

# Protecting Athletes Is No Game: Federal Minister Of Sport Announces New Measures To Make Sport Safer In Canada



As our athletes prepare for the Commonwealth Games, we take this opportunity to discuss how Canada is preparing to make sport safer for its athletes and how other Commonwealth countries have done the same.

In just over a week, Canadians can watch as Team Canada competes in the 2022 Commonwealth Games against 74 participating countries. Having won 82 medals (including 15 gold) in the 2018 Commonwealth Games, we anticipate that there will be many reasons to celebrate.

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## **New measures to improve accountability and transparency**

Maltreatment and abuse in Canadian and world sport have affected athletes across various disciplines. This abuse is often kept silent, as athletes fear being oppressed or expelled from their sport and sport organizations fear losing power and funding in the event the maltreatment is made public. Fortunately, on June 12, 2022, the Honourable Pascale St-Onge, Minister of Sport, announced several new measures to improve accountability and transparency within Canada's sport system and ultimately protect athletes from maltreatment and abuse.

As a starting point, Sport Canada will develop new eligibility requirements to ensure sport organizations that receive federal funding meet specific governance, accountability and safe sport standards.<sup>1</sup> The funding framework requirements will become effective April 1, 2023.

In addition, Minister St-Onge announced the establishment of the Sport Canada Athlete Advisory Committee. This committee will be created to increase the representation of athletes in the sport system and to provide Sport Canada with advice and guidance regarding the realities of athletes in Canada.<sup>2</sup> Furthermore, Minister St-Onge committed to continuing the work in safe sport initiatives by proposing an investment of \$16 million over three years to support the Office of

the Sport Integrity Commissioner ("OSIC"). Of note, the federal Minister of Sport stated that:

Today's measures are only part of the solution and they build on the work already done. We want a sport system where the well-being of athletes is just as important as their performance [...]. We want a system that works for and with athletes.<sup>3</sup>

The Canadian Olympic Committee ("COC") also announced a \$10 million investment into safe sport initiatives. The COC CEO, David Shoemaker, stated: "We all want a safe and accessible system that also produces results on the world's stage. To get there, we need to work collaboratively to find and implement solutions".<sup>4</sup>

## **The Office of the Sport Integrity Commissioner**

In order to combat the safe sport crisis in Canada, Minister St-Onge has now established the OSIC . The role of this Office is described as "an important step to challenge the culture of silence and to provide a reliable way for athletes to report abuse and mistreatment".<sup>5</sup>

The OSIC operates as an independent division of the Sport Dispute Resolution Centre of Canada. Its role is to investigate reports of abuse and administer the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* ("UCCMS").<sup>6</sup> The UCCMS enacts harmonized rules to be adopted by federally funded sport organizations to foster a respectful sport culture. Of note, the OSIC 's responsibilities include:

- Overseeing the complaint intake process;
- Conducting preliminary assessments;
- Initiating full investigations and referring cases for mediation and adjudication by independent professionals;
- Maintaining a searchable sanctions registry; and
- Monitoring the implementation of safe sport policies, procedures and sanctions.

On June 20, 2022, Canada's first Sport Integrity Commissioner, Sarah-ve Pelletier, began receiving and addressing complaints. The OSIC is expected to receive a rush of complaints over the first few months of Ms. Pelletier's mandate. While Ms. Pelletier's role is currently limited to complaints advanced against Volleyball Canada and Weightlifting Canada Haltrophilie (the first Program Signatories), the OSIC is working with approximately fifty other federally funded sport organizations who have stated their intention to join the new safe sport initiative.<sup>7</sup>

## **Safe sport practices in other Commonwealth countries**

In recent years, various Commonwealth countries have acknowledged the importance of safe sport practices and have developed initiatives to prevent abuse and maltreatment. For instance, the United Kingdom designed the Child Protection in Sport Unit to work with national governing bodies, country sports partnerships and other organizations to minimize the risk of child abuse in sport. Among other things, the Unit offers a variety of training courses on how to respond to concerns of abuse in sport and provides consultant services to support sport organizations.

In Australia, Sports Integrity Australia has developed a National Integrity Framework, which takes a proactive approach to mitigate integrity threats in sports and contribute to a safe, fair and healthy environment for participants at all levels of sport.<sup>8</sup>

It remains to be seen what the legacy of Canada's new framework and set of measures for safe sport will be. Ultimately, the measures taken by Minister St-Onge are an encouraging step in the appropriate direction to ensure the foundation of Canadian sport is built upon a strong, safe and healthy sport culture that prioritizes and promotes trust amongst athletes, organizations and stakeholders.

Read the original article on [GowlingWLG.com](https://www.gowlingwlg.com).

## Footnotes

1. Government of Canada (Canadian Heritage), "Government of Canada provides update and announces action on safe sport", <https://www.canada.ca/en/canadian-heritage/news/2022/06/government-of-canada-provides-update-and-announces-action-on-safe-sport.html>.

2. Government of Canada (Canadian Heritage), "Government of Canada provides update and announces action on safe sport".

3. Government of Canada (Canadian Heritage), "Government of Canada provides update and announces action on safe sport".

4. Devin Heroux, "Canada's sport minister announces new measures to protect athletes from maltreatment, abuse", <https://www.cbc.ca/sports/olympics/heroux-safe-sport-new-measures-1.6486139>.

5. Devin Heroux, "Canada's sport minister announces new measures to protect athletes from maltreatment, abuse".

6. Sport Dispute Resolution Centre of Canada, *Universal Code of Conduct to Prevent and Address Maltreatment in Sport*, Version 2022 (6.0).

7. Sport Integrity Commissioner, "Canada's First Sport Integrity Commissioner Announced", <https://sportintegritycommissioner.ca>

8. Sport Integrity Australia, "National Integrity Framework", <https://www.sportintegrity.gov.au/>.

*The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.*

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