



Safe Sport: A Common Goal, a Shared Responsibility

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On July 6, 2021, the Government of Canada announced that the SDRCC had been selected to establish and deliver an independent safe sport mechanism, in order to oversee the implementation of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) for federally-funded sport organizations. In the months since, the SDRCC has worked diligently towards building this mechanism and implementing this new mandate.

The SDRCC has recently completed a series of focus groups in which all federally-funded sport organizations were invited to participate, as well as consultations with provincial and territorial bodies. By November 2, 2021, a total of 31 focus groups were held, representing a participation rate of 80% from federally-funded sport organizations, and all 13 provinces and territories have been consulted. An Athlete Advocacy Committee has been established to ensure that athletes have a direct input channel throughout the mechanism's implementation.

The SDRCC's current organizational structure includes a Dispute Resolution Secretariat and a Resource Centre, which will both be expanded. The Dispute Resolution Secretariat will provide traditional mediation and resolution facilitating services, where appropriate, as well as hearings under the newly created Safeguarding Tribunal and the Appeal Tribunal. The Resource Centre will expand its current role to integrate victim support services, awareness, education and research, the UCCMS review, as well as policy support and capacity-building.

In order to implement the independent mechanism, one new division, the Office of the Sport Integrity Commissioner, will be introduced and will oversee the complaint intake process, the conduct of preliminary assessments and investigations, as well as the maintenance of a database of imposed sanctions. It will also monitor compliance by signatories and issue reports, as required. The Sport Integrity Commissioner will also act in an expert advisory capacity in all UCCMS functions under the responsibility of the Resource Centre.

The model proposed by the SDRCC takes a trauma-informed approach and aims to limit the number of forums in which a complainant must retell their experience, while preserving the rights of all parties to procedural fairness and natural justice. The findings of an independent investigation will form the basis of further proceedings, with *de novo* hearings limited to instances where an error in the investigation has been established.

Recognizing that the task of ensuring safe and healthy sport environments for all participants should not rely on the ability of an individual complainant to present a legally compelling case, the responsibility to present legal arguments before the Safeguarding Tribunal will instead lie with the Director of Sanctions and Outcomes. In an effort to avoid re-traumatization and increase witnesses' comfort levels in delivering their testimony, the Safeguarding Tribunal rules, contained in Article 8 of the Canadian Sport Dispute Resolution Code, expressly provide for the possibility of procedural accommodations.



At all stages of the process, in cases where mediation is deemed an appropriate option, parties will be invited to engage in settlement discussions guided by a professional mediator. Benefits of mediation include greater autonomy for parties in crafting a mutually agreeable path forward, as well as a broader range of potential resolutions and an opportunity for direct acknowledgement. In situations where parties are likely to continue working together, mediation empowers them to engage in constructive conversation and reset the terms of engagement. The Director of Sanctions and Outcomes will monitor settlement discussions to ensure that the outcome of a mediation aligns with the objectives of the program and is in the best interest of the sport community; without the Director's approval, a complaint will not be considered resolved.

The program will also make available a suite of victim services, including legal assistance and mental health support. In partnership with the Canadian Centre for Mental Health and Sport, eligible complainants will be referred to a range of mental health practitioners, in accordance with their needs and wishes. Specialized counsel will also be available to provide legal support in navigating the complaint process. The SDRCC's *Pro Bono Program* will continue to facilitate access to free legal advice and services for all interested parties.

Prevention and education are key cornerstones of safe sport, and essential to achieving a positive culture change. The SDRCC aims to implement a holistic model of education that takes a broad vision of safe sport, with the aim of equipping participants to actively foster welcoming sport environments. Accreditation standards will be developed to recognize various educational programs as UCCMS-compliant and ensure renewal requirements that will contribute to personal and professional development. While it is essential that participants be able to identify and address unacceptable behaviour, building a culture of safe sport will also require proactive work. The SDRCC envisions a model of education designed to ensure well-rounded participants, equipped with knowledge and skills that will support their efforts to engage in sport in a healthy and respectful manner.

Further engagement with other stakeholders is ongoing in order to ensure that the mechanism will meet the needs of the sport community. The SDRCC has also begun hiring for new roles to support the program's implementation, with a goal of having the mechanism fully operational for the 2022-23 fiscal year.