

SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)
CENTRE DE RÈGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA (CRDSC)

Citation : G. v. Hockey Canada, 2026 CASDRC 15

NO: SDRCC ST 26-0073

DATE: 2026-03-11

G.

(Claimant)

AND

HOCKEY CANADA

(Respondent)

DECISION ON INTERIM APPLICATION

Before:

Matthew Wilson – Sole Arbitrator

Hearing held by way of written submissions:

For the Claimant: Anonymized

For the Respondent: Adam Klevinas (Counsel)
 Cristy Cooper

DECISION

INTRODUCTION

1. This is a request for conservatory measures and anonymization with respect to sanctions imposed on the Claimant under the Hockey Canada *Maltreatment Complaints Management Policy* (the “*Policy*”). I was appointed as an Arbitrator in this matter for the Safeguarding Tribunal of the Sport Dispute Resolution Centre of Canada. The parties filed written submissions on the issue.
2. The Claimant is a parent of two children who play hockey and is a rostered member of the coaching staff of a hockey team in Ontario. The Respondent, Hockey Canada, is the national governing body for amateur hockey in Canada. Hockey Canada oversees the management and structure of hockey programs in Canada from entry-level to high performance teams and competitions.
3. A complaint was received on September 30, 2025 alleging that the Claimant physically assaulted or participated in the assault of a parent of a player on a different team. The incident occurred in a hotel while away at a tournament on or about February 28, 2025.
4. The complaint was received and administered by Hockey Canada’s Independent Third Party (“ITP”). On February 10, 2026, Gabriel van Loon (the “Adjudicator”), an Adjudicative Chair appointed by the ITP upheld some of the allegations, finding that the Claimant “engaged in a violent altercation with other members of the hockey community, resulting in serious lifelong injuries for another individual”. The Claimant’s conduct was found to have violated six different applicable codes. The Adjudicator also considered that the Claimant’s lack of engagement in the process indicated an “unwillingness to show remorse, empathy, compassion or [sic] accountability for his actions”.
5. The Claimant was sanctioned with an immediate suspension from participation in any Hockey Canada sanctioned activities until May 30, 2028, and an official written warning to be placed on his disciplinary record. The Claimant seeks to have these sanctions suspended pending the merits of the appeal.

ANALYSIS

6. The primary ground for the appeal is the Claimant’s assertion that his right to procedural fairness was infringed because the Adjudicator rendered his decision without hearing from the Claimant. Hockey Canada has produced correspondence showing that the Claimant was contacted on at least five occasions by email and was cautioned that the investigation would proceed in

his absence if he did not respond to the correspondence. I am advised that there were two phone calls to the Claimant and a voicemail left for him.

7. This decision does not deal with the merits of the appeal nor does it deal with the assertions about procedural fairness raised by the Claimant. It is restricted solely to the Claimant's request for conservatory measures and anonymization.
8. Both parties rely on the principles established by the Supreme Court of Canada in *RJR Macdonald v. Canada (Attorney General)*, [1994] 1 S.C.R. 311 ("*RJR MacDonald*"). In that case, the Court identified three elements to be considered for interim relief. Briefly, these are as follows:
 - a. The existence of a serious issue to be tried;
 - b. The likelihood of irreparable harm to the moving party; and
 - c. The balance of convenience must favour the granting of the relief sought.
9. The parties made submissions on each of these elements by way of written arguments.
10. I will address each element separately.

The existence of a serious issue to be tried

11. As I expressed in *Anonymized v. Hockey Canada*, 2023 CASDRC 22 (CanLII) (Wilson), the determination of whether there is a serious issue to be tried is a low standard to meet. An applicant will usually meet this standard provided the basis for the application is not frivolous or vexatious.
12. Hockey Canada accepts that there is a serious issue to be tried, but urges me to consider the likelihood of success in the application. It relies on the series of communications sent to the Claimant advising him of the process.
13. It is not necessary for me to weigh in on the likelihood of success. I am satisfied that the application is not frivolous or vexatious. The Claimant has raised a serious issue to be tried and has satisfied the first part of the *RJR Macdonald* test.

The likelihood of irreparable harm to the moving party

14. This criterion examines the harm that may be suffered by the Claimant.
15. The Claimant asserts that he has and will continue to suffer harm from not being able to attend his two children's hockey games. He refers to emotional

damage suffered from missing his children's hockey experience. The Claimant explains that one of his children is "transitioning to high school" and that "his years in minor hockey are limited". The Claimant's other son is in the semi-final championships and could be in a position to compete in their final championships (colloquially referred to as [redacted]). In Reply Submissions, it was indicated that the playoff circumstances had changed. This is immaterial.

16. Hockey Canada argues that the focus must be on whether the Claimant will suffer irreparable harm. The focus is not on whether the Claimant's children will suffer harm. It relies on the comments of Arbitrator Pound in *Smirnova v. Skate Canada*, SDRCC 16-0291:

This criterion is directed to irreparable harm that may be suffered by the moving party. It is not a shotgun provision that extends to all persons or classes who might be affected by the particular litigation.

17. Hockey Canada disputes that the Claimant will suffer any harm from missing the hockey games while the merits of the appeal are heard. It also argues that any harm suffered could be adequately addressed through the final determination of the appeal if the Claimant is successful.
18. I agree with Hockey Canada that the legal analysis is focused on the harm suffered by the Claimant. In *RJR MacDonald*, the Supreme Court of Canada held that "... the only issue to be decided is whether a refusal to grant relief could so adversely affect the applicants' own interests that the harm could not be remedied if the eventual decision on the merits does not accord with the result of the interlocutory application." I leave open the question about whether harm suffered by children could adversely impact the parent. The extent of such harm does not arise in this case.
19. I accept that the Claimant, as a parent of two children, will suffer harm from not attending and watching his children play hockey. I do not need evidence to recognize that parents gain enjoyment and personal benefits from participating, even if just spectating, in their children's sporting events. A ban from spectating the sporting event deprives the parent of those benefits. I attribute very little weight to the fact that the Claimant's children are in the championships or in their final year of hockey. It is simply the restriction from watching and participating in the sporting event that causes harm to the parent.
20. It is not clear to what extent the Claimant is involved in coaching the hockey team, although he is rostered to the bench staff.
21. While Hockey Canada asserts that such harm, if any, can be addressed through the final determination of the appeal, it did not offer any insight on how that could be achieved. While I recognize that the degree of harm to the Claimant is less than clear, it appears to me that the harm suffered is irreparable since the opportunities are lost.

22. I accept that the Claimant has satisfied the second element of the *RJR MacDonald* test.

The balance of convenience

23. Under the third element, I am to assess which of the parties will suffer the greater harm from granting or refusing to grant the interim relief. It is appropriate for me to consider the harm that may be caused to the Claimant and the constituents of Hockey Canada.
24. The Claimant contests the Adjudicator's findings and challenges the investigation process on the basis that his perspective was not heard. He argues that there is no risk in temporarily lifting the suspension as he has no history of misconduct and there is no possibility of interacting with the parents of the team involved in the complaint. Given the harm that he faces from missing the games, including as a rostered member of the bench staff, he argues that the balance of convenience favours granting a stay of the sanctions.
25. Hockey Canada disputes that the Claimant has a highly arguable case and relies on its numerous communications inviting the Claimant to participate in the investigation process. It argues that the balance of convenience favours maintaining the integrity of the complaint adjudication system and the protection of the hockey community. It points out that the impugned conduct occurred at a time when the Claimant was not engaged in coaching duties. Thus, allowing his attendance at hockey games as a spectator would be inappropriate.
26. In my view, the Claimant has not satisfied the third element of the *RJR MacDonald* test. The sanctions imposed are part of Hockey Canada's broader objective of protecting players and the hockey community. It is part of its effort to provide a robust Safe Sport program. The Adjudicator found that the Claimant had been involved in a violent incident resulting in serious injury to a bystander. This is a serious conclusion that will be dealt with in the course of the appeal process. However, it would undermine the protections afforded to the broader hockey community if the sanction was temporarily suspended. While it will mean that the Claimant must live under the sanctions imposed for a short period, the harm that he will suffer does not outweigh the harm suffered to Hockey Canada's Safe Sport program and its obligations to the players, parents and spectators.
27. For these reasons, the application for Conservatory Measures is denied.

Request for Anonymization

28. The Claimant requests an order anonymizing the identities of the Claimant and his representatives. He argues that public disclosure of identifying details would harm him, his representatives, and his children. Hockey Canada opposes the request on the basis that SDRCC proceedings are presumptively public when it does not involve minors.
29. At this stage in the proceeding, it is unnecessary to decide this issue. The parties have a schedule to make submissions on the merits of the appeal. I will address the Claimant's request in my decision on the merits.

Signed this 11th day of March, 2026.

Matthew Wilson, Arbitrator