

APPEAL DECISION

This case concerns an appeal by the Claimant of a disciplinary penalty imposed by Hockey Canada.

There was no objection to my jurisdiction to hear this matter.

The parties agreed that the Claimant's identity would remain anonymous.

I have issued two previous decisions in this matter. It is not necessary to review the facts again.

Having considered the submissions of the parties, I have determined that the following shall be substituted as the penalty for the Claimant:

The Claimant shall serve a probationary period expiring on July 12, 2024. During the course of the probationary period, the Claimant shall be on a behavioural contract prepared by his hockey academy. He shall also prepare a paper and presentation for his classmates about the incident and the lessons he learned.

The Claimant shall complete the BC Play Safe Tool for Sport (or an alternative approved by BC or Hockey Canada) under the supervision of a parent within the term of his suspension and probation, and before being permitted to resume play.

The Claimant shall be suspended from all games until October 14, 2023 and will voluntarily sit out his game scheduled for October 15, 2023. He shall be permitted to participate in on-ice activities, other than games, effective September 22, 2023. For clarity, as of September 3, 2023, the Claimant shall be permitted to participate in off-ice activities under the supervision of school staff.

I am grateful to Mr. Klevinas and Mr. Considine for their strong advocacy and professionalism throughout this process.

Signed in Whitby, this 17th day of August, 2023.



Matthew Wilson, Arbitrator