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## Identifying and Addressing Systemic Issues in Canadian Sport

By Owen Bravo and Rachel Nicol, Sport Dispute Resolution Centre of Canada

### Introduction

The Office of the Sport Integrity Commissioner (OSIC) established the Sport Environment Assessment (SEA) process to prevent and address maltreatment, discrimination and other prohibited behaviours related to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport. During its mandate, the OSIC initiated SEAs in five sport organizations to identify alleged systemic issues and recommend proactive, transparent and preventative measures to cultivate safe, welcoming and inclusive sport environments.

Unlike the OSIC's complaint management process, neither a complainant nor a respondent is present in a SEA. Instead, members of organizations subjected to a SEA were asked by an independent assessor to describe their sport experiences through interviews, surveys and focus groups to gain insight into how members perceived the issues, systems or dynamics within the concerned organization. Following an assessment, a SEA report containing observations, solutions, recommendations and opportunities for improvement to advance safety and inclusivity throughout the sport organization was published. This article highlights common themes and recommendations derived from these assessments.

### Improved and Diversified Governance

With respect to governance, many SEA reports cited a need for increased Board oversight to ensure compliance with

policies, procedures and by-laws. They also identified a need for organizations to review their existing policies for inequities and to ensure they are being administered correctly. Codes of conduct should place greater emphasis on discrimination as a prohibited behaviour, with a zero-tolerance policy for inappropriate jokes or behaviours, and follow through on consequences. Concerns related to diversity and inclusion in

governance were a major theme, with recommendations focused on active recruitment of equity-deserving groups. Overall, greater accountability from senior leaders of sport organizations in ensuring policies are being consistently and fairly applied, with an emphasis on increased diversity is needed. This will help build trust between members and the organization, promoting a transparent and equitable environment for all athletes and staff.

### Empowerment of Athletes and Coaches

Unacceptable behaviours and practices can become normalized through cultural standards in sport environments. Individuals may not recognize when they are being maltreated or abused due to

this normalization or, if it is recognized, they may not know how to respond to it. To contribute to a safer sport space for all, many SEA reports strongly recommended empowering members, in particular athletes and coaches, through training, workshops and education initiatives. While each sport environment is unique, programs tailored to educate on topics such as safe sport, anti-racism, informal conflict resolution, and equity, diversity and inclusion, contribute to a

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safer sport environment. Initiatives such as these also act as preventative measures by setting the standard for appropriate behaviour and training individuals to recognize and respond accordingly when instances of conflict, maltreatment or discrimination arise.

The need for organizations to increase dialogue and improve formal communication channels between leaders and athletes, staff and volunteers was also emphasized. Providing opportunities for membership to offer feedback and collaborate in a meaningful way with the senior administrators allows organizations to understand the perceptions of members and empowers these groups to bring concerns forward. Organizations are encouraged to invite members to discuss personal incidents and voice their concerns related to equity and diversity, or uncertainties on how to make a complaint. By conducting annual surveys, exit interviews and post-event debriefs, sport organizations will be better positioned to improve organizational processes through feedback of lessons learned, concerns raised and communication of future plans. These are all contributing factors to building trust between leadership and members of the organization, enabling a safer, more inclusive sport culture.

### **Improved Communication Strategies**

Many SEA reports identified the need for clearer lines of communication between sport organizations and their athletes, staff and volunteers. There are numerous opportunities for organizations to improve the effectiveness of their public-facing resources and maximize transparency. Organization websites, social media accounts and emails are practical tools that can be used to provide timely communication of organizational updates, policies, events and news. Organizations should be more proactive in encouraging members to visit their website in order to access pertinent information and relevant policies. It is also imperative that new members are offered thorough orientation processes, allowing the organization to communicate clear expectations for conduct and responsibilities.

Unjust and/or discriminatory hiring and promotion processes were identified as a source of uneasiness for sport organization personnel. Due to a lack of transparency in these processes, there is a concern that conflicts of interest exist within higher levels of leadership, which could be

holding them back from advancing in their careers.

Establishing and communicating clear processes when hiring and promoting employees, and opening direct lines of communication, will instill confidence that decisions are being made fairly and in accordance with policies and rules. Improved transparency will help build trust not only within the organization, but with the sport community at large.

### **Addressing Concerns and Improved Internal Complaint Mechanisms**

A common recommendation amongst SEA reports was the establishment of robust internal complaint mechanisms. It was also suggested that concerns associated with filing a complaint, such as fear of retaliation, costs incurred, conflicts of interest and limitations in support services, are addressed in a meaningful way. The complaint management process should be transparent, enabling members to know where, how and when to file a complaint. Initiatives for clarity on the internal complaint mechanism and its processes may include annual education, timely communication through numerous platforms, and an accessible and regularly updated website that contains relevant information and resources. Additionally, protective measures such as an anonymous reporting system, and consistency in the complaint management process through comprehensive policies that are regularly reviewed, should be implemented and enforced.

To help minimize the escalation of complaints, organizations and their members are encouraged to resolve interpersonal issues through informal conflict resolution practices when appropriate, prior to a formal complaint. This approach will help contribute to positive relationship building, minimize fear of reprisal, and promote constructive dialogue.

### **Conclusion**

While every sport environment is unique, the above measures and solutions are fundamental for all organizations to prevent and address common systemic issues. Cultivating a sport culture rooted in inclusion, transparency, good governance practices and member empowerment are universal practices that contribute to safer sport environments. By learning from these assessments and their recommendations, we can all work towards the betterment of sport in Canada. ■

*To access SEA reports, please visit the SEA index [HERE](#).*



## SDRCC Roster Member Profile: Learning More About our Arbitrators and Mediators

They come from every region of Canada and beyond, and have extensive experience in alternate dispute resolution and sports-related issues, but how much do we really know about them? The SDRCC has an impressive list of 75 mediators and arbitrators and we will slowly be introducing you to some of them through our regular installments of “SDRCC Roster Member Profiles”. In this edition, we would like to present **Andrea Carska-Sheppard**, arbitrator from **Toronto, Ontario**.



### What led you to a career in ADR?

I learned about ADR at law school. We were invited to participate in a course which led to an ADR certificate. Having studied diplomacy in Paris before law, I was immediately attracted. I felt that it was strategically smart to resolve disputes without resorting to litigation. Also, during law

school, I attended the ICCA conference on investor-state arbitration and learned that arbitration is also used for sophisticated investor disputes. Now many years later, seeing ADR from an arbitrator's perspective, I still have the same opinion and see the arbitration institution controlling timelines and costs. We see more diversity and younger practitioners on the panels with an increased focus on the quality of their services, including the user experience.

### As an arbitrator with the SDRCC, I...

It is no exaggeration that the SDRCC is on the top of innovative trends and I am proud to be part of this institution. While the SDRCC currently serves Canadian national sports, I would not be surprised if over the years, its platform will be expanded. To know where success lies, you need to look at the people behind the organization and the SDRCC staff led by Marie-Claude Asselin, who are top-class experts in their field, who genuinely like sports and the work that they do.

### Field of specialization/Area of expertise:

I am a corporate and sports lawyer with an international background in contracts, employment law, data privacy, and confidentiality and expertise in safeguarding. I started to work in safe sport on an international level very early on and understood the significance for safe sport and now resolve and arbitrate cases in this area too.

### Favourite sport(s):

I am an avid skier, tennis player and I enjoy swimming and yoga. I was an accredited journalist covering the Montreal Canadiens and hockey is special for my family.

### Dispute prevention tips for athletes:

A useful strategy is to act quickly and proactively. If the athlete realizes they are engaged in some contentious situation/dispute, the best advice is not to ignore the early signs. Valuable time to resolve disputes in early stages can be lost if athletes are unsure and choose not to speak out and/or report the contentious conduct. Athletes (as well as parents of minor athletes) should take the time to inform themselves about the organizational policies governing their sport, including the safeguarding policies and what support can be provided to them. ■

In our next edition, look for the profile  
of an SDRCC Mediator.

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Canada



## New SDRCC Staff Member



**Kathy Dufour** joins the SDRCC as Case Manager in the Dispute Resolution Secretariat. After completing a Bachelor's degree in Law and a Master's degree in Management, Law and Humanities of Sport (FIFA Master) in Switzerland and now completing the Quebec Bar, she devoted her career working in sport in several countries, including Germany with the International Paralympic Committee. She hopes to contribute to bridging the gap between national sports organizations and their members, and to offer a fair resolution system for all sports participants. ■

## Thank You to the Sport Community!

We wish to express our deepest gratitude to the sport community and all those who contributed to the success of the Abuse-Free Sport program. We sincerely appreciate everyone's time, effort and valuable input into the prevention of maltreatment in sport across Canada over the years. There were countless individuals, groups and organizations that helped create and grow the program, and we thank each and every one of you for everything you contributed. We would like to express special appreciation to the following groups:

- Abuse-Free Sport staff;
- Abuse-Free Sport Helpline operators;
- Abuse-Free Sport Webinar Series guest speakers and panelists;
- Canadian Centre for Mental Health and Sport;
- Director & Deputy Director of Sanctions and Outcomes;
- Legal advisors of the Legal Aid Program;
- Members of the Sport Environment Assessment Unit;
- Members of the Investigation Unit;
- Program signatories.

A special thanks to those who volunteered their expertise on the following committees and task forces:

- Athlete Advisory Committee;
- Abuse-Free Sport Education Accreditation Selection Committee;
- Abuse-Free Sport Policy Task Force;
- Abuse-Free Sport Research Panel;
- Maltreatment in Sport Sanctions Council;
- Office of the Sport Integrity Commissioner Working Group;
- Sport Environment Assessment Advisory Group.

The SDRCC wishes to also acknowledge these ministers responsible for sport who fully supported its efforts in building, from the ground up, the first national safe sport program in Canada, starting with:

- Kirsty Duncan who, in 2019, supported the creation of the SDRCC investigation unit and the Canadian Sport Helpline;
- Steven Guilbault who, in 2021, awarded the SDRCC the mandate to administer the UCCMS at the national level; and
- Pascale St-Onge who, in 2022, fully supported the creation of the Abuse-Free Sport program and the Office of the Sport Integrity Commissioner.

We also want to thank the following four federally-funded sport organizations who were the first Abuse-Free Sport program signatories, unconditionally supporting safe sport in our country: Canada Games Council, Volleyball Canada, Sport for Life and Weightlifting Canada. ■

### Notable Dates:

- **June 5, 2025:** Virtual presentation at the ADR Ontario Annual Conference on the Challenges and Opportunities in Adapting Dispute Resolution Services to the Ever-evolving Context of Amateur Sports in Canada;
- **June 18-20, 2025:** Kiosk at the 1st International Congress on Safe Sport Research, Quebec City, QC. ■



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