. Michael MacPherson): You should be good to go.

The Chair: I shall continue and suggest to everyone that you are not allowed to take photographs or screenshots. Everything will be out on the public website so that you can see yourself and whatever was said.

Everything you say should go through the chair, so please remember to go through the chair when you're speaking. Don't speak unless I indicate that you are given the opportunity to speak.

At the bottom of your screen is a little globe icon. You can click it. For those of you in the room, I think you know what to do; you've been doing this for long enough. You can get the floor, French or English. For those here virtually, again, if you click on that you can get English or French translation.

Pursuant to Standing Order 108(2) and the motion adopted by this committee on Tuesday, September 20, 2022, the committee is meeting to continue its study on safe sport in Canada.

We have a lineup of witnesses. For the witnesses, each of you has five minutes if you're here as an individual. If you're with a group, the group has only five minutes to present. I will give you a literal shout-out when you have 30 seconds left.

I shall begin with—

• (1615)

The Clerk: Dr. Fry, you can't see, but MP Martin Shields has his hand up.

He's requesting the floor.

The Chair: I can't see him actually, no.

Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Thank you.

I would request five minutes for committee business at the end of the meeting.

The Chair: We're already starting this meeting very late, so it's going to be a truncated meeting. If no one is in disagreement with that, we could certainly try to give you that five minutes, Martin.

Mr. Martin Shields: Thank you, Madam Chair.

The Chair: For the witnesses, I will just list them and then I will call their name when it's time for them to go.

We have, by video conference, Dr. Teresa Fowler, assistant professor, Concordia University of Edmonton; Dr. Gretchen Kerr, professor, the faculty of kinesiology and physical education, University of Toronto; and Bruce Kidd, professor emeritus, faculty of kinesiology and physical education, University of Toronto.

Then we have ALIAS Solution Inc. Representing them, we have Vicky Poirier, president and chief executive officer, and Danny Weill, executive vice-president.

For ITP Sport and Recreation Inc., we have Allison Forsyth, chief operating officer, and Ilan Yampolsky, chief executive officer.

Then we have the World Association of Icehockey Players Unions represented by Randall Gumbley, who is a consultant.

I begin with Ms. Fowler, please, for five minutes.

You can begin now.

Dr. Teresa Fowler (Assistant Professor, Concordia University of Edmonton, As an Individual): Thank you. My name is Dr. Teresa Fowler. My pronouns are she and her. I'm coming to you from Concordia University of Edmonton, which is in Treaty No. 6 territory, a Métis nation of region 4.

Thank you to the committee for the time to present today and for allying parliamentarians who are working to move sport in Canada to be safe, inclusive and a site for children and youth to flourish in good health. During my five minutes I will speak about cultural reproduction through my lens as a researcher in masculinities, specifically in hockey culture, and the current brand of culture that needs to be shifted.

Cultural reproduction is a process by which cultural values and practices are passed down from generation to generation, and occurs through various mechanisms, including socialization and the media. Socialization is how individuals learn and internalize cultural norms and values through interactions with families, with peers and within social institutions such as sport. The media also shape individuals' perceptions of the world and reinforce certain cultural values and beliefs, such as broadcasting more professional men's sporting events over women's.

Cultural reproduction perpetuates existing inequalities and power structures, such as the culture of silence in sport. The culture of silence occurs when individuals or groups refrain from speaking about important issues or concerns due to fear, shame or a belief that their voice will not be heard or valued. Various factors, including power imbalance, social norms and the fear of retribution or backlash, can perpetuate the culture of silence in sport. For example, in our research with professional men's ice hockey players, many spoke about the precarity of their positions on their team. For some, there was a constant reminder of this as they had to walk past a shopping cart by the doorway—if a player did not meet the coach's expectation, they would find their equipment in a garbage bag in the shopping cart. Another player was told to not ask questions when they moved up to a different league.

In 2017, former NHL player, Corey Hirsch, wrote a poignant essay in the Players' Tribune about the impact of the culture of silence on the inability to talk about mental health issues openly. These are his words. He said:

After the morning skate, I grabbed an extra stick blade from the bin and stuffed it in my bag. When I got back to my hotel, I sat on the edge of the bed in silence and took out the blade.

My plan was to break my hand and hide the injury until the next day at practice. That way, I could go down after taking a shot, and the team would send me home to recover without knowing what was really going on.

The culture of silence can have negative impacts on both individuals and society as a whole. It can prevent important issues from being addressed and perpetuate social inequalities and injustices. The culture of silence reproduces in sport due to the precarity of athletes' positions. Parents fear that their children will be benched; and children fear not meeting someone's expectations, so they remain silent even when abused. However, the culture of silence also silences. If the culture of silence continues to reproduce in sport in Canada, we will continue to have abusive players become coaches, and those coaches moved around due to their perceived fame.

Last summer we witnessed the strength of the reproduction of this culture of power through this committee, as Scott Smith refused to acknowledge his role in perpetuating a dangerous culture, and when Andrea Skinner stated to this committee that leadership changes were unnecessary. However, we have also seen positive outcomes from this committee, such as the changes happening within sport, some level of accountability, as well as people are now talking about sport in a critical way around their kitchen tables.

What we also need is action. To move sport to a place where it is safe, we must first know what we mean by "safe", and for whom. Certainly sport is not safe unless you fit the norm and you're silent, which is how this culture reproduces. For example, professional men's ice hockey remains homophobic, as highlighted by James Reimer of the San Jose Sharks this weekend refusing to wear a Pride jersey and then othering Nazem Kadri, the first Muslim to win the Stanley Cup. There are currently no outed gay men playing in the National Hockey League, and we only say "out" because it is normal to be in a heterosexual relationship.

If "safe" means that children and youth can participate in a sport free from maltreatment, then sport must disrupt how it reproduces an unhealthy culture. For that disruption, I suggest the following.

• (1620)

I support a call for a judicial inquiry into sport in Canada. A judicial inquiry is a powerful mechanism to reveal truths to engage accountability and transparency in government and other public institutions that receive funding from the federal government.

I call on the Government of Canada to move sport into the portfolio of health. By shifting sport into health, the lens changes. The focus changes. Instead of chasing medals and continuing an unhealthy culture, sport can be centred on health, reducing obesity, increasing well-being and providing children and families with the means to live active and healthy lives.

Thank you.

The Chair: Thank you, Dr. Fowler.

I want to ask a quick question. I have two people from the faculty of kinesiology and physical education at the University of Toronto. Are you coming as a group, or are you coming as individuals? You are written down here as individuals.

You're individuals. Okay.

Ms. Kerr, you have five minutes, please.

Dr. Gretchen Kerr (Professor, Faculty of Kinesiology and Physical Education, University of Toronto, As an Individual): Thank you very much.

I'm grateful for the opportunity to appear before you today. It's wonderful that the Canadian heritage parliamentary committee has taken such interest in the state of Canadian sport. Sport is clearly in the public interest, but only rarely do Parliament and its committees take such an active interest.

This presentation and that of my colleague later today will build upon the points we made in the brief submitted to this committee last December with our colleague Peter Donnelly. Specifically, I will emphasize three points: one, that attention must be paid to all forms of threats to athlete welfare; two, that significant progress has been made with the UCCMS and OSIC, but this must be extended across the sport sector; and, three, that further advancements must be athlete-supported and research-driven.

First, it's important to clarify what we're talking about with the term "safe sport". As stated in the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, the term "maltreatment" is used intentionally. This term is an umbrella term, also used by the World Health Organization, that encompasses forms of abuse, including sexual, physical and psychological abuse, as well as neglect, bullying, harassment and discrimination. This breadth is important, as all forms of maltreatment are violations of human rights. At their foundation, they represent a misuse of power, and all can be associated with short- and long-term negative health outcomes.

While the negative effects of sexual abuse seem intuitive to us, research evidence indicates that repeated experiences of psychological abuse, neglect and discrimination can be equally harmful to health and well-being. Further, all of the prevalence studies conducted in Canada and internationally show a consistent pattern, namely that psychological abuse and neglect are the forms of harm most commonly reported by athletes regardless of sport, level of participation or gender. It's these forms of maltreatment that account for athletes' descriptions of their sport contexts as toxic, and they must be addressed in future safe-sport-related policies and education.

One of the strengths of the UCCMS is that it reflects this breadth of harms. Compared to the case in other countries, the UCCMS provides the most comprehensive and realistic standard of what harms can be in sport. Another strength of the UCCMS is that it was initiated by athletes through their call for a harmonized code of conduct across sport, so every athlete, regardless of level, sport or geographical region of the country, can expect adherence to the same code. The UCCMS was developed through broad consultations across the country in every province and territory. These consultations revealed a challenge facing the sport community—namely, the need to dismantle the assumptions that psychological harm is "just sport" and thus is widely accepted as a normal and even necessary tool for realizing athletic talent and winning. This finding also runs contrary to expected conduct in other domains in which young people engage.

The UCCMS represents an important accomplishment and important first step in changing the culture. It articulates prohibited conduct and becomes the standard for expectations by participants and sport leaders alike, but our work is not done. Now it needs to be rolled out across the entire sport sector as a requirement, and all sport organizations, from community level to provincial and national levels, must be aligned in its adoption.

The second sign of progress is the establishment of the Office of the Sport Integrity Commissioner, which, again, arose in response to athletes' calls for an independent reporting and complaint mechanism. It was also informed by research indicating that fewer than 15% of athletes who have experienced maltreatment have ever submitted a formal report or complaint. While the implementation is slower than we'd like, it's an important first and positive step in the right direction.

• (1625)

We must keep the foot on the accelerator to continue this important work and avoid what we've seen in the past—cycles of attempted reform in Canadian sport following high-profile cases, public scrutiny and proposed reform, only to have those reforms diminished.

The Chair: Ms. Kerr, I would ask you to wrap up. You are very much over time.

Dr. Gretchen Kerr: Thank you.

The Chair: Thank you very much. You can probably elaborate in your answers later on.

I will now go to Professor Kidd.

You have five minutes, please, Professor Kidd.

Professor Bruce Kidd (Professor Emeritus, Faculty of Kinesiology and Physical Education, University of Toronto, As an Individual): Thank you very much for this opportunity.

My purpose today is to urge you to affirm the important reforms that have recently been introduced, the Universal Code of Conduct to Address and Prevent Maltreatment in Sport and the Office of the Sport Integrity Commissioner, and see that they are effectively implemented and sustained.

I speak as someone who has been directly involved in the policy debates in Canadian sport for more than 60 years as an athlete, researcher, athletic director and chair of federal, Ontario and Commonwealth policy advisory bodies. From that perspective, I've seen more progress towards safe sport in the last four years than at any other time. I fear that unless the UCCMS and OSIC are systematically and resolutely implemented, they will lose support and be quickly forgotten, as earlier reform proposals were forgotten.

I remind you that as an outgrowth of the progressive ideas set in motion by protests, headlines and hearings associated with the Dublin commission more than 30 years ago, Sport Canada enacted a strong policy to address sexual harassment, only to let it slide into oblivion. At the same time, Canada took a much more inclusive, athlete-centred approach to governance through the Canadian sport council, only to let it fade and die in the cutbacks of the 1990s. Progress can be reversed.

As Gretchen said, the UCCMS was initiated by athletes. It is evidence-based and has the support of a broad coalition of national sports leaders. It is one of the most comprehensive of such codes in the world, and a huge Canadian achievement, but it's barely known. To realize broad cultural change, the UCCMS must be effectively rolled out and communicated so that the prohibitions and empowering values it asserts are understood and embraced at every level, from the professional leagues and the Olympic sector to university, college and school sport to the sandlot. We need a massive pan-Canadian campaign in English, French and indigenous languages, with active workshops, athlete leaders, public service announcements, media discussion and full FPT endorsement. It must become as well known a characteristic of the Canadian sports system as anti-doping, fair play and the pursuit of excellence. It should be a basis for hiring, evaluation and promotion.

In terms of OSIC, the federal government must ensure that all sports bodies sign on. As I understand it, the PT sports ministers have agreed to sign on, as Nova Scotia has now done, or create their own aligned structures, as in Quebec. We must hold all 13 PT governments to such commitments.

Making an effective new organization with care and attention to both trauma-informed procedures and natural justice will take time. I should point out that getting the Sport Dispute Resolution Centre of Canada up and running 20-odd years ago took four years of careful work. It has also taken time to establish sexual harassment policies and procedures in such public institutions as universities. Let's give OSIC our understanding while asking it to communicate widely, involve athletes in its decisions and test its various procedures before a full release to ensure confidence and credibility.

In addition, athlete representatives must be embedded in all decision-making bodies with parity, voice and vote. The Red Deer declaration, developed from recommendations of a broadly representative group with wide consultation, must be fully implemented. Canada must create and enforce a code of conduct for governance the way Australia, the European Union and the U.K. did a decade ago.

The Chair: You have 30 seconds.

Prof. Bruce Kidd: There must be significant investment in capacity-building. Canadian sport is already woefully underfunded. We cannot achieve safe sport without additional staff, extensive training and other resources.

● (1630)

Out of crisis comes change. While this is an exceedingly difficult time for Canadian sport, public attention and extensive discussion have generated promising solutions. Yet, unless a concerted effort is made to implement the reforms on a comprehensive and sustained basis, their potential will only evaporate in the same way as early reforms.

The Chair: Thank you, Professor Kidd. You can expand when question period occurs.

I'm now going to go to ALIAS Solution Inc., with Ms. Poirier and Mr. Weill.

I don't know which one of you will speak, but you have five minutes for the group.

[*Translation*]

Mrs. Vicky Poirier (President and Chief Executive Officer, ALIAS Solution Inc.): Honourable members of the Standing Committee on Canadian Heritage and members of the Canadian safe sport community, we thank you for inviting us here today.

We are the heads of a company that specializes in receiving and handling complaints, a company that contributes greatly to safety in sport.

Indeed, the entire Quebec sport and recreation community benefits from our reporting mechanism and our services as the Office of the Complaints Officer. For two years now, we have been serving 90 sports and leisure federations, in accordance with the mandate we received from the Regroupement Loisir et Sport du Québec. We are also appearing before you today as parents of competitive athletes, for example, in soccer, rugby, baseball and hockey.

My name is Vicky Poirier. I am a chartered professional accountant, a forensic accountant, and the founder and president of ALIAS. I am accompanied by my colleague Danny Weill, the executive vice-president of ALIAS.

When a person finds the courage to blow the whistle, it is essential that he or she be treated with kindness and professionalism and that the case be handled efficiently.

I became involved with ALIAS because of my forensic accounting background while investigating devastating financial fraud. I felt that the frauds could have been prevented if someone had dared to speak out. But witnesses didn't speak up because they were afraid of retaliation and of not being believed. So I created ALIAS, an anonymous and confidential reporting mechanism designed to handle a complaint from receipt to resolution.

Afterwards, I quickly realized that the majority of the situations denounced were not financial in nature, but rather related to human interactions. The passion that lay dormant in me was ignited. Since that day, we have been receiving and processing all kinds of complaints.

At ALIAS, we are guided by three main principles: ethics, efficiency and objectivity.

This path led us to the world of sports, where we act as the Office of the Complaints Officer for the province of Quebec, as mentioned above.

• (1635)

[English]

Mr. Danny Weill (Executive Vice President, ALIAS Solution Inc.): Recently, the federal sports minister called on all provinces and territories to have a centralized sport policy, as is the standard set in Quebec. We are proud to be setting the pace for Canada, and through our lived experience, we hope to help other provinces do the same.

Over the last two years, in Quebec sport and leisure, ALIAS has received and managed over 500 complaints. We have established a standard of initial contact within 48 hours of a claim's being received, and within 10 days of receipt, we analyze and confirm a claim's eligibility. For the complainants, this gives them comfort that their matter is being addressed and taken seriously. For the organizations involved, this ensures that they are on top of the issues happening amongst their stakeholders, with best practices to resolve these.

In the brief on safe sports submitted by ALIAS to the Canadian heritage standing committee on March 22, 2023, we put forward recommendations that summarize the three following principles.

One is the standardization of process. As is done in Quebec, each province can and should have a centralized policy and process for complaints, case management and case follow-through. The execution must be done by a qualified multidisciplinary team.

Two, programs must be built for scale without compromising quality or confidentiality. Given the importance of each individual report, the program must be built to ensure that each intake is treated expeditiously with care and confidentiality. There must be no degradation of quality based on scope and scale.

Finally, communication is key. This means communication of the mechanism itself, so that sport stakeholders know how and where they can make a report; ongoing communication with the person

who has filed the report; and ensuring that all stakeholders involved throughout the reporting process remain informed.

In closing, as leaders in safe sport in Canada, it is our responsibility to contribute to the efforts to put an end to the toxic culture of silence. By offering a voice for victims and stakeholders in sport, we are sending a powerful message that any form of unacceptable behaviour will not be tolerated. With sport being such a central fabric to society, the government's interest to promote best practices in reporting acts of wrongdoing will have a major impact on the lives of Canadian citizens.

We thank you for your time and attention.

The Chair: Thank you very much.

I now go to the next witness, which will be ITP Sport & Recreation Inc.

We have Ms. Forsyth and Mr. Yampolsky. You have five minutes for either one of you who wishes to speak. That's not for each, but for the group.

Ms. Allison Forsyth (Chief Operating Officer, ITP Sport and Recreation Inc.): Thank you.

Good afternoon, Madam Chair and honourable members of this committee. Thank you for inviting us here today to share our knowledge of safe sport and the current landscape in our country.

My name is Allison Forsyth, and I co-founded Canada's only full service safe sport consulting agency, ITP Sport & Recreation.

I am joined today in the room by my business partner Ilan Yampolsky. Ilan has worked in safeguarding children and safe sport for over 10 years, holding critical positions at Skate Canada and Tennis Canada and, prior to that, Scouts Canada.

I am a two-time Olympian, I am the mother of three young hockey players and I am a survivor of egregious sexual abuse within our Canadian sport system. If this horrific experience at the hands of a sexual predator weren't enough, it was paralleled only by my experience as a whistle-blower, which left me completely and utterly gutted and unsupported in my trauma, in my seeking of justice and in getting the acknowledgement that the abuse even took place for an incredibly long time. Despite my best efforts, this man continued to be a part-time coach of children for an additional 17 years before a courageous fellow survivor came forward. This time, finally, he went to trial and was sentenced to 12 years in prison.

After our trial, a group of survivors, including me, came out of anonymity to dedicate ourselves to the end of maltreatment in sports, planting the seeds that led to this movement. Since then, I have worked with many government agencies at the federal level as an athlete survivor to begin effecting change.

ITP was formed in this process, as we recognized the many gaps in government mandates. We provide support and expertise to many organizations interested in taking the theoretical tenets and principles of safe sport and turning them into reality within their organizations.

Our aim here today is to share our expertise on the complex nature of safe sport, because it is complex. As a survivor, I had my own impression of what safe sport was, and this is what I know now: Safe sport is age-, gender- and participant-level-agnostic. It encompasses not one or two, but eight forms of maltreatment, as defined in the Universal Code of Conduct to Prevent and Address Maltreatment in Sport.

However, over the past four years, I have learned—as we have—that this challenge is far deeper and far more difficult than we could have imagined. The reality is that our sports system has for decades been accepting of and conducive to maltreatment and abuse. Safe sport is not a problem to solve and it is not something to be fixed. Safe sport moving forward must be a critical component of every organization at every level of sport in our country.

For some of you, I appreciate that this movement may be new, but we've been at this in some capacity over the last five years. Over the course of this time, we have seen progress, yet this progress has been far too slow. We have seen a few organizations step up and embrace safe sport, but unfortunately, we have also seen way too many others put in place safe sport programming only because they had to do as a condition to receive funding. We've also seen organizations putting in only the minimum standards to tick the box and then move on.

The reality of safe sport is that there is no “got it done” when it comes to safeguarding our athletes. Abuse will never be prevented if we only focus on simply what to do once something horrific has already happened. There must be continuous education, enrolment and improvements.

From the yelling and berating of children, the extreme hazing most recently coming out of the QCHL and, of course, the egregious sexual assault of minors...all of this will continue unless we do something big.

How should we live safe sport? As part of our work, our company gets to the front lines. My role is to head up prevention. I go directly into their environments. I evaluate risks, such as governance, environmental risks, communication risks and accepted cultural norms. I also provide all stakeholders with participant-appropriate-level education and, as necessary, support shifts of behaviour.

We need to eliminate the conditions through which abuse could occur. We develop new systems, evaluate risk factors and provide education.

It is shocking to us how few organizations and participants understand the stages of grooming. Understanding the four steps of

favouritism, personal bond, isolation and complicity are steps of grooming that every parent, coach, administrator and child athlete should know and understand.

We also provide independent case management to many organizations across the country. I am not privy to any complaint, as this division is separated from prevention. In this work, we use a third party whistle-blower intake company, as well as a third party investigation firm. It is essential that organizations do not manage their own complaints.

We need to push down the gas pedal and we need to do it quickly. Cases are coming in, and courageous survivors are coming forward more quickly than we can educate and put safeguarding and hiring measures in place. Coaches are becoming fearful of coaching, and we are losing officials on a daily basis.

• (1640)

Safe sport must have transparent, open communication to encourage everyone to come forward. We look forward to the day where “safe sport” is a positive term.

You're welcome.

The Chair: Thank you.

You can elaborate later on when you're asked a question. Thank you.

Now, I go to World Association of Icehockey Players Unions and Randall Gumbley.

You have five minutes, please, Mr. Gumbley.

• (1645)

Mr. Randall Gumbley (Consultant, World Association of Icehockey Players Unions): Madam Chair, I am Randy Gumbley a consultant with the World Association of Icehockey Players Unions.

Before I address this committee on the decades of various forms of abuse suffered by CHL players under the leadership of the pro hockey league, the Canadian Hockey League and its partner NSO, Hockey Canada, I'll say that I do so with the intention of creating awareness in order to create much needed change in the culture of hockey and sport in general, while protecting athletes' rights. I hope that this committee will be able to foster new-found trust for parents, athletes and sponsors within the amateur sporting system in Canada.

In 1968, Prime Minister Pierre Trudeau appointed a task force to investigate amateur sport in Canada. The task force found that amateur sport should have no affiliation with pro sport. It demanded that immediate and drastic action be taken in the following areas: the binding of minors into contracts; contracts that deny players rights and indenture players into a form of slavery; and how major junior hockey was operating under the guise of the amateur system.

The Downey report recommended the following changes: prohibiting teams from entering into contracts with minors; restricting contracts that prohibit the players from having the freedom to associate both in inter league and intra league; and separating pro sport from the NSOs. These recommendations helped form what we know today as section 48 of the Competition Act.

Sadly, over a half century later, these very same issues are alive and well. These athletes are still at the mercy of the cartel hockey group.

In 1976, players playing in the CHL had entered into contracts that require them to pay 20% of their future earnings back to CHL clubs if they made the NHL.

In 2001, the Canada Revenue Agency tax court ruled that players in the CHL were employees and debunked the student amateur athlete classification from the CHL.

In 2013, the CHL was notified of wage and hour violations. The next step that the CHL took was extraordinary in nature. The CHL conspired with the NSO Hockey Canada to change the classification of players from professional to the highest level of non-professional. Then the league issued a memo to its clubs to no longer comply with the Canada Revenue Agency regulations. The QMJHL voided all player contracts that used to classify players as employees.

In 2014, finally, the CHL was sued for \$180 million for wage and hour theft.

In 2018, at a Portland senate hearing, the CHL was informed by players of various forms of abuses in the league. The Portland government denied the WHL requests for employment standards changes. Weeks later, the CHL tried to intimidate spokespersons just days before a Quebec National Assembly hearing on employment laws by threatening the players with a libel suit if they spoke out against the abuses in sport.

In 2018, a criminal complaint was filed with the Competition Bureau of Canada, stemming from a clause in a player contract that demanded that the player pay a \$500,000 release fee if he left the league.

From 2014 to 2020, the CHL, while using Hockey Canada's amateur insurance policies, defended their class action to the tune of about \$20 million in legal plus another \$15 million in settlement money, which came out of the amateur system.

The CHL managed to circumvent hour and wage laws in various provinces across Canada. No one questioned why, if the laws had to be changed, the existing laws weren't enforced.

Hockey Canada and the CHL have managed to create a system where the CHL attempts to claim amateur status for financial gain,

but maintains a pro system to systemically contaminate players from scholarship eligibility in the NCAA.

In 2018, 2019 and 2020, Hockey Canada, the IIHF and office of the minister of sport were informed of the various forms of abuses. This fell upon deaf ears.

In September of 2020, the players sued the NHL, Hockey Canada and CHL for anti-competitive acts.

In 2020, players also sued in a very high-profile case, which we know today was Daniel Carcillo and Garrett Taylor.

I ask you, where is the justice when athletes go to court, but the cartel is able to lobby officials to change laws during the middle of a trial?

- (1650)

Where is the justice when the Competition Bureau takes four years to act on a complaint, or when the NSO conspires with a pro sport league to deprive athletes of not only a wage but also of access to educational scholarships? Where is the justice when Hockey Canada assumes \$125 million in a slush fund that is meant to be used for uninsurable events, but, when a referee suffers a severe, life-threatening, crippling spinal injury, Hockey Canada offers him \$345 for a payment and said the insurance wouldn't cover him? That referee, Derrick Henderson, spent the next 10 years in courts trying to be paid.

The Chair: Thank you, Mr. Gumbley. I'm so sorry to cut you off, but you have gone over time. Maybe you can elaborate on some of your points when you have the question-and-answer period.

Committee, we'll be able to have only two rounds, if we can go 15 minutes over time. We don't have the full two hours for this meeting, given the upcoming votes. We will start the questions and answers. The first round is six minutes each—and that is six minutes for the question and the answer.

We want to get this thing done, so I hope that everyone will be as concise as they can be in their questions and their answers.

I'm going to start the questioning with the Conservative Party and Rachel Thomas.

Ms. Thomas, you have six minutes.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you, Madam Chair.

My first question here is for Ms. Kerr.

I had the opportunity to read through the briefing document you submitted to the committee in December. One of the sections is with regard to good governance in Canadian sports. You outline a number of important questions that need to be asked. One of them raises some questions about the lack of transparency and accountability in Canadian sports governance.

I'm wondering if you can highlight for us the main problem you see there.

Dr. Gretchen Kerr: On the issue of governance, first, there is the matter of athlete representation in governance and, secondly, there is the notion of accountability.

To highlight this, Sport Canada previously mandated NSOs to have independent harassment officers to deal with cases concerning safe sport. They required this in order to obtain their annual funding. Only one of the NSOs had an independent harassment officer 20 years later; yet every year their funding continued, so the question of accountability also comes into play in terms of the answer to your question.

Mrs. Rachael Thomas: Thank you for highlighting that.

I'm just curious, then. If, in fact, that has not been followed through on—if that independent officer does not exist—what should be done in your estimation?

Dr. Gretchen Kerr: I think the wonderful progress that has been made to address that is the establishment of OSIC. As everyone has said, it's new; it's still in progress. Once it's up and running, we either need its extension or an equivalent model that will filter from the national level down to the provincial and community levels so that any sport participant across the country has access to an independent complaint mechanism, an independent person to whom they report their concerns.

Mrs. Rachael Thomas: Am I to understand that for 20 years there's been inadequate accountability in this area? Now, even with OSIC coming into effect in 2022, it's my understanding that today we have only three provinces that have signed on: New Brunswick, Nova Scotia and Quebec. In fact, the deadline to sign on to OSIC is coming up. It's less than a month away now. Do I have that correct?

Dr. Gretchen Kerr: It was actually over 20 years that complaints were addressed by employees of the organization itself. It was most often the CEO of the sport organization, which, of course, presents all kinds of conflicts of interest. It's an explanation for why there's this culture of silence, as Professor Fowler mentioned, and why so few athletes ever bring their complaints forward.

• (1655)

Mrs. Rachael Thomas: One of the concerns we've heard from athletes as well, though, is that they're not trusting of the fact that the process outlined involving OSIC is fully independent and that they can be fully transparent and be guaranteed that they're going to be protected should they whistle-blow or complain. What are your thoughts on that?

Dr. Gretchen Kerr: Yes, I've heard those concerns as well. As was mentioned by other panellists, OSIC needs time to establish itself and gain trust amongst the athletes.

On the independence question, to me it's a little bit like saying that Supreme Court justices are not independent because they are

funded by the government. At some point, the notion of independence cannot be used in a case like this, but it will take time for OSIC to gain the trust of athletes.

Mrs. Rachael Thomas: Thank you.

Ms. Forsyth, I would actually bring the question over to you as well, given that you have been an athlete and obviously are now on this side of wanting to receive and investigate complaints.

Ms. Allison Forsyth: As mentioned, I don't work on the complaints side of our business. I can respond for a minute about how I feel as an athlete about it, and then I'd like to pass it over to Ilan, if that's okay, because I don't work in complaints.

From an athlete perspective, I for one am very respectful of all the different opinions that athletes currently have on the notion of independence. I also know many athletes who are quite happy with OSIC and are not quite as vocal as some athletes who are not. In addition, as an athlete who had nowhere to report to but my CEO who hired the guy who abused me, I welcome any independent mechanism that can provide a service to the athletes.

What I fear from an athlete level is that if we get caught up in what I call "nuances", which is maybe not a respectful term for many people who have different beliefs on the notion of true independence or whatever, we will slow the progress down and discourage any participant from coming forward and feeling safe to report their abuse.

I will pass it to Ilan.

The Chair: You have 30 seconds to answer that.

Mr. Ilan Yampolsky (Chief Executive Officer, ITP Sport and Recreation Inc.): I agree with Gretchen on the definition of independence. We have to stop at some point. The majority of it has been defined by money exchanging hands between one organization and another, and there are ample examples. It's the same for the Supreme Court and it's the same for the financial audit of any organization that has been paid, from KPMG to Deloitte, that comes there independently.

I think in our case, we believe that professionalism and integrity are more important than subject matter expertise. My suggestion always was, and still is, to create an audit mechanism by the government, a regulatory mechanism like in any other industry, that will come to an organization like ours and many others to see if we are doing our job right.

The Chair: Thank you very much. I think you can elaborate on that in a subsequent answer. The time is up.

Now we will go to the Liberals and Ms. Hepfner.

Lisa, you have six minutes, please.

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

I would like to thank the witnesses for all being here today. I would begin my questions with Teresa Fowler.

I was interested in your recommendation that in Sport Canada we move sport to Health from Heritage, where it is now. Would you please elaborate on what you think that would do? It seems to me that it might take away this culture in sport of winning and being the best, and take it back to a place where everyone can feel comfortable in sport, regardless of their level of ability. It's about having fun and getting together with your friends. It's not necessarily about being excellent.

That's kind of the impression I got from your recommendation. I'm wondering if you could comment on that.

Dr. Teresa Fowler: Sure. Thank you for that question.

Forgive me for my ignorance with respect to how parliamentarians and portfolios work, but from a research lens, we have theory. As a critical theorist, my lens is a certain way. If I am a quantitative researcher, my lens is a different way.

Sport is unhealthy: I think we can all agree. That's why we're all here. That's why all this time and energy is happening. What happens if we change the lens away from pushing for podiums and away from winning at all costs toward one that really is what sport ought to be about?

The Aspen Institute has Project Play. They published a research report that walks through all the benefits that happen with sport. However, because sport remains a commodity and remains about chasing medals, we see that health gets pushed aside. We can see how this is bleeding into the education system. For example, in K-to-12 systems, we now have sport academies. We have children now climbing to get into these programs that really are not a health benefit. They're focused more on competition at an early age. The more we keep going early into this idea of winning medals at younger ages, we're losing the benefits of sport.

• (1700)

Ms. Lisa Hepfner: How much impact, would you say, has that had on the problems we have with culture in sport in Canada today?

Dr. Teresa Fowler: From our research into men's ice hockey and in my experience as the parent of two athletes—two of our boys were competitive athletes—that's a big part of it.

I'm just starting a new research project. I was sitting on the sidelines at soccer tryouts last night, listening to parents trying to make sure their kids got the last two spots. There was a grandfather there with a video camera. He was videotaping their child at tryouts. What about the fun? Where are the smiles? Where's the joy?

In our research with hockey players.... Not once did any of those professional hockey players talk about the love and joy of the game of hockey. The only time they talked about aesthetic moments was when it was about trauma—when they were recalling an experience of abuse. That was the only time we got a sense of the smells and of why they were there. Not once did they talk about the love of hockey.

I think being competition-based is what's doing a great disservice to...what we're seeing today.

Ms. Lisa Hepfner: Thank you. I think that's very valuable testimony.

Perhaps I will ask Dr. Gretchen Kerr to weigh in, in the same vein.

You also brought up the idea that we have a focus on athlete talent and winning, rather than on health, fun and other positive benefits people can get from sports.

Dr. Gretchen Kerr: Thank you.

We know the values that we see playing out in professional sport or at the Olympic level filter down to children's sport.

One of the areas we need to tackle is how sport in this country is funded. When we have programs like Own the Podium funding athletes and teams based primarily on their medal performances or potential for medal finishes, without consideration for the process by which those medals are achieved, it risks the focus on athlete health and well-being becoming very marginal or non-existent. It contributes to this “win at all costs” approach...based on the funding model.

I think there's also value in changing the narrative. Rather than focusing on performance excellence, suggest that the best avenue to obtain performance outcomes is through athlete health and well-being. That's changing the narrative across the sport landscape.

Again, the funding question has to be part of solving the safe sport challenge.

Ms. Lisa Hepfner: Thank you.

I'll turn back to Allison Forsyth.

You mentioned that one of your tasks, in your business, is assessing governance risks within sports organizations. Could you tell us a bit about what those risks might look like? What are you looking for when you're assessing governance risks?

The Chair: You have 30 seconds, Ms. Forsyth.

Ms. Allison Forsyth: Of course.

What we're looking at, specifically, is how the board operates. Are they in the operations of the business, and are they stepping in to look at the coaches' behaviour?

It is that level of governance, but it's also about the governance within the team. One of the biggest risks we see in safe sport is head coaches or high-performance directors having way too much power in sole, discretionary decision-making. We're putting way too much power to make the decisions into one role within an organization. That's where we get lack of oversight and subjectivity. It's when coaches can make all the decisions. That's a big risk for the abuse of power.

• (1705)

The Chair: Thank you, Ms. Forsyth.

I'll now go to the Bloc Québécois for six minutes.

[*Translation*]

Mr. Lemire, you have the floor.

Mr. Sébastien Lemire: Thank you, Madam Chair.

My question is for Professor Kerr.

In your opinion, what explains the fact that Minister St-Onge always ignores calls to shed light on matters affecting athletes, in over 16 sports? Let's name them: gymnastics, water polo, speed skating, boxing, synchronized swimming, figure skating, ice hockey, soccer and so on. There's also fencing, as we learned today, in yet another revelation, which, once again, makes one's blood run cold.

Ms. Kerr, how do you explain the unwillingness to get to the bottom of things by launching a public inquiry?

[*English*]

Dr. Gretchen Kerr: Thank you for the question.

There are differing points of view on how to best move safe sport forward.

As you may know, I'm not a supporter of a public inquiry. I think it will slow down the progress being made. It will be extremely costly. Those funds could be devoted to putting in proactive solutions, like those we heard on the panel today. It also—

[*Translation*]

Mr. Sébastien Lemire: When you talk about the health and safety of athletes, does cost really have to be what matters most?

I listened to your testimony before the Standing Committee on the Status of Women and I find that, on the contrary, the issues you've raised point to the need for an independent public inquiry which will lead us to reflect even more on this issue.

You say that many studies have already been done. By the way, I want to recognize the contribution made by universities, and yours in particular. However, I have the impression that things only started to change when a motion summoning Hockey Canada to appear was tabled in Parliament. That got things moving, first at Hockey Canada and then at other national sports bodies. People felt they could come forward because there was a safe space for them to talk, namely the House of Commons Standing Committee on Canadian Heritage and the Standing Committee on the Status of Women. I would also like to recognize the reporters who worked to break the culture of silence and who helped to shed light on this issue.

Do we really have the luxury of not holding an independent public inquiry?

[*English*]

Dr. Gretchen Kerr: Absolutely. We will lose time and money and progress. We have the information we need to move forward.

If you're asking why more progress has not been made, it is a cultural challenge. A multi-faceted and multipronged solution is

needed. It's everything from governance to funding to training and education; getting the NSOs and PSOs to sign onto OSIC, or to an equivalent complaint mechanism; getting the UCCMS filtered throughout the sport system; and, very importantly, dealing with system alignment. At the moment, there's a disconnect between the authority the NSO has over a PSO and, subsequently, the authority PSO has over community sport. That's only the sports that are within the system. Many sports are run completely independently of Sport Canada, or the PSO system.

We know enough to move forward. Let's use that information, and implement the solutions that are being talked about here at this panel.

[*Translation*]

Mr. Sébastien Lemire: To repeat what Ms. St-Onge said before the Standing Committee on the Status of Women, we need to know the “when” and the “how”. It appears that one year on, there has been no movement. Despite repeated investigations, no charges have been laid in relation to the events that allegedly happened in London.

Are you involved in the development of the new Canadian Sport Policy for 2023-33, which we are still waiting for? Have you had discussions with the Minister of Sport? What recommendations did you make?

[*English*]

Dr. Gretchen Kerr: One of the challenges around your question of charges being laid is that so many of the harmful behaviours fall below the criminal threshold. Yet, that's what's causing athletes so much harm. Sexual abuse, as part of the criminal system, can be dealt with there, but the other forms that are so harmful and prevalent fall below that threshold.

Canadian sport policy needs to deal with a return to the values of sport, how can those be reflected from the grassroots to the national level, how they can be funded, and how organizations can be held accountable for adhering to those values.

Imagine a sport system that's funded, based on the health and well-being of athletes. The research will tell you that if you were to fund a sport system based on health and well-being, performance outcomes would emerge as a by-product.

• (1710)

[*Translation*]

Mr. Sébastien Lemire: I share many of your observations, but I don't agree with your conclusion, which in my view contributes to the culture of silence. That much is clear if we don't try to get to the bottom of this. I feel money should not factor into this at all.

If there were an independent public inquiry on abuse in sports, would you be called in to justify all of the subsidies you have received or explain situations where there is an appearance of conflict of interest? They could potentially put you in a compromising situation and perhaps prevent you from really fighting for the athletes.

What explains the fact that what you are saying is completely different from what all of your peers are saying? Indeed, many university researchers have already spoken to that.

[English]

Dr. Gretchen Kerr: It's not unlike researchers to disagree. That's how we get to the bottom of issues. Many athletes have already told us what they need to move forward. We don't need another inquiry for that. They need independent mechanisms. They need sport leaders who are trained. They need the values embedded in high performance sport. They need the system to be funded differently. We have all the information we need to move forward.

The Chair: Thank you, Ms. Kerr.

I'm going to move to the NDP and Peter Julian, but before I give Peter his six minutes, it looks as though every questioner so far has invoked the Waugh principle, which is to go over time. There we go.

Peter can get the benefit of the Waugh principle. Thank you.

You have six minutes plus.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you very much, Madam Chair. You've given me licence to go beyond that, and I appreciate that.

The Chair: It's not indefinite.

Mr. Peter Julian: Thank you.

I want to thank each of the witnesses here today. You've brought very important testimony to this table. This is something that members of the committee embarked on last year not knowing the destination but understanding that there were problems in Canadian sports. We now understand that there is a crisis in Canadian sports in terms of keeping athletes safe.

When our daughters and sons go into sports organizations, there has to be an understanding that they are safe, that athletes are safe, that the public is safe, that everyone is safe. So your testimony helps us, I think, to formulate what we will do eventually, which is provide recommendations to the government.

I'd like to start my questions with you, Ms. Forsyth. Words can really not express how sorry we should all be about what happened to you and what happens to far too many athletes and members of the public. You simply were not in a safe environment. You, I think, from that understood the importance of putting into place systems that will protect all athletes and protect the public.

You mentioned in your testimony that we have organizations that are basically looking at minimum levels. They're basically not obeying the spirit of putting safe sports into place but are, I imagine, putting forward more of a facade. How do you see us getting to the point in this country where all athletes are safe, where the public is safe? What are the investments that are required and how can organizations be forced to go beyond that minimum sort of facade to actually put in place a full regime of safe sports to protect everybody?

Ms. Allison Forsyth: Thank you very much for that excellent question. I'm honoured to answer it from my perspective as a survivor and an expert.

To start with, it has become very clear to us, and I mean this with all due respect to policy-makers and analysts in the world, that our sports system was built on a tick-the-box model. When I speak to organizations and I say clearly, because I am who I am, "What are you doing about safe sport", they say, "We have a policy." I say, "Does anyone know about that policy? Are you educating on that policy? If I walk onto your field of play right now and I ask a child if they know what bullying is, will they give me that answer?" What we're doing is thinking that policies prevent abuse, and that is the number one way that we are ticking the box.

The other thing that the sports system does is to say, "Your minimum standard is online training." I will be the first to say I have the utmost respect for and have contributed to creating online training modules and I'm also the first to tell you that when I'm doing my online training of any sort, I usually look at what's left and I click my cursor as quickly as I can to get it done. That's why, when I say that we're doing the minimum standard, your online training will provide baseline, generalized information and awareness, and every organization must level that up with sports-specific and participant-specific education.

I also want to be clear to share that there is predatory abuse that we know about and then there's also, as Dr. Fowler mentioned, cultural norms abuse, which is behaviours that are ingrained in our coaches based on how they were coached. What I am sharing here is the complexity of the issue in that we need to put in a huge concerted effort to not lose faith in our coaches as people in positions of authority but rather to educate and, honestly, deprogram them out of the way sport has always been. This crisis is here right now because sport has always been this way, and we are actually getting ahead of the crisis because we're finally talking about it.

What we need, to get back to your question, is a massive investment—I know that's hard to hear—of resources around education and around policies that are not only put in place but forced to be taken off the paper and put into practice for auditing, compliance and independent mechanisms. The reality is we've only approached this issue from the top down. It is ridiculous to me. Since I started in this advocacy work four and a half years ago, I have been learning how our government works in this way, with respect to jurisdiction, and I cannot fathom why we would put in place safeguarding measures only at the national level. If I were to do it all over again, I would fight harder, to be honest.

The time is now. The children are what matter more than anything, in my opinion. I say that as a mother who sees every day issues in her children's sports still, and I just want to encourage everyone to step forward, get on the same page and play together on the playing field of preventing maltreatment. We can do it.

• (1715)

Mr. Peter Julian: Thank you very much.

[Translation]

Ms. Poirier, if I understood you correctly, your organization receives 500 complaints a year.

Have you often referred cases to the police when your organization is not in a position to settle a complaint?

What do you do when a complaint is so serious that it should be referred to another entity, such as the police or the courts?

Mrs. Vicky Poirier: I have to start by specifying that about 500 complaints were made in Quebec since February 1 under the policy for the protection of integrity in sport.

Various independent entities are involved in the process. For its part, ALIAS acts as the Office of the Complaints Officer. The policies we apply are very clear when it comes to complaints of a sexual nature, for example, or in cases where an athlete's safety is compromised. In those cases, we work with police forces and the Director of Youth Protection.

Statistics presented yesterday at the National Assembly by the Regroupement Loisir et Sport du Québec indicated that 12% of the 500 complaints were of a sexual nature. This type of complaint has to be treated very seriously and in collaboration with the Director of Youth Protection and the police. That's exactly what we do.

[English]

The Chair: Thank you very much, Ms. Poirier.

We've just abused the Waugh factor here. Thank you very much.

Now we're going to go to the second round of questions. That is going to be with the Conservatives and Kevin Waugh.

Kevin, you have five minutes, please.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Okay, it will be five minutes.

I'm glad that you are all here.

Ms Forsyth, thank you. You were a great athlete in the early 2000s. You've hit it right on, top-down.

The community associations in this country, thousands of them, don't have the capabilities for safe sport. They don't even talk to their provincial associations. My association in Saskatchewan may be different from Alberta's or may be different from Nova Scotia's, so we have a real disconnect problem with OSIC.

You can talk about the national programs, the NSOs, but we don't include the community associations in this country, literally hundreds and thousands of them, and that's where it has to start. Who is going to fund that? That's the issue we have right now as OSIC has started, because provincial government asking who is going to afford this, who is going to foot the bill for this?

What are your thoughts on that? You did mention top-down. It should be the other way: Start at the bottom and work up.

• (1720)

Ms. Allison Forsyth: I just want to add—not that you asked—that capacity is something we also need to bring into this conversation. I'll use the U.S. Center for SafeSport as an example, which

was struck after the horrific Larry Nassar case out of the USA Gymnastics organization.

Why I bring up capacity is that it is essential that, if a complainant comes forward, not only will the complaint be heard in a timely manner, but also that the complainant will receive consistent and constant communication as to their complaint. When we build structures, build organizations and fund organizations like OSIC, we need to fund them to the degree that anticipates, based on experts like ALIAS in the room, how many complaints they should anticipate over a calendar year.

We are, as I mentioned in our statement, being overrun with complaints at all levels of sport. When it comes to grassroots organizations, I feel, quite frankly, that I am literally on a plane or a bus every week trying to get to every single one of them. I say that with all the respect in the world. I was just recently in the beautiful town of Weyburn, Saskatchewan in front of 50 coaches.

We need economies of scale and a commitment from our provincial governments to fund this above and beyond anything else. Safe sport is so critical that my key message when I go into a room is that you should not even have an organization if you don't have the budget that can allow for safe sport funding. The reality is that we also have organizations say to us, "But, Allison"—which I respect—"We can't even get volunteers. If we can't even get volunteers, how do you expect us to train them on safe sport?" I think any parent would say that the reality of operating your community association or your local club is that there are critical aspects that you must do in order to be operational, and minimum standards at the very least from volunteer training is a critical aspect of what they need to do.

I wish I had all the dollars in the world, which I don't, but I know we desperately need more people, more resources and more funding to get to all of these incredible clubs full of our children.

Mr. Kevin Waugh: It's happening.

I'll go to you, Dr. Kerr, because I looked at the gymnastics board minutes from September 6, 2021, of Gymnastics Canada, where Ellen MacPherson, who was the safe sport director for three and a half years, left to accept a research role with the University of Toronto—maybe with you.

So now, Gymnastics Canada has no experience in safe sport. People are being pilfered from these organizations to research, because research pays money. Can you talk about that? I don't know if Ellen MacPherson is with you or the University of Toronto, but that's been the issue with these sport organizations. When you get them up to speed, they're being pilfered by other organizations—and especially academics who look for research dollars.

Dr. Gretchen Kerr: I'll start by saying that Ellen is not a researcher with me, and that Gymnastics Canada has a wonderful, new safe sport officer, who comes with a broad research base of knowledge. It's really important that we have researchers in these roles so that they are making evidence-based decisions. The challenge with safe sport officers whom sport organizations are incorporating—

The Chair: You have 30 seconds.

Dr. Gretchen Kerr: —is that it's like putting your thumb in the dike. It's such a small step forward, and they still have to work in a culture with all of these other tensions and barriers that they're not in a position to solve. We're putting them in a position where it's very difficult to succeed.

Mr. Kevin Waugh: Thank you. I'll leave it at that with three seconds left.

The Chair: Thank you, Kevin.

You know it's with great affection that I refer to the “Waugh principle”.

• (1725)

Mr. Kevin Waugh: I know.

The Chair: Thank you.

We now go to the Liberals, and it's Tim Louis.

Tim, you have five minutes.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you very much, Chair, and thanks to all of the witnesses for being here both online and in person. I'll cut things down, because I've learned so much already.

Ms. Forsyth, I heard the need for more education, and I've heard you, in previous testimony, compare it to how we treat concussions now versus how we used to treat them. You've said that much like concussions, once we know better about this type of abuse we can do better.

Can you help explain how we need to address the culture that “it's always been this way”, or people saying that this was what they went through when they were in sports and they came out okay? What are some of the measures we can take as parents, associations and governments, and what solutions already exist? You use words already like “deprogram” and “ingrained”. That's an uphill battle.

Ms. Allison Forsyth: Yes, absolutely. Thank you for that question.

Again, we have incredible researchers on this panel who have done the numbers and the science behind this. Mine comes from the first-hand experience of standing in auditoriums full of football coaches bearing down on me with their arms crossed, and saying, “Who are you to tell us we can't run suicides anymore?”

I'll just speak from that first-hand experience where what I see, when it comes to coaching, we would now probably consider, depending on the severity of it, as psychological abuse—the yelling, the berating and the toughen-up method of yelling at children to do better.

Children do not have the ability to separate who they are from what is happening on the ice or on the field. What we know now, in my understanding, is that we are traumatizing that child's brain much like a concussion when we are yelling and screaming at them. As a coach and as an athlete, I was yelled and screamed at, and that was just normalized back then.

I wish I had a magic answer, but it's actually looking at each individual sport and the behaviours that are paramount in that sport. Ice hockey is the perfect example of where I do see a lot of psychological maltreatment with the coaching style.

The other thing I work with coaches on is the reality. I just want to share that we're working with generation Z athletes now, who are age 12 to 25, primarily. They don't even respond to negative reinforcement coaching. The example I use is that when we know better we do better, because not only do we understand, I believe, more about what trauma is, but we also understand that we're dealing with a new generation of athletes who adapt and respond differently.

The last thing I'll share, if I may, is that when it comes to something like, say, running of “suicides” or hockey bag skating, now that those are considered a form of punishment, we have to look at where that starts, because there is a progression of harm. If coaches are just making athletes drop and do 20 push-ups, would that be considered an egregious case of maltreatment? Likely not. But can that easily progress to children skating around in a circle on the ice until one child vomits in a garbage can, which is quite common? Absolutely, it can.

That's when I mention that we need to eliminate the beginnings of the microaggressions and the conditions where more egregious abuse can occur. And that, unfortunately, will not be covered in your online training. It needs to be very much resourced in every single organization across this country.

Mr. Tim Louis: Thank you very much.

I'll turn to Madame Poirier. How do we get athletes to trust the system that they believe has failed them?

If they don't trust the system, what can we do to build that trust so that they have the courage to come forward and file a complaint? You seem to be perfectly situated to answer that question.

[*Translation*]

Mrs. Vicky Poirier: Everything is based on three fundamental components.

The first is an ethical culture of reporting. We need to make sure we promote a simple policy that athletes understand. We need to make the “I'm filing a complaint” button known. We also need to put the education tools in place.

The second component is to show that we have a robust, confidential and anonymous mechanism.

The third is demonstrating that we have the capacity to handle complaints objectively, independently and in accordance with best practices. To give athletes confidence, we need to promote all three of these components.

The best example is what happened in Quebec over two years. The number of complaints increased by 234% from the first year to the second year.

• (1730)

[*English*]

Mr. Tim Louis: I think I'm out of time, but I would have asked if we could scale it up to a national level.

Thank you.

The Chair: Thanks, Tim.

Now we go to Monsieur Lemire for two and a half minutes.

Go ahead, Sébastien.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Madam Chair.

I would like to come back to the question of money. Indeed, in the sports world, the money is there. It's not a problem. There is no lack of money, but the money often ends up with the wrong people. That in and of itself shows the need for an independent public inquiry.

Moreover, Ms. Forsyth, I would like to thank you for having the courage to be part of the solution. You are a role model and that needs to be pointed out. Thank you very much.

Unfortunately, my time is limited.

Ms. Poirier and Mr. Weill, I would also like to thank you for being part of the solution.

Could the mechanism created by ALIAS be used, for instance, in the context of an independent public inquiry so that the federal government can help uncover even more incidents?

What gaps do you currently see in the complaints management system? Do you have any solutions for that?

Mrs. Vicky Poirier: In fact, all of the complaints we receive are handled confidentially. So in the context of a public inquiry, ALIAS could share its experience by anonymizing everything it knows and sees. We have a depth of experience on which to build recommendations.

Moreover, in the brief we submitted, you will find nine basic recommendations to ensure that things work better in the future.

Mr. Sébastien Lemire: Thank you for your answer.

I would add that, in an independent public inquiry, we could also hear anonymous testimony that could also lead to recommendations in this matter.

Ms. Fowler, I loved your presentation on health and healthy lifestyle habits in sport.

I would also like to recognize your expertise with first nations. Since we are dealing with important issues related to reparation, I would be remiss if I did not ask you a question about that.

I heard of the fantastic possibility of allowing the Iroquois nation, which invented lacrosse, to take part in the Olympic Games under the colours of their nation.

Do you think we should support that type of initiative?

[*English*]

The Chair: I'm afraid we're going to have to stop there, because we've gone over the two and a half minutes. Ms. Fowler can elaborate on that when she gets a chance with another question.

[*Translation*]

Mr. Sébastien Lemire: Madam Chair, given the delay in interpretation when a francophone asks a question of an anglophone, would it be possible to give an additional 15 seconds to the witness for her response?

[*English*]

The Chair: I think we can do that. All right. You have 15 seconds, but a hard 15.

[*Translation*]

Mr. Sébastien Lemire: Thank you very much, Madam Chair.

[*English*]

Dr. Teresa Fowler: In a hard 15 seconds, thank you so much for that question.

I first need to make a caveat: My experience with first nations is through our own children, who are of mixed race; they are first nations. Absolutely, I really believe that we need to pay more attention to indigenous sport in this country.

I'll leave it at that.

The Chair: Thank you, Ms. Fowler.

We now go to Mr. Julian for two and a half minutes, please, Peter.

Mr. Peter Julian: Thank you very much.

I want to go to Mr. Gumbley and Professor Kidd.

The issue of OSIC and whether or not it covers players in the Canadian Hockey League, for example, is an important one, so I want to put that to you, Mr. Gumbley. Do you feel that a mechanism like OSIC would be an important protection for players in the Canadian Hockey League?

For Professor Kidd, I have the same question on expanding it to all types of amateur sport.

Mr. Randall Gumbley: Thank you, Madam Chair.

I do feel that OSIC could add some benefit to the Canadian Hockey League, but the issue is that the CHL operates in a vacuum. They don't fall under the NSO Hockey Canada. They're a pro league. NSOs and the federal government are not able to enforce any laws with the CHL. That's evident from my conversation with the previous ministers, where they have informed me that they have no jurisdiction over the Canadian Hockey League. In order for that to happen, there would have to be some governance changes within the policies of the federal government and the NSOs to bring the CHL in under that umbrella.

My position is that the Canadian Hockey League is a professional ice hockey league. It's a pro sport business, and I don't believe they fall under those kinds of auspices.

• (1735)

Mr. Peter Julian: Thank you.

Go ahead, Professor Kidd.

Prof. Bruce Kidd: Well, the goal is to have OSIC cover all levels of Canadian sport. I fully agree with that.

As we've heard all afternoon, the challenge is, one, Canadian federalism. You have to get an FPT buy-in for that.

Secondly, the largely autonomous nature of Canadian sport in this country is a challenge. It's instructive that 30 years ago when we implemented anti-doping, it had to be done through a consent mechanism, not by an imposition mechanism.

I think we need a strategy to get consent buy-in across the country at every level. We have to enable OSIC to develop the capacity, and then, as an outgrowth of the educational campaign that I talked about, Allison talked about and others have talked about, we need to persuade people to enable their participants to have access to either OSIC or aligned bodies that are being created in provinces such as Quebec. That's going to take—

The Chair: Thank you, Professor Kidd. We can elaborate at another time.

We're going to go now to the Conservatives.

Mr. Shields, you have five minutes, please.

Mr. Martin Shields: Thank you, Madam Chair.

I appreciate all the witnesses being here today.

Professor Kidd, I remember you as a participant and you as an athlete. I remember watching you when you were a young athlete, by the way—

Voices: Oh, oh!

Mr. Martin Shields: —and I want to go back to that time, a time when you experienced community coaches and community people, and what the school level was that you experienced. I'm not talking about professional coaches. Has it changed from when you were an athlete to now?

Prof. Bruce Kidd: It has changed enormously. People like me made the Olympics on the basis of public and community programs that were largely accessible, given the nature of society in those times, and particularly for working-class children. It was mostly for

boys. There was nowhere near the access for girls then, but in class terms, it was widely accessible.

My friend Rick Gruneau has written an article on it. Gordie Howe wouldn't make it to the NHL anymore because the costs in the pay-for-play system of Canadian sport are so high that only the upper middle class, with a few exceptions, plays sports. That's one of the big reasons why participation in sport is so low and is dropping like a stone.

We need to restore public programs in municipalities and also in schools, which have been eviscerated by both neo-liberalism and COVID, and we need to provide a much more complex capacity, as panellists have said, to the volunteer community programs, because the expectations today are much, much higher than they were when I was able to develop success in a volunteer community program.

I'd love the idea of—

Mr. Martin Shields: You've touched on a very critical piece, the volunteer aspect. I was a coach of my 12-year-old son, because nobody else would do it. My son said, "I can't play unless you coach, dad." That was it. I find now.... It's been 20 years since I've been out of the school system of coaching, but even then it was a brutally hard job to find people to coach in a school's athletic program for the reasons we've heard today.

How do we change that?

Prof. Bruce Kidd: That is correct. The easy answer, which several of us have given, is to put sport in the national health and welfare department where it started, and to invest in it as part of the national health program, because of the resilience and other benefits it provides. Treat it like education, with good facilities, trained teachers, accountable leadership, and concerns about equity in class ratio and other terms.

I don't think this country is ready for that, but there are other countries, like Norway, which have done this very well. We should continue to demand that sport be treated as the public good that it is, rather than private, that if you're rich enough, your parents can buy entry into a league.

Thank you very much, sir. I really appreciate your question and your intent.

• (1740)

Mr. Martin Shields: At this time, Madam Chair, I would like to take my last minute to move a motion that has been distributed, in both official languages, to carry out a study of safe sport, addressing a letter we received, which was sent from Fencing for Change Canada to the Minister of Sport.

It has been distributed, so I think we can deal with this quickly, Madam Chair.

The Chair: There is a motion on the floor, so I will ask the committee if there is any objection to the motion.

Is anyone opposed to it?

I can't see the floor, so the clerk will let me know if anyone is putting up their hand in opposition.

The Clerk: It appears there are thumbs up all around.

The Chair: There seems to be unanimity, but could we call the question on the motion, please.

The Clerk: On consent, Madam Chair.

The Chair: I don't know about the people online. We have Mr. Coteau putting his thumb up, so, yes, we have unanimity.

The motion has passed.

[*Translation*]

Mr. Sébastien Lemire: Madam Chair, can the motion be read again so that everyone can clearly understand what it's about?

[*English*]

The Chair: Mr. Shields.

Mr. Martin Shields: I move:

That, in relation to the Committee's study on Safe Sport in Canada, and given the addressing of an open letter from Fencing for Change Canada to the Minister of Sport regarding allegations of abuse within the Canadian Fencing Federation, the Committee invite members of the Board of Directors of the Canadian Fencing Federation (CFF) to appear before the committee.

The Chair: Are you happy with that, Mr. Lemire?

[*Translation*]

Mr. Sébastien Lemire: Yes, Madam Chair. I feel it was important for the motion to be read for the benefit of everyone listening to us.

I think the motion would be improved if we added that the committee requires the Canadian Fencing Association produce its financial statements and minutes of meetings for the past five years.

I would add that, as for Soccer Canada, this motion should not take away from the days already set aside for this study.

[*English*]

The Chair: Can you put that in the form of an amendment?

[*Translation*]

Mr. Sébastien Lemire: I move that the motion be amended by adding the following after the words "CFF Independent Safe Sport Official":

that the committee send for minutes of all board meetings that have taken place since Monday, January 1, 2018, including financial records, including minutes of in camera meetings, whether in approved or draft form and;

that the adoption of this motion not interfere with previously scheduled meetings for this study.

[*English*]

The Chair: There is an amendment to the motion.

Is there anybody opposed to the amendment?

Mr. Coteau, are you okay with it?

Mr. Michael Coteau (Don Valley East, Lib.): Sure.

The Chair: Is there anybody on the floor who opposes the amendment?

Since no one is opposed, it would seem that the amendment has passed unanimously,

(Amendment agreed to)

The Chair: So now we will have to go back to vote on the amended motion.

(Motion as amended agreed to)

The Chair: With your indulgence, we do have Mr. Coteau waiting for his moment in the sun, his five minutes of questions, and then we will end the meeting.

Mr. Coteau, you have five minutes, please.

Mr. Michael Coteau: Thank you so much, Madam Chair. Thank you for the opportunity.

What Mr. Kidd was saying earlier about seeing sport as a public good really resonated with me. I actually worked with Mr. Kidd on the Pan Am Games when I was responsible for the Pan Am Games in 2015. It was an interesting world that I got exposed to. I was never involved within sport at that kind of level.

I do notice a disconnect between the athletes and those who run sport. I've always believed that sport is one of the great equalizers. It opens up opportunity. As I think Nelson Mandela said, sport can change the world. I truly, truly believe it can. I remember during the Pan Am Games going to a local soccer field at Flemingdon Park in my community and just watching kids play. There's nothing more joyful than seeing young kids actually enjoying what they're doing and youth playing a sport and really enjoying what they're doing.

I just want to say thank you to everyone who's here today, all the witnesses, for the work you do in sport, because it is something that can actually change the world. I believe that 100%.

The issues brought up today are very important, but I do have one question. Throughout this process, speaking as a committee member and an MP and as somebody who believes in the power of sport, there is not much mention, when we talk about safe sport, about the impact of racism in sport. We do have some really, really serious issues that do come forward.

Maybe I'll start with you, Mr. Kidd. When we talk about safe sport, how do racism and discrimination fit into the best practices and what the sport sector is really trying to achieve in creating a more inclusive, diverse and equitable environment for young people and for all people who want to participate in sport?

• (1745)

Prof. Bruce Kidd: Racism is a form of harm that is experienced by boys and girls and men and women of colour. It can be a terrible barrier to participation along with class and opportunity barriers.

In the community that I know well, Scarborough, where you continue to serve, it's a huge barrier. I think by broadening the definition of what we don't want to see in sport through the UCCMS, we explicitly label racism as one of the harms that should be eradicated.

Mr. Michael Coteau: Maybe within your circles it's an issue that is brought up often, but through my experience on this committee, it's not an issue that is brought up often when we talk about safe sport. Why do you think that is? Do you think I'm missing something, or do you think it still needs to be more broadly defined and incorporated into those discussions? Do you have any thoughts on that?

Prof. Bruce Kidd: I would suggest that the racial background of Canadian sport, and those who come forward with these horrible stories of abuse, reflects the class and racial character of Canada, even cities, and it's not representative of the racial diversity of Canada today.

Mr. Michael Coteau: Do I have more time, Madam Chair?

The Chair: You have about 38 seconds.

Mr. Michael Coteau: Well, in 38 seconds I'll tell a little story.

When I was involved at the Ontario legislature, a hockey coach called me. He was telling me about this young man from Rexdale who was the best hockey player on the team. There were some racial slurs said to him. He was 16 years old and six feet, four inches. He was the best player in that division. He quit hockey because

of what was happening to him on the ice. I just think of those stories and of the missed opportunities because of the hurtful, hateful things said at all levels—as women, as those who are part of the LGBTQ community, as Black persons. I think we have an opportunity, as people who believe in the power of sport, to really make a difference.

I just want to say thank you to each and every one of you for the stories we've heard today and for the strength it takes to come and share your stories. Thank you for the work you're doing and continue to do. I look forward to working with all of you to look for ways to eliminate those barriers.

Thank you so much, each and every one of you.

Thank you, Chair.

The Chair: Thank you, Michael.

Now I would like to thank the witnesses for coming. It was an extraordinarily interesting and informative meeting. Thank you very much.

I will now declare the meeting adjourned.

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