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# Standing Committee on Canadian Heritage

EVIDENCE

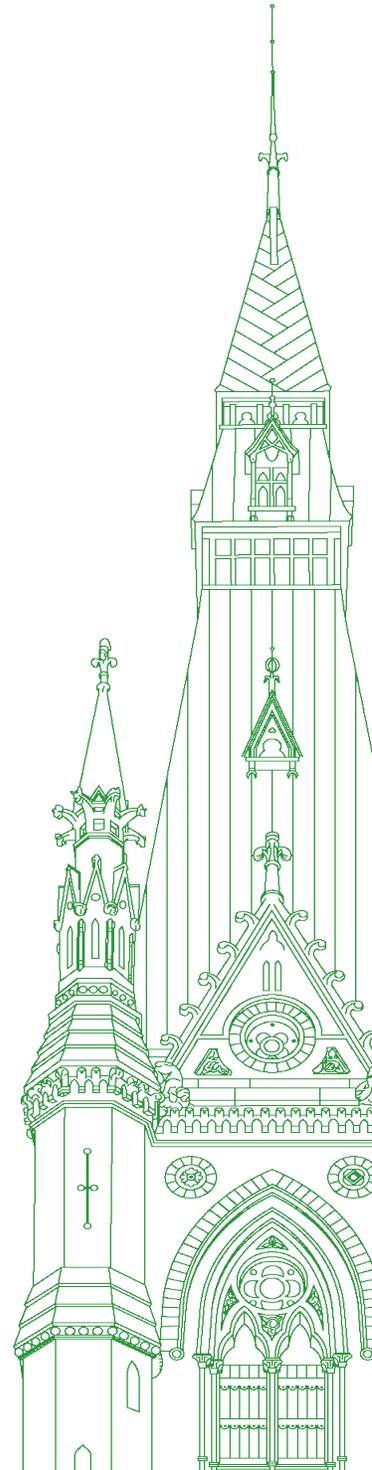
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Tuesday, July 26, 2022

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Chair: The Honourable Hedy Fry





## Standing Committee on Canadian Heritage

Tuesday, July 26, 2022

• (1110)

[*Translation*]

**The Chair (The Honourable Hedy Fry (Vancouver Centre, Lib.)):** Good morning, everyone.

I call this meeting to order.

Welcome to meeting No. 40 of the House of Commons Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

[*English*]

Pursuant to the motion adopted by the committee on Monday, June 13, 2022, the committee is meeting for its study of Hockey Canada's involvement in alleged sexual assaults committed in 2018.

Today's meeting is taking place in a hybrid format pursuant to the House of Commons order on June 23, 2022. We are therefore meeting virtually and in person.

I just have a few comments. Please wait until I recognize you by name before speaking. For those participating by video conference, you can click on the microphone icon to activate your mike and to mute yourself when you're not speaking.

For those on Zoom, the interpretation is what looks like a little globe at the bottom, and you can get it in English or French. For those in the room, you already know how to do that.

All questions should be addressed through the chair.

I am informing the committee that all witnesses have completed the required connection tests in advance of the meeting, and I would now like to welcome our witnesses to the meeting.

We're going to welcome Danielle Robitaille from Henein Hutchison LLP.

Madame Robitaille, you have—

[*Translation*]

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** A point of order, Madam Chair.

[*English*]

**The Chair:** Pardon?

[*Translation*]

**Mr. Sébastien Lemire:** Madam Chair, I don't want to interfere with the proceedings, but I'd like to point out, before the meeting starts, that not all of the online participants have their headsets on, from what I can see. I just want to make sure there are no interpretation issues during the meeting.

I think everyone has very pertinent questions to ask, and I'd rather not have that interfere with the meeting.

[*English*]

**The Chair:** I'm sorry, I didn't quite get that.

Could you please repeat it? My sound is not terribly good.

[*Translation*]

**Mr. Sébastien Lemire:** I want to make sure that all of the online witnesses have a headset with a microphone that meets the requirements of the House. I want to ensure that their testimony is interpreted correctly.

All too often in committee, meetings are interrupted because the equipment did not perform as expected.

[*English*]

**The Chair:** I think the clerk has assured us that everyone was properly connected before this meeting began.

Now I would like to go to Ms. Robitaille, please, for five minutes. I will give you a 30-second notice when you have 30 seconds left.

**Ms. Danielle Robitaille (Partner, Henein Hutchison LLP):** Thank you, Madam Chair.

I can say that the committee staff did advise me that I had six minutes, so I would be grateful for that indulgence, but I'll start my opening statement now.

**The Chair:** Thank you.

That's news to me. We usually do five minutes, but go ahead and have six.

**Ms. Danielle Robitaille:** Thank you, Madam Chair.

My name is Danielle Robitaille. I am a partner at the law firm Henein Hutchison.

On June 19, 2018, Henein Hutchison was contacted by Hockey Canada regarding allegations of sexual misconduct by members of the men's world junior hockey team at an event in London. It was our view that the London police should be contacted immediately. Based on our advice, Hockey Canada reported the matter to the police.

On June 21, 2018, we were retained to conduct an independent investigation into the allegations and whether any players had breached the Hockey Canada high performance code of conduct. I led the firm's investigation along with my law partner Alex Smith.

As this committee knows, independent investigations are frequently conducted by law firms for organizations facing serious allegations of misconduct. These investigations are conducted at arm's length in order to safeguard the independence of the investigation and to avoid potential bias.

Upon completion of our investigation, we will deliver a report to an adjudicative panel that will contain our impartial findings of fact about what happened in London.

There has been a lot of speculation in the press and elsewhere about what happened and who was involved in London. I will not comment on what did or did not happen, and who may or may not be responsible. This is an ongoing investigation and we do not yet know what did or did not occur. The goal of the investigation is to uncover the truth, but the investigation is active, and it would be inappropriate for me to prejudge the issue. It is critical that I keep my mind open to the evidence we are collecting and to safeguard the evidence collected to date as to not prejudge our investigation or any other investigation.

Here is a chronology of the steps taken so far in our investigation.

Between June 30 and July 11, 2018, we travelled to various locations across Canada and the United States and conducted interviews of 10 players out of the 19 who attended the event. On July 7, 2018, we learned that the London Police Service had opened its own investigation. We continued our investigation, as the police did not ask us to pause or stand down.

On July 13, 2018, seven players advised that they would not submit to interviews with my office pending the completion of the police interview. Around that same time, two players conveyed a blanket refusal to participate in our investigation. I have since learned that they meant to simply defer their participation until the conclusion of the criminal investigation.

Crucially, on July 13, 2018, counsel for the complainant also advised that she would not participate in our investigation until the police investigation had concluded. Notwithstanding that the player conduct investigation was on pause, we interviewed coaches and staff to report to Hockey Canada on broader policy issues. We then delivered to Hockey Canada an interim report dated September 14, 2018. The report identified policy issues that could be addressed by Hockey Canada while the conduct investigation was on hold.

On February 7, 2019, the police advised that they were closing their criminal investigation and no charges would be laid. We then contacted the complainant through her counsel to continue our in-

vestigation. Based on the facts collected in the summer of 2018, we concluded that the remaining player interviews should not be conducted until we received the complainant's statement.

Over the next 18 months, my office was in regular communication with the complainant's counsel requesting her participation. We sought her statement to allow us to proceed with our investigation and ultimately our search for the truth. Despite efforts to encourage the complainant to participate, she declined to provide her account to us at that time. Accordingly, we felt compelled to classify the investigation as closed without prejudice to its reopening if circumstances changed.

Circumstances have now changed. On July 9, 2022, the complainant advised that she was prepared to participate. We then received instructions to reopen our investigation. We now have the benefit of the complainant's detailed version of events, and I am now in a position to interview the remaining players.

• (1115)

I am here today to answer the committee's questions. There are three issues I wish to draw to the committee's attention that are deserving of some comment.

One, Hockey Canada has advised me that it's asserting solicitor-client privilege with respect to some of the discussions and work that we have performed. They have further advised that I'm not authorized to waive privilege. I was advised that this is to ensure Hockey Canada is not later held to have waived its privilege should this committee compel me to answer. I will await the committee's direction before answering. I am aware of the committee's power to compel answers and override claims of privilege. I will, of course, follow the direction of this committee and the Honourable Madam Chair.

Two, the committee may ask questions that call for answers that, if given, could undermine the integrity of our ongoing investigation. It is also critical that the anonymity of witnesses be maintained. If we find ourselves in circumstances that cause me concern as an independent investigator, I will alert Madam Chair and wait for the committee's direction.

Three, I understand that the committee requested that Hockey Canada produce documents in its possession that involve communications between Henein Hutchison and the players. You have some of that correspondence, but you don't have all of it. I should make it clear that Hockey Canada would only have some of our correspondence with players, and many of those pieces of correspondence remain solely in Henein Hutchison's possession.

I look forward to assisting the committee and answering your questions.

**The Chair:** Thank you.

**Ms. Danielle Robitaille:** Thank you, Madam Chair.

**The Chair:** Now, we will begin the question-and-answer component of the meeting.

This round is for six minutes, and we will begin with, for the Conservatives, Richard Martel.

Richard, you have six minutes.

[Translation]

**Mr. Richard Martel (Chicoutimi—Le Fjord, CPC):** I will address all my questions to the witnesses through the chair.

How did you obtain Hockey Canada's mandate?

**Ms. Danielle Robitaille:** I would really like to answer in French.

Unfortunately, I think I really need to be accurate and precise in my testimony, which means that I have to answer in English.

• (1120)

**Mr. Richard Martel:** That's fine.

[English]

**Ms. Danielle Robitaille:** I received the mandate—Henein Hutchison received the mandate—via a phone call from Glen McCurdie, who was the vice-president of risk management at the time.

[Translation]

**Mr. Richard Martel:** What were Hockey Canada's stated parameters for conducting the investigation?

What were the objectives?

How far was the investigation to go?

[English]

**Ms. Danielle Robitaille:** It is my understanding that Hockey Canada has not asserted privilege over this issue, and I'm going to answer it.

The mandate was to discover the truth, to learn what happened in London at that event and to investigate the allegations that came through to Hockey Canada.

There was a secondary mandate to look into any potential policy issues or systemic issues discovered in the course of the investigation in order to report to Hockey Canada so that it could improve its process.

[Translation]

**Mr. Richard Martel:** How many players took part in your investigation?

[English]

**Ms. Danielle Robitaille:** There were 10.

[Translation]

**Mr. Richard Martel:** How many players refused to participate?

[English]

**Ms. Danielle Robitaille:** Well, as I hope I made clear in my opening, two of them refused at the time to submit to interviews. I've subsequently learned through correspondence with counsel that those two players did not intend to provide a blanket refusal and that they were prepared to sit down with me at the conclusion of the criminal investigation.

Seven players were very clear that they would not participate in interviews until the conclusion of the criminal investigation.

I hope that is clear.

[Translation]

**Mr. Richard Martel:** Aside from the players, who else refused to take part in the investigation?

[English]

**Ms. Danielle Robitaille:** I can say that I received open participation from Hockey Canada officials. I was able to sit down with coaching staff and other staff very readily.

The complainant, as I explained in my opening, was not prepared to provide us with her version of events for quite some time, first because of the ongoing criminal investigation. That is not unusual. Then, after the criminal investigation closed, as you heard in my opening, for a period of 18 months we sought her participation. We included in our correspondence to counsel that we were prepared to engage in accommodations to facilitate her evidence in our investigation. She was not prepared at that time.

Again, that is not unusual. It's not an unusual case where a complainant in this sort of matter takes time to be prepared to participate in an investigation like ours.

[Translation]

**Mr. Richard Martel:** When you submitted your preliminary report, what were the recommendations?

[English]

**Ms. Danielle Robitaille:** This is an area that Hockey Canada has asserted solicitor-client privilege. I'm not authorized to waive it on their behalf.

I have been advised to request that my answer be provided in camera if I'm directed to answer this question.

[Translation]

**Mr. Richard Martel:** Can we know what the reaction was of Hockey Canada officials to that report?

[English]

**Ms. Danielle Robitaille:** I'm not sure I'm in the best position to answer that. My role and my mandate did not include the area of compliance, shall I say, in order to kind of follow through recommendations into implementation. My role is to provide independent, impartial recommendations that can be either accepted or rejected by an organization.

[Translation]

**Mr. Richard Martel:** Did you work with Hockey Canada officials to put in place certain recommendations?

[English]

**Ms. Danielle Robitaille:** I hope my earlier answer raised that. I was not engaged to participate in implementation or compliance.

• (1125)

[Translation]

**Mr. Richard Martel:** What happened between the filing of your preliminary report in October 2018 and the closing of the investigation in September 2020?

[English]

**The Chair:** You have 30 seconds.

[*Translation*]

**Mr. Richard Martel:** There was still a lapse of time.

What happened between the time you started the investigation and the time you closed it? What did you do during that time?

**Ms. Danielle Robitaille:** Between when and when?

**Mr. Richard Martel:** Between the time you started the investigation in 2018 and the time you closed it in 2020.

**Ms. Danielle Robitaille:** Okay.

**Mr. Richard Martel:** What happened during those years—

**Ms. Danielle Robitaille:** Okay. Thank you.

**Mr. Richard Martel:** It's still a long time.

**Ms. Danielle Robitaille:** Yes—

[*English*]

**The Chair:** I'm sorry. The time is up. I gave a 30-second warning. You will be able to answer that through another question, Ms. Robitaille.

We'll now go to the second set of questions.

For the Liberals, it will be Anthony Housefather for six minutes.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Thank you, Madam Chair.

Thank you for appearing today.

Did you speak with anyone at Hockey Canada or its representatives to prepare for your testimony today?

**Ms. Danielle Robitaille:** I can advise the members of the committee and Madam Chair that I sent a copy of my opening statement to counsel for Hockey Canada in advance of my attendance here before you. Apart from that, I did not engage with Hockey Canada in preparation for my attendance today.

**Mr. Anthony Housefather:** Thank you.

Was this the first mandate you received from Hockey Canada?

**Ms. Danielle Robitaille:** It was the first.

**Mr. Anthony Housefather:** Perfect.

When you were speaking with Hockey Canada during the course of the mandate, was there contact with Mr. McCurdie, or did you ever have occasion to speak to Mr. Smith or Mr. Renney or other members of the Hockey Canada staff?

**Ms. Danielle Robitaille:** I dealt primarily with Mr. McCurdie. I did have an opportunity to participate in conference calls with senior leadership at the outset.

I hope that assists.

**Mr. Anthony Housefather:** Have you ever presented your findings to the Hockey Canada board?

**Ms. Danielle Robitaille:** I think I need some clarification on your question. As I indicated, the player conduct investigation is active and ongoing. There would be no opportunity to present to the board since the investigation has not concluded.

In relation to the interim report, I've indicated the date of its delivery, and this again is an area where I know Hockey Canada is asserting a solicitor-client privilege.

**Mr. Anthony Housefather:** Okay. I appreciate your clarifying that. At the last hearing, Hockey Canada was very confusing about how many players participated, so thank you for clarifying that it was 10 and the reasons the others did not.

You are a very experienced counsel. After having identified those 10 witnesses, would it be true to say that you have a very good idea of who the eight men are who are alleged to have been in that room? I am not asking you get into whether or not anything happened, whether it was true or not, but you would have a clear idea of who the people were, would you not?

**Ms. Danielle Robitaille:** Madam Chair, this is an area that I have to be very careful in answering. As I indicated, the goal of our mandate is to search for the truth. I do not want to provide an answer in the course of these proceedings that could potentially taint the evidence from other witnesses who I have yet to hear from, nor do I want to provide an answer that taints the evidence that will be provided to the London Police Service, which has reopened its investigation, or the NHL and NHLPA's ongoing investigation. So I do have to decline to answer that question with the following caveat: My investigation is going well. As I indicated, I have the complainant's statement now, and, as I indicated in my opening statement, I am well equipped to continue this investigation.

● (1130)

**Mr. Anthony Housefather:** Thank you.

I think what was confusing to many people was that, when Hockey Canada asserted at the last meeting that it did not know the identity of the eight individuals, it seemed highly surprising to many of us in light of the interviews that were conducted.

Let me ask a different question. One of the other things that I think many were confused about was why players were not required to co-operate at the time and why no sanctions were imposed on those who don't. On June 20, Mr. Smith testified that, "On the advice of our third party investigator, we were not able to impose sanctions." That's presumably on those who did not participate. "They advised that we lacked due process for them."

Given that Mr. Smith himself spoke to that and clearly waived privilege on that issue, would you kindly elaborate as to that answer, whether you spoke to them about that and advised that you could not require them to participate or not allow them to be sanctioned because of due process issue?

**Ms. Danielle Robitaille:** There are two aspects to this answer, one of which is covered by solicitor-client privilege or the claim of solicitor-client privilege, but I take your point regarding what was testified to at the prior occasion. I'm not here to give out a legal opinion on the validity of that claim of privilege.

There were discussions around that issue. I'm not authorized to disclose them to this committee, absent direction from Madam Chair and the committee, so there's part of the answer that I cannot provide unless ordered to.

In relation to the second part of the answer, what I would say and what I think is important for the committee to understand, is that the issue of refusals had not crystalized at any point in my investigation. That is because of the conclusion that I drew, along with my law partner Alex Smith and supported by my law associates at the firm, that I should not interview the remaining players, absent the statement from the complainant. I needed her version of events to push forward in my investigation.

Once the criminal proceedings concluded, I focused my efforts on speaking with the complainant's counsel and attempting to facilitate obtaining that statement so that I would be equipped to move forward in my investigation. As I indicated in my opening statement, ultimately by September of 2020, after 18 months of those efforts not arriving to the place I had hoped they would, I closed the investigation without prejudice to reopening it at a later date—and, as I indicated, we are here now.

**The Chair:** Thank you. I think that's enough time.

We have overreached our time, guys, but there you go.

I would like to ask everyone to be concise in their answers so that we can get in as many questions and answers as we possibly can. Thank you.

I will now go to the Bloc Québécois.

[Translation]

Mr. Lemire, you have five minutes.

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

Ms. Robitaille, thank you very much for being with us.

Obviously, we would have liked to have been able to obtain the preliminary report, but we understand the circumstances.

I would like to come back to the basics. Hockey Canada told the committee that they did not hire a lawyer on June 19, 2018, and that it was only when the summary of the allegations was provided to them that lawyers were hired.

So Glen McCurdie contacted you on June 19, 2022. What time was it?

[English]

**Ms. Danielle Robitaille:** Madam Chair, I don't have a note of the precise time that I was contacted. My recollection is that it was in the morning that I had an initial conversation with Mr. McCurdie, and then subsequently a broader conference call with some executive leaders at Hockey Canada.

[Translation]

**Mr. Sébastien Lemire:** That's fine. It still gives me a good sense of the timing.

What specifically is the mandate you've been given?

[English]

**Ms. Danielle Robitaille:** The mandate at that time, on the 19th, was to give some preliminary advice regarding what to do. I've disclosed, and Hockey Canada is not asserting solicitor-client privilege

over, the fact that my first piece of advice was that London Police Service needed to be contacted.

[Translation]

**Mr. Sébastien Lemire:** Did a lawyer also contact you to provide you with this mandate? Investigators generally cannot incriminate their clients.

Was the mandate sent to you by Hockey Canada or did a lawyer deal with you?

[English]

**Ms. Danielle Robitaille:** That's an interesting question. I was contacted by Glen McCurdie directly. If it assists the panel, I can say that it is not unusual that an investigator is contacted directly from an organization, though it's also not unusual that you're contacted by outside counsel. That happens as well.

• (1135)

[Translation]

**Mr. Sébastien Lemire:** I understand that your mandate has evolved. Were you given instructions by a lawyer along the way?

[English]

**Ms. Danielle Robitaille:** What I can say is that after our discussions with Hockey Canada on the 19th, we were provided the mandate of conducting an independent investigation.

[Translation]

**Mr. Sébastien Lemire:** Did your mandate also refer to the nature of the actions that would have to be taken if Hockey Canada was found to be responsible for the situation in question? Did you have a mandate to do that?

[English]

**Ms. Danielle Robitaille:** I can indicate that, as I mentioned, the mandate was a twin mandate. The first was to conduct the investigation in relation to alleged breaches of the high performance code of conduct. The second was to report on any policy or systemic issues that we noted in the course of our investigation in order to assist the organization in moving forward.

[Translation]

**Mr. Sébastien Lemire:** So the mandate isn't limited to simply finding out whether the alleged facts are true. It's also a matter of determining Hockey Canada's responsibility under the circumstances.

Is that correct?

[English]

**Ms. Danielle Robitaille:** Correct.

[Translation]

**Mr. Sébastien Lemire:** Great.

Who paid for the investigation by Hencin Hutchison LLP?

[English]

**Ms. Danielle Robitaille:** Hockey Canada.

[Translation]

**Mr. Sébastien Lemire:** From what funds? Do you know?

[English]

**Ms. Danielle Robitaille:** I have no idea.

[Translation]

**Mr. Sébastien Lemire:** What are the limits of your investigation?

[English]

**Ms. Danielle Robitaille:** The way my firm conducts independent investigations is that there are no limits. The objective is to be at arm's length and free of bias. That means having a mandate that is explicit in its independence from the source organization. We decide which witnesses to interview, what questions to ask and what inferences to draw. We will not take, nor would I ever take, direction from an organization in relation to that sort of mandate.

[Translation]

**Mr. Sébastien Lemire:** In the past four years, since you were given the first draft of this mandate, have you reported to various bodies?

First, were you asked to report to the Hockey Canada board of directors?

[English]

**Ms. Danielle Robitaille:** I don't think this is covered by solicitor-client privilege. I hope the committee appreciates the difficult circumstances I find myself in. I can say that I've never appeared before the board of Hockey Canada, and nor has anyone in my firm.

[Translation]

**Mr. Sébastien Lemire:** Have you discussed a possible appearance before the Canadian Hockey League?

Have you reported to its senior management?

[English]

**Ms. Danielle Robitaille:** I think I might need the translation. I'm very sorry.

[Translation]

**Mr. Sébastien Lemire:** Have you reported to the Canadian Hockey League?

[English]

**Ms. Danielle Robitaille:** No, I've never presented before the board of the Canadian Hockey League, though I should say that I'm aware that Hockey Canada had communication with the Canadian Hockey League about this incident.

[Translation]

**Mr. Sébastien Lemire:** You've been formally asked to resume your investigation in recent weeks.

Is that correct?

[English]

**Ms. Danielle Robitaille:** Correct.

[Translation]

**Mr. Sébastien Lemire:** We know that the investigation was suspended because the London Police Service had not completed its

investigation. We were obviously waiting for the version of some players.

[English]

**The Chair:** You have 30 seconds.

[Translation]

**Mr. Sébastien Lemire:** Does the fact that these people are now concerned about it and are engaging in this investigation change your mandate?

Does that mean that it's restarted, and again, we will have to wait for the findings of the police in the just relaunched investigation before you can properly continue your investigation with the players?

[English]

**Ms. Danielle Robitaille:** I can say that my investigation is moving forward. The London Police Service has not asked me stand down or pause my investigation. I am in contact with counsel for the players, and I expect to be scheduling interviews imminently.

[Translation]

**Mr. Sébastien Lemire:** Does the fact that the victim—

[English]

**The Chair:** Thank you very much. That's the end of—

[Translation]

**Mr. Sébastien Lemire:** —will co-operate in this process mean that they will co-operate in your investigation as well?

[English]

**The Chair:** Monsieur Lemire, that's the end of your time, please. Thank you.

I would like to once again repeat that the questions and answers be as concise as possible because we can't keep going over time.

All right, now we have Peter Julian for the NDP.

You have six minutes, Peter.

• (1140)

[Translation]

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Thank you very much, Madam Chair.

[English]

Thank you, Madame Robitaille. We certainly do appreciate that the questions that we're asking you are very pointed and that this does put you in, sometimes, an awkward position.

I'd like to come back to your testimony about the day of June 19. You stated that in the morning you were speaking with Hockey Canada and that you said at that time in the morning that this should be reported to the police. It is allegations of serious criminal acts, as we all understand.

Did you communicate that in the morning, that it should be reported to the police immediately?

**Ms. Danielle Robitaille:** I did communicate it to Mr. Glen McCurdie, and I should say that there was no resistance from Mr. McCurdie in that phone call regarding that legal advice. What he advised me of was that he needed to connect with senior leadership on that question before acting on my advice.

**Mr. Peter Julian:** You may be aware of the testimony that Hockey Canada provided to us last month stating that they reported it to the police between 6 p.m. and 7 p.m. that evening.

Are you aware of what happened between the morning when you were offering the advice that it should be reported immediately and Hockey Canada's finally reporting it to the police in the evening?

**Ms. Danielle Robitaille:** All I can say is that I am aware that Mr. McCurdie did connect with his colleagues in senior leadership positions at Hockey Canada in that time. In terms of what else occurred internally at Hockey Canada, I cannot assist the committee.

**Mr. Peter Julian:** Are you aware of any communications between Hockey Canada and the London police after June 19 and up until February 7, 2019, when the police closed their investigation?

**Ms. Danielle Robitaille:** I can advise the members of the committee that I was in somewhat regular contact, as an independent investigator, with the London police regarding the state of the criminal investigation because I was quite anxious to push my investigation forward and wanted to know when they were concluded, so I had contact with the detective leading the investigation.

**Mr. Peter Julian:** On a regular basis.... Is that every few weeks, every month?

**Ms. Danielle Robitaille:** It took some time. Initially, I know, there were vacation issues in the summertime at the London Police Service that impacted their timeline. I can't, sitting here, recall exactly the intervals of my check-ins with the detective, but I would say they were regular.

**Mr. Peter Julian:** And Hockey Canada was also speaking with the London police?

**Ms. Danielle Robitaille:** I'm not sure. I was conducting my independent investigation.

**Mr. Peter Julian:** Okay, thank you.

You mentioned that you had interviews with coaches and staff. How many were interviewed?

**Ms. Danielle Robitaille:** That is a question that elicits an answer over which solicitor-client privilege has been claimed. I'm not authorized to waive the privilege on behalf of Hockey Canada.

I understand that I can be directed to answer the question.

**Mr. Peter Julian:** Madam Chair, we are already aware of the number of players that participated in and co-operated with the investigation. It seems to me that it's appropriate to know about coaching and staff members who participated.

**The Chair:** Yes. I will direct the witness to answer the question.

We're not asking you for names. We're just asking how many—a number.

**Ms. Danielle Robitaille:** Just your indulgence, Madam Chair....

**Mr. Peter Julian:** Can you halt my clock, Madam Chair?

**The Chair:** Yes. I shall do that.

**Ms. Danielle Robitaille:** Seven.

**Mr. Peter Julian:** That's coaches and staff?

**Ms. Danielle Robitaille:** Yes.

**Mr. Peter Julian:** How many were coaches?

**Ms. Danielle Robitaille:** I won't be able to answer that, unfortunately.

**Mr. Peter Julian:** You don't have that information?

**Ms. Danielle Robitaille:** I don't have it in my head.

**Mr. Peter Julian:** Okay. Thank you.

I want to come back to the remuneration issue. Has the national equity fund ever been mentioned to you as paying Henein Hutchison for the investigation?

**Ms. Danielle Robitaille:** The source of funds from Hockey Canada that were directed to pay my fees has never been discussed with me.

• (1145)

**Mr. Peter Julian:** And the national equity fund has never been raised as a source of funds.

**Ms. Danielle Robitaille:** Never.

**Mr. Peter Julian:** Okay.

Henein Hutchison does corporate investigations. You say on your website, "You need to get to the truth". Is non-compliance normally part of what Henein Hutchison does—that is, to ensure there is compliance following the investigation, to ensure that the corporation or the organization involved actually follows the guidelines that are a result of the investigation?

**Ms. Danielle Robitaille:** That can be part of a mandate that's usually set out at the outset of the engagement.

If it assists the members of the committee, I would say anecdotally that often that will be in smaller organizations that don't have a full legal department and the infrastructure required for an implementation phase of a process.

**The Chair:** You have 30 seconds.

**Mr. Peter Julian:** Thank you.

You mentioned that the investigation has been restarted. Did Hockey Canada communicate that to you? You talked about a series of events before the investigation started again. Who instigated? Was it you going to Hockey Canada saying we now have the co-operation of the victim, or was it Hockey Canada communicating with you?

**Ms. Danielle Robitaille:** I learned from outside counsel for Hockey Canada that the complainant was prepared to participate in our investigation. I then—

**The Chair:** Thank you very much. I think the time is now well over.

I included the suspending time for the witness to find the information, Peter. I gave you all that time.

I will move now to the Conservatives.

Kevin Waugh, you have six minutes.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** No, it's actually Mrs. Vecchio.

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Hello there, Hedy. Can you hear me?

**The Chair:** Oh, it's you, Karen. I'm sorry. I had Kevin Waugh for some reason.

I'm sorry about that.

**Mrs. Karen Vecchio:** It's all good. We look a lot alike, so I understand.

**The Chair:** I know you do. That's why I got confused.

**Mrs. Karen Vecchio:** Yes. No problem.

Thank you very much.

I'll go directly to my line of questions. It was reported that lawyers representing seven of the members of the 2018 world junior hockey team were never asked to sit down for interviews or provide statements.

Ms. Robitaille, is that correct?

**Ms. Danielle Robitaille:** I'm sorry. I'm having a very difficult time hearing you.

**Mrs. Karen Vecchio:** Okay.

We've heard that seven of the members of the 2018 world junior hockey team were never asked to sit down for interviews or provide statements. Is that correct?

**Ms. Danielle Robitaille:** Nine; it was nine, and that's as a result of what I indicated previously. I did not yet have the complainant's statement, and I was not prepared to interview those players absent the complainant's version of events.

**Mrs. Karen Vecchio:** Thanks very much.

So that's what you indicated, namely, that until you actually conducted the interview with the complainant, you decided, or it was decided, that investigating or asking questions of these other players wouldn't make any sense.

Can you explain to me...? I guess part of that issue, to me, is that we know that these people are sitting there and they have not been involved in questions. You've decided not to ask them; because of the young woman's not wanting to testify, you've decided not to go forward with these young men. I guess that's part of my question here: Why not?

**Ms. Danielle Robitaille:** Thank you.

I won't be able to answer this question in as much detail as I could if the investigation were complete. What I can tell you is that based on the information I collected in the summer of 2018, that is an investigative conclusion that I came to. I can say two things. First, I concluded after the summer of 2018 that I could not complete my search for the truth absent having an opportunity to hear from the complainant about what she said happened. I would not be able to reach the end goal without hearing from her.

**Mrs. Karen Vecchio:** Okay.

**Ms. Danielle Robitaille:** Second, as a matter of due process, I could not interview players without giving them fair notice of what

was alleged against them. It was really those twin concerns that caused me to take the steps I took.

**Mrs. Karen Vecchio:** I hear that. I guess for me, uncovering the truth is when one door is shut, I continue to say, "find a window". I guess if Hockey Canada really wanted to get down to the fact that there was an alleged sexual assault in June of 2018, they would have wanted to do more to ensure that any of these players who might have been responsible were going to be held accountable.

I think those are some of my concerns.

One of my concerns as well is that some of these players, or whoever may have been involved, may now be coaching. These are young men mentoring our own next generation of young hockey players, so it's a huge concern of mine that we kind of just wiped our hands clean and walked away from this. Because the woman didn't come forward, the men still weren't going to be held accountable, yet they're getting to wear the maple leaf on their shirt. I just don't think that's...

To me, good hockey players are not all we need. We need great people off the ice as well, so I'm really hoping that Hockey Canada will take that into consideration.

When reaching out to the players, I know some had said that they weren't....How long did it take for you to reach out to them and for them to get back to you when you started this investigation?

These other players whom you had not contacted, why did you not connect with them all at the same time? Why was it pieced out that you were only connecting with so many and not all 19 of these players?

**Ms. Danielle Robitaille:** Thank you, Madam Chair, for the opportunity to clarify.

All of the players were contacted at the same time. On June 26, letters went out from my firm to all of the players. We received a healthy response from the majority of them and started the process of scheduling interviews.

**Mrs. Karen Vecchio:** Can you explain to me "a healthy response"?

• (1150)

**Ms. Danielle Robitaille:** The majority of them got back to us immediately to schedule interviews. Some interviews were scheduled and cancelled once the London Police Service investigation got under way.

**Mrs. Karen Vecchio:** We're looking at these being CHL players playing for Hockey Canada, so did you have any contact whatsoever with CHL coaches who may have been coaches of these players at that time or any of these organizations?

**Ms. Danielle Robitaille:** I know that Hockey Canada was in touch with the CHL regarding our investigation and the allegations.

**Mrs. Karen Vecchio:** Looking at this, your department never contacted them with the CHL to say that you were trying to do this investigation and ask how you could get everybody on board. Was there nothing done there or that way?

**Ms. Danielle Robitaille:** There were discussions at the outset of Henein Hutchison's investigation regarding player compliance with our investigation. Those discussions are subject to a claim by Hockey Canada of solicitor-client privilege.

**Mrs. Karen Vecchio:** Once again, there's solicitor-client privilege on this.

I guess for me, when I'm looking at the CHL, I'm looking at holding people to account—

**The Chair:** You have 30 seconds.

**Mrs. Karen Vecchio:** —and not just holding people to account, but ensuring that, as I said, we have the best people who are going to be the leaders of this country. These are mentors. Do you feel at this time that we've done due justice to all of those players who are involved in Hockey Canada and all of our upcoming hockey players in Canada?

**Ms. Danielle Robitaille:** I'm not sure I understand the question. I can indicate that I am laser focused on my conduct investigation.

**Mrs. Karen Vecchio:** Thank you very much.

**The Chair:** Thank you.

We now go to the Liberals for six minutes with Lisa Hepfner.

**Ms. Lisa Hepfner (Hamilton Mountain, Lib.):** Thank you very much, Madam Chair.

Thank you for your testimony here today, Ms. Robitaille.

I'm also kind of seized with the issue that we heard from my colleague Ms. Vecchio, namely that everything stopped when the complainant didn't feel comfortable speaking to anyone. I'm wondering if you can reflect on that a bit more.

If there's a complainant who, for whatever many good reasons, doesn't feel comfortable or safe speaking to an investigator like you or to police, as an investigator, what do you think about that? Is it acceptable that we drop any further investigation because there's no official complaint?

**Ms. Danielle Robitaille:** I would say that it depends on the investigation, and each case turns on its own facts. In this case, it was not a simple allegation. There was some complexity to the allegation, and the complexity involved also the interviews that I was to conduct.

I don't want to say much more for the reasons that I raised earlier and the potential to taint, but I would say that an investigation of breaches of a code of conduct is different from, say, researching for an article or for a publication in a newspaper. There are obligations to due process and fairness. There are obligations to notify respondent witnesses of the allegations that they are faced with. So, it's not a matter of simply walking through every door and opening every window. There is a gold standard in terms of how one proceeds through these investigations.

I appreciate that it's very frustrating to Canadians that we don't have an outcome yet. This is something that we have seen in the

area of sexual violence in the justice sector as well. What I can say is that justice takes time. My investigation is taking time, but justice and fairness sometimes take time.

• (1155)

**Ms. Lisa Hepfner:** The complainant, or the survivor in this instance, did sign a non-disclosure agreement. Did that play any role in your investigation? If we look at the non-disclosure agreement, we see that she wasn't supposed to talk to anyone. There's no police or investigator exclusion from that non-disclosure agreement. Would that have played a role in her potential hesitance to speak to anyone?

**Ms. Danielle Robitaille:** I've never seen that document, so that's number one. I do have knowledge that it's a document that came into play in the spring of this year, so it would not have had an impact in the difficulty that I encountered in obtaining her version of events earlier in the chronology. I was not involved in the negotiations of the civil suit. As I've indicated, she is prepared and, indeed, participating in my investigation.

**Ms. Lisa Hepfner:** Thank you.

Since you've resumed your investigation, do you have any sense of how many of the 19 players will be willing to speak to you and participate in the investigation?

**Ms. Danielle Robitaille:** I know, Madam Chair, that the committee has been provided with correspondence from a group of eight counsel who represent eight of the remaining nine players that I have yet to interview. They have expressed concerns about my investigation, particularly as it relates to comments made by politicians and members of Hockey Canada. They have a concern that the issue has been prejudged.

I am attempting to address those concerns and assuage those concerns, and I hope that I will receive voluntary compliance with my investigation. However, I have also been equipped with the tool that should a player not participate in my investigation, Hockey Canada has advised me that they will receive a lifetime ban from participating in Hockey Canada and that this would be conveyed to them and made public.

**Ms. Lisa Hepfner:** Just to clarify.... There are repercussions this time if a player—

**The Chair:** You have 30 seconds.

**Ms. Lisa Hepfner:** —does not participate in the investigation.

**Ms. Danielle Robitaille:** That's correct.

**Ms. Lisa Hepfner:** In your experience in conducting investigations, was there anything unusual about this investigation—any unusual parameters or expectations or direction given by Hockey Canada—that you would say is somewhat different from other investigations that you've conducted?

**Ms. Danielle Robitaille:** No.

**The Chair:** I am sorry. That answer will have to come to someone else at another time because we have run out of time here, and we're going to run out of time at the hour.

I have two more questioners, and they are going to be Monsieur Lemire for two and a half minutes and then Mr. Julian for two and a half minutes before we end this session.

Please be concise.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

Ms. Robitaille, is it true that the victim, through their lawyer, recently said that they were willing to co-operate with your investigation?

[*English*]

**Ms. Danielle Robitaille:** Was it recently? Yes.

[*Translation*]

**Mr. Sébastien Lemire:** Was the first investigation you did, the one that Tom Renney refers to as a preliminary report, considered a full investigation at that time?

[*English*]

**Ms. Danielle Robitaille:** That's an interesting question.

At that time, in September of 2018, we reported on the policy and systemic issues that arose to date in our investigation. It may be that, once the conduct investigation has concluded, there are additional policy and systemic issues that, as an independent investigator, I conclude I want to raise with Hockey Canada. I may do that.

[*Translation*]

**Mr. Sébastien Lemire:** So you were paid in September 2018 as if the report you had submitted was final and complete, because you had no mandate to go further and Hockey Canada had ultimately moved on.

Is that correct?

• (1200)

[*English*]

**Ms. Danielle Robitaille:** That's right—

**The Chair:** [*Inaudible—Editor*]

**Ms. Danielle Robitaille:** I'm sorry, Madam Chair.

**The Chair:** I'm sorry. We have very little time, so just be as quick as possible in your answer, yes or no.

**Ms. Danielle Robitaille:** Thank you, Madam Chair. I want to be—

**The Chair:** Continue, Mr. Lemire.

[*Translation*]

**Mr. Sébastien Lemire:** So you were paid for this investigation into the alleged events of 2018 as if it were final and complete up until the time these facts were made public.

Could you tell me who subsequently asked you to resume the investigation starting in 2022 and when that person did so?

[*English*]

**Ms. Danielle Robitaille:** I received word through outside counsel that the complainant was willing to participate. I reached out to

general counsel Sean Kelly and asked for instructions to reopen my investigation, and I obtained those instructions.

[*Translation*]

**Mr. Sébastien Lemire:** So you got a new mandate.

Is that correct?

[*English*]

**Ms. Danielle Robitaille:** It's the same mandate: Search for the truth.

[*Translation*]

**Mr. Sébastien Lemire:** Have there been any changes to this mandate? Was anything new added to your mandate?

[*English*]

**Ms. Danielle Robitaille:** No.

[*Translation*]

**Mr. Sébastien Lemire:** Has there been any communication with the Canadian hockey leagues, with the teams, to force players to be more involved in the investigation?

[*English*]

**Ms. Danielle Robitaille:** I don't think that's relevant at this stage in their careers.

[*Translation*]

**Mr. Sébastien Lemire:** Did you interview the person responsible for player security, at the hotel, as part of your investigation?

[*English*]

**Ms. Danielle Robitaille:** Again, I want to be very careful about the details of my investigation. I can indicate that I reached out to a number of witnesses, and I obtained a range of evidence.

[*Translation*]

**Mr. Sébastien Lemire:** Have you contacted David Andrews, who was president of the American Hockey League at the time these events occurred?

He told us that he didn't know. However, some players were members of the American Hockey League.

[*English*]

**The Chair:** It's the end of the session. Thank you.

**Ms. Danielle Robitaille:** I never spoke to that person.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you.

[*English*]

**The Chair:** I'm sorry. The question has ended.

I will go to Mr. Julian for two and a half minutes. Thank you.

**Mr. Peter Julian:** Thank you, Madam Chair.

Did you hear about the shocking allegations from around 2003? Again, there were allegations of gang sexual assault. Did you hear about them at the same time as we all did, through the media?

**Ms. Danielle Robitaille:** That's correct.

**Mr. Peter Julian:** Okay, so there is nothing internally prior to that.

**Ms. Danielle Robitaille:** No.

**Mr. Peter Julian:** We have with Hockey Canada, sadly, a history of not following through on recommendations. We think about the anti-sexual abuse recommendations that were supposed to be put in place by Hockey Canada. They were not put in place. Anti-racism tracking, which was committed to a couple of years ago, has not been put into place.

You are preparing recommendations for systemic change within Hockey Canada. To what degree are you confident that Hockey Canada would follow your best advice when, in these other shocking allegations and systemic problems, they have been unable to do so?

**Ms. Danielle Robitaille:** What I would say is that I complete mandates that I'm asked to complete. In this case, implementation or compliance was not part of my mandate. If I'm asked to oversee that component of a mandate, I'm happy to do that.

I think confidence in Hockey Canada vis-à-vis implementation is for the committee to determine. I don't think it's appropriate for me to comment.

**Mr. Peter Julian:** Have you seen implementation? You did table an interim report that tackled some of the systemic problems that have resulted in a complete lack of confidence, in my opinion, of the Canadian public in Hockey Canada. Has it implemented any of the recommendations that you made in your interim report?

**Ms. Danielle Robitaille:** I can indicate that I've seen some implementation.

**The Chair:** You have 30 seconds.

**Mr. Peter Julian:** What has been implemented?

**Ms. Danielle Robitaille:** There were recommendations around alcohol that were implemented.

**Mr. Peter Julian:** But the other parts.... I understand that we don't have the interim report, so we don't know to what extent you made other recommendations, but even there it has not been fully implemented. Is that correct?

**Ms. Danielle Robitaille:** I think that this is a question over which a claim of solicitor-client privilege has been made, and I'm not authorized to waive it.

**Mr. Peter Julian:** How did—

**The Chair:** Thank you.

That's the end of the session. I want to thank the witness, Ms. Robitaille, for being present. We have now run out of time for this hour, and we will be suspending to move to the next session with the deputy minister and the department.

Thanks very much.

• (1205)

(Pause)

• (1210)

**The Chair:** I now call this meeting to order. Pursuant to the standing committee's recommendations, this meeting is with regard to Hockey Canada's involvement in alleged sexual assaults committed in 2018.

For this hour, we have appearing Michel Ruest, senior director, programs, Sport Canada branch; and Madame Isabelle Mondou from the department.

Mr. Ruest, you specifically were asked to come to replace someone else. We, therefore, would like to give you six minutes to begin, and then we will move on to questions and answers.

Begin please.

[Translation]

**Mr. Michel Ruest (Senior Director, Programs, Sport Canada Branch, Department of Canadian Heritage):** Thank you, Madam Chair.

Good afternoon, Madam Chair and esteemed members of the committee.

My name is Michel Ruest, and I am the director of the Programs division in the Sport Canada Branch of the Department of Canadian Heritage. I have been in this role since the fall of 2017.

With me today is Isabelle Mondou, deputy minister of Canadian Heritage.

As the director of the Programs division, I am responsible for the management of Sport Canada's three funding programs; the athlete assistance, hosting and sport support programs. I'm also responsible for interacting with federally funded national sport organizations, Hockey Canada being one of them.

First, I would like to explain the process of how Sport Canada receives notifications of incidents of harassment, abuse and discrimination, and also when it became a requirement for national sport organizations to disclose those incidents to Sport Canada.

The disclosure process came into effect in June 2018 following a ministerial announcement by Minister Duncan about stronger measures being put in place by Sport Canada to help counter abuse in sport.

As of that date, federally funded sport organizations were to take all necessary measures to create a workplace free from harassment, abuse or discrimination of any kind.

They were required to disclose any incident of harassment, abuse or discrimination. They were to make provisions—within their governance framework—for access to an independent third party to address harassment and abuse cases, and they had to provide mandatory training on harassment and abuse to their members.

Sports organizations were also required to have a formal policy to address harassment and abuse in order to receive federal funding.

Following the announcement of these requirements in 2018, federally funded sport organizations began to disclose to Sport Canada incidents of harassment, abuse or discrimination in June 2018.

I will take a moment to describe the disclosure process to Sport Canada for you. The Sport Canada program analyst is advised by a given national sport organization that an incident has occurred. This information is then conveyed to the program analyst's manager, director and director general. It is then entered into a tracking document, and statistics relating to the number of cases and sports involved are communicated to higher levels.

On some occasions, allegations have been communicated by other stakeholders and to various departmental officials. When this happens, the program analyst checks with the organization to confirm the information.

The role of the program analyst is to ensure federally funded sport organizations have appropriate policies and independent processes in place and that, when an incident is disclosed, to ensure that organizations activate their internal policies and that complainants have access to an independent third party to review complaints and conduct investigations, or else they are referred to the relevant authorities, if required.

Note that Sport Canada does not have the mandate or authority to conduct investigations into incidents. Disclosures include minimal information and, in accordance with the Privacy Act, they do not include the names of any individuals unless they are already in the public domain.

Thank you, Madam Chair.

We would be happy to answer any questions you may have.

• (1215)

[English]

**The Chair:** We will begin the question and answer period. Thank you very much.

We're going to begin with a six-minute round, starting with the Conservatives and John Nater.

Go ahead, John.

**Mr. John Nater (Perth—Wellington, CPC):** Thank you, Madame Chair.

Hockey Canada says that they notified Ms. Nicole Mulligan on June 26. Is that accurate?

**Mr. Michel Ruest:** Yes, that's correct.

**Mr. John Nater:** On what date did you become aware of these allegations?

**Mr. Michel Ruest:** The same day.

**Mr. John Nater:** You noted the process that the managing director and director general would be notified. Were they notified on the same day as well?

[Translation]

**Mr. Michel Ruest:** According to procedure, it is usually done the same day.

[English]

**Mr. John Nater:** Who else in the organization was made aware of these allegations?

[Translation]

**Mr. Michel Ruest:** Once the director general is informed of a case, we communicate statistics on the case to officials at higher levels. At this point, that's the program officer, the director and the director general.

[English]

**Mr. John Nater:** Was the minister's office made aware of these allegations?

[Translation]

**Mr. Michel Ruest:** That was probably the case, but not specifically. The information provided to the higher levels includes statistics on the cases so they are aware of what is going on in the world of sport.

[English]

**Mr. John Nater:** At that time, then minister Kirsty Duncan made an announcement. Two weeks later, these allegations came to light, and no one within the department saw fit to notify the minister or the minister's office of these major allegations from one of the largest national sports organizations? No one thought that was necessary?

[Translation]

**Mr. Michel Ruest:** We did the checks to see if the authorities had been informed, if a third party had been made available to the alleged victim, and if Hockey Canada had provided that information.

That's what we did at the time.

[English]

**Mr. John Nater:** In your opening comments, you made note that you're responsible for funding programs, including the national sport support program and the hosting program. You were personally made aware of these allegations, correct?

**Mr. Michel Ruest:** Yes.

**Mr. John Nater:** When \$1.5 million was given to the national sport support program and \$50,000 through the sport hosting program—I can go on—at each point in time, when Hockey Canada was being given millions of dollars, you were personally aware and didn't flag in the process that there were these major allegations within Sport Canada?

[Translation]

**Mr. Michel Ruest:** This is a level of risk we take into consideration in our funding analyses.

However, since investigations were ongoing, there was no need at that time to restrict or remove funding.

[English]

**Mr. John Nater:** So you didn't consider it a significant risk that an organization was under a cloud of sexual assault allegations? You didn't consider that was a sufficient risk to flag each time these funding decisions were being made? Is that what you're saying?

[Translation]

**Mr. Michel Ruest:** At that time, we were waiting for the results of the investigation.

[English]

**Mr. John Nater:** Did you ever follow up with Hockey Canada throughout this process on the status of the investigation?

[Translation]

**Mr. Michel Ruest:** We talk to organizations on a regular basis as part of our collaboration and the funding process we offer them.

I'm not aware of any specific follow-ups done in this regard.

[English]

**Mr. John Nater:** So there was this allegation made—you were made aware of it on June 26—and for four years, not once did you or your organization follow up with Hockey Canada about these allegations. Is that what you're telling me? Was there never a specific follow-up with Hockey Canada about these allegations?

[Translation]

**Mr. Michel Ruest:** Organizations report annually on how they are meeting the funding requirements set out in the contribution agreement. That's how we do our audits.

Given that there were ongoing investigations, a criminal investigation and an independent investigation, we were waiting for the results before taking any action.

[English]

**Mr. John Nater:** I find it remarkably troubling that you were made aware of these allegations in June of 2018. Hockey Canada continued to get large amounts of funding despite serious criminal allegations of sexual assault, and not once did Sport Canada follow up with Hockey Canada on the status of the investigation. The minister's office wasn't advised.

When transition documents were prepared for former minister Duncan to Minister Guilbeault and to Minister St-Onge, were these issues with Hockey Canada flagged in any of those transition documents?

[Translation]

**Mr. Michel Ruest:** No, not to my knowledge.

[English]

**Mr. John Nater:** Were you ever aware of the existence of the national equity fund within Hockey Canada?

• (1220)

[Translation]

**Mr. Michel Ruest:** We were aware that the fund existed. However, our knowledge of the fund was limited to what can be read in the organization's financial statements.

In this regard, the definition of this fund makes no mention of “sexual allegations” or “sexual abuse or sexual violence lawsuit”.

[English]

**Mr. John Nater:** When the payment was made earlier this year, we now know it was made from the national equity fund. Did you follow up with Hockey Canada at the time to see where that money came from?

[Translation]

**Mr. Michel Ruest:** Yes.

In 2022, when we learned about the settlement of the lawsuit, the first thing we did was to verify whether any public funds had been used for the payment and for this investigation.

Hockey Canada told us at the time that this was not the case, but we still retained the services of an independent accounting firm—

[English]

**The Chair:** You have 30 seconds.

[Translation]

**Mr. Michel Ruest:** —so that a financial audit could be done on this.

[English]

**Mr. John Nater:** When will the results of that audit be made public?

[Translation]

**Mr. Michel Ruest:** This audit is ongoing.

The first steps were undertaken in late June and early July. We expect to receive preliminary results in the fall.

[English]

**Mr. John Nater:** Thank you, Madam Chair.

**The Chair:** Thank you very much, Mr. Nater.

We will go to the next questioner from the Liberals, who is Tim Louis.

Tim, you have six minutes.

**Mr. Tim Louis (Kitchener—Conestoga, Lib.):** I don't believe I'm in this round, Madam Chair.

**The Chair:** That's the name I have before me, unless someone else has a name. This is the name I was given.

**Mr. Justin Vaive (Procedural Clerk):** Madam Chair, it will be Mr. Bittle.

**The Chair:** Thank you.

Mr. Bittle, will you please speak for six minutes? Thank you.

**Mr. Chris Bittle (St. Catharines, Lib.):** Thank you very much, Madam Chair.

The previous minister, Ms. Duncan, was appointed Minister of Sport in January 2018, I believe. Is it fair to say that she made safe sport a priority upon her appointment as minister?

**Mr. Michel Ruest:** Yes, she did.

**Mr. Chris Bittle:** What steps did she take on becoming minister after her appointment in January 2018?

[*Translation*]

**Mr. Michel Ruest:** She made many announcements, but also put in place new requirements for a safer sport system in Canada by requiring organizations to provide third-party access to complainants, providing training to members of their organizations, if necessary, and reporting incidents to Sport Canada as soon as they occur so that Sport Canada is aware of the situation.

[*English*]

**Mr. Chris Bittle:** Thank you so much.

In terms of safe sport, what existed prior to Ms. Duncan's appointment as Minister of Sport?

[*Translation*]

**Mr. Michel Ruest:** Sport organizations in Canada have long been required to have a policy on safety in sport. It's been required since the 1990s, I think, but after Ms. Duncan came in, we tightened up the requirements. Since that time, we have also implemented a number of initiatives related to safety in sport. It's been pretty much a crescendo since 2018. It's very clear that this is a priority for the government.

[*English*]

**Mr. Chris Bittle:** Could you please discuss some of the priorities that Minister Duncan undertook and the changes that were made under her mandate as Minister of Sport?

[*Translation*]

**Mr. Michel Ruest:** The requirement for incident disclosure, training and third-party access was of major importance in the announcement she made during her first year as minister.

We then worked to implement these requirements and incorporate them into our contribution agreements. That is now an essential part of what we do with organizations.

[*English*]

**Ms. Isabelle Mondou (Deputy Minister, Department of Canadian Heritage):** If I may, Madam Chair, can I add just a few elements to the answer to complete it?

After 2018, the work did not stop there. There were other measures that the minister took. One of those was to support financially the national sport coaching association to develop a code of conduct that has become the universal code of conduct, and it's now part of the requirement of our contribution agreement that every organization has to adopt that code. What that code does is state clearly for each organization what the expectations are in terms of safe sport. So, that was something else that the minister supported financially.

I also want to point out that at the time she had a national conversation with the sport sector, and there was another element that was felt necessary and that the minister started to initiate, which was to have another independent third party. My colleague talked about every organization's having the ability to have a third party, but what the minister initiated at the time was to add another body that would act as an independent third party from the organization, because we heard from athletes that they didn't always trust the internal third party.

This body was established and announced in the summer of 2021 by then minister Guilbeault, and it started operating as of June of this year as a body where every organization can now refer that third party case. The current minister has indicated that she wants to make that mandatory for all the organizations. That's part of this continuum of increased measures.

I also want to mention, maybe, that Minister St-Onge—and she will talk about that, too—in June announced that she is going to look at the contribution agreement and see what else we can add in order to increase the reporting. That will include governance, accountability and better follow-up for safe sport.

Thank you.

• (1225)

**Mr. Chris Bittle:** Thank you.

In terms of these sports organizations or private organizations, what legislative structures exist in Canada to regulate these organizations?

[*Translation*]

**Mr. Michel Ruest:** The Canada Not-for-profit Corporations Act, which is administered by Industry Canada, is the legislative framework that defines standards for not-for-profit organizations.

[*English*]

**Mr. Chris Bittle:** Is there nothing specifically related to Sport Canada and its ability to regulate, direct and control these organizations except for funding arrangements?

[*Translation*]

**Mr. Michel Ruest:** The relationship we have with these organizations is as a funder. It's the federal government's spending power. That relationship is framed by the requirements included in the contribution agreements we have with organizations.

With respect to the minister's authority, the minister may conduct financial audits with respect to the funding that is provided and the requirements that are included in the contribution agreements. It is limited to that.

[*English*]

**Mr. Chris Bittle:** In terms of—

**The Chair:** You have 30 seconds.

**Mr. Chris Bittle:** With regard to the current minister's actions and a request for or an ordering of an audit, was that the scope of her power to act in this particular instance?

**Mr. Michel Ruest:** Yes, it was, and we acted quickly to ensure that no public funding was involved in the settlement of this affair, and this verification is ongoing right now.

**Mr. Chris Bittle:** Thank you so much.

**The Chair:** Thank you very much.

Now I'm going to go to the third six-minute question round, and that's going to be Monsieur Lemire for six minutes, please, from the Bloc.

**Mr. Justin Vaive:** Madam Chair, it will be Madame Larouche who will be speaking on behalf of the Bloc.

**The Chair:** Thank you.

Go ahead, Madame Larouche.

[*Translation*]

**Ms. Andréanne Larouche (Shefford, BQ):** Mr. Ruest and Ms. Mondou, thank you for being here today.

I listened carefully to what you said in your opening remarks and when you answered questions in the first two rounds of questions.

What struck me last June when Hockey Canada appeared before the committee was their lack of compassion. They were talking about rape as something that is commonplace, like it is elsewhere in society, and that really struck me.

In your testimony, what strikes me is the slowness to respond and the coincidences between the release of information, which was only done this year, and the actions that are starting to be taken when we've been made aware of certain things.

According to what you say, measures have been put in place since 2018. You say it's moving forward, but I'm struck by how slow the measures are.

Let's get back to societal aggression and trivialization. Can you tell me how many of these incidents were reported to Sport Canada in 2018, 2019, 2020, 2021, and even this year?

In their remarks last June, Hockey Canada officials were talking about two incidents per year.

Is that accurate?

**Mr. Michel Ruest:** Are you talking about Hockey Canada?

**Ms. Andréanne Larouche:** Yes, that's what Hockey Canada told us last June.

Does that number seem accurate?

Is this a number you've also heard about for 2018, 2019, 2020, 2021, as well as for this year?

**Mr. Michel Ruest:** As I explained in my opening remarks, we enter this information in a confidential directory whenever it is disclosed to Sport Canada. We can currently see that there are eight cases in this directory since we started entering data.

If you do the math over four years, it comes out to about that.

• (1230)

**Ms. Andréanne Larouche:** In 2018, in the days following the incident, Tom Renney of Hockey Canada said he notified Sport Canada of the allegations against players on the 2017-18 National Junior Hockey Team.

For her part, the Minister of Sport, Pascale St-Onge, stated that she was first informed on May 24, 2022 of sexual allegations against players in the 2017-18 roster.

The allegations were made in 2017-18. You say the department was made aware of this. However, the minister tells us that she was only informed on May 24, 2022. What does this tell us about the flow of information within your department and its response?

Earlier, Ms. Mondou, you talked about the code of ethics and the fact that it was not a requirement for funding. You say that you have tightened requirements and that you want more rules and safety in sport. However, despite what you knew, it took public disclosure of the incident last spring, in May or June, for the minister to finally act and decide to suspend funding.

What about parents' sense of security? In my riding, there is a hockey coach who is one of those who raised his voice to express the parents' concern after learning about the incident and the timeline of the event.

**Ms. Isabelle Mondou:** First, I'm going to pick up on a few things from your previous question.

You are quite right that the allegations are absolutely horrific. That's how we feel about them at Sport Canada, and that's why action was taken in 2018.

Next, I would like to come back to how quickly things are moving.

Of course, we would always like to see things move more quickly. It may not seem like it, but there have been major additions to the complaint mechanism, including the improved the code of conduct and the establishment of an independent complaint mechanism since 2018.

I come to your question about the facts. According to those revealed in 2018, a police investigation was under way. Sport Canada does not have the means to investigate the progress of the police investigation and that is not its role. We expect organizations to keep us informed of developments, which are supposed to be included in annual reports.

However, the minister recently became aware of a new development. Hockey Canada told Sport Canada on May 24 that there were other developments that we were not aware of. There was an out-of-court settlement and the termination of the police investigation. Hockey Canada didn't tell us until May 24. So it was new to Sport Canada.

Sport Canada was aware of an ongoing police investigation. Police investigations can sometimes take a few years, so it was not surprising to Sport Canada that the investigation was still ongoing. What surprised us, however, is that we have not heard anything since.

**Ms. Andr anne Larouche:** You mentioned the fund apparently set aside for sexual assault lawsuits.

You said that you were not aware that this fund had specifics related to sexual assault. However, based on the financial statements, you did not note anything about this that clarified this point.

**Ms. Isabelle Mondou:** We will be happy to provide you with the exact text in the annual report. It does mention a compensation fund. There are sometimes injuries in hockey. The legislation in question refers to a compensation fund for hockey-related injury lawsuits. In our view, this is entirely reasonable.

This is what we saw in the annual report. There was no mention of sexual allegations or anything else.

We will be happy to send you the text in question.

**Ms. Andr anne Larouche:** Hasn't there been any follow-up over the years?

I'm trying to understand.

You are telling us that you are letting the investigation run its course. I would still like to come back to the type of follow-up being done during the investigation. What type of follow-up is there?

There are these instances of abuse, and you are aware of the allegations. What about the follow-up you have done over the years? The investigation took four years to complete. Things can change over that length of time.

**Ms. Isabelle Mondou:** As my colleague mentioned, in theory, organizations are now required to report sexual assault cases to us. Could we have been more proactive in asking them if they had something new? Perhaps we could have. However, they do have an obligation to contact us, because they are the ones who have the information. When there is new information, it's up to them to contact us.

In the future, new obligations may be added to agreements to make the level of disclosure expected of organizations even more accurate. This is one of the measures announced by the Minister St-Onge.

[English]

**The Chair:** Thank you very much. That's the end of this round, Ms. Larouche.

We're going to Peter Julian for six minutes.

Go ahead, Peter.

• (1235)

[Translation]

**Mr. Peter Julian:** Thank you, Madam Chair.

More and more, I'm getting the feeling that Sport Canada failed in its duty to protect athletes and other victims. I have to say, peo-

ple's frustration is growing, and Canadians are losing confidence in the organization.

Mr. Ruest, you said earlier that staff at the office of the Minister of Sport were probably notified once Sport Canada was made aware of the allegations of gang sexual assault.

Who at the minister's office was notified?

**Mr. Michel Ruest:** I don't know the answer to that.

At Sport Canada, the disclosure process is as follows: the analyst informs the director general, and statistics are provided to those in high-level positions. I can't speculate as to what discussions may have taken place.

**Mr. Peter Julian:** Who should the committee call to answer that question? Who should know which person notified staff at the minister's office?

**Ms. Isabelle Mondou:** That was before my time, but my understanding from my colleague's remarks is this.

[English]

What I understand is that what was communicated to the minister's office was the data about the number of cases that had been reported, not necessarily the specifics of the cases. That's my understanding from my colleague's testimony.

[Translation]

**Mr. Peter Julian:** He said that staff at the minister's office were probably notified.

It would be helpful to know who was notified. If you aren't able to answer these questions now, the committee would like the answers in the next few days.

My second question is about cases of sexual assault. Many people were victimized. The situation is very serious. At this point, every national sport organization is supposed to have a harassment prevention program in place, including an independent authority to handle complaints and an independent process to address cases of abuse.

How many national sport organizations have those measures in place?

**Mr. Michel Ruest:** It's a condition of funding, so it's something all organizations have to report on every year.

We recently began a validation process to see where things really stood. The results are expected to come in later this year, but—

**Mr. Peter Julian:** You don't know, then. You don't know how many national organizations have—

**Mr. Michel Ruest:** No.

**Mr. Peter Julian:** For 20 years—

**Mr. Michel Ruest:** Every organization has to have the measures in place in order to receive funding.

**Mr. Peter Julian:** I know they are supposed to, but you just told me that you were waiting for verification as to whether the measures were in place.

**Mr. Michel Ruest:** No, what I said was that the organizations had to have the measures in place in order to receive funding, and that we had initiated a validation process to see whether we could do even more and where there might be implementation gaps.

**Mr. Peter Julian:** You're telling me that all 60 organizations have introduced an independent authority to handle complaints and an independent process to address harassment. They all have those measures in place.

Is that correct?

**Mr. Michel Ruest:** Our contribution agreements stipulate that complainants must have access to a third party to review complaints and conduct investigations as needed. That is the requirement we are examining.

**Mr. Peter Julian:** I understand the requirement. What I'm wondering is how Sport Canada is going about verifying that.

An organization can say that it has fully implemented the requirement, but it's obvious that Hockey Canada failed in its duty repeatedly.

How did Sport Canada make sure that every organization implemented everything it was supposed to in order to receive funding?

**Mr. Michel Ruest:** The organizations have the measures in place.

Are they as effective as they should be? That is what we are trying to find out.

**Mr. Peter Julian:** That wasn't my question.

My question is very simple. How is Sport Canada verifying that all of these measures were put in place?

**Mr. Michel Ruest:** The organizations report on the requirements in the contribution agreements annually.

**Mr. Peter Julian:** You aren't doing any checks. That's my point.

As long as an organization says that it did everything it was supposed to, it gets the funding. Sport Canada doesn't have a verification process.

Is that correct?

**Mr. Michel Ruest:** That's what we are in the process of setting up.

**Mr. Peter Julian:** I see.

I think that, right there, is the problem.

• (1240)

[English]

I think it's fair to say that Canadians have lost confidence. They've lost confidence in Hockey Canada. They're losing confidence in Sport Canada because we're not seeing the kind of attentive follow-up that would mean that these policies that are put into place are more than just vague words. That's why we're seeing the number of victims who have come forward.

We're certainly seeing that with 300 gymnasts. We're seeing that with the two dozen academics who wrote to this committee today saying that things need to fundamentally change to protect athletes and to protect other victims from sexual abuse, from sexual assault.

We're seeing a reaction from the Canadian public, and it is profoundly disturbing to me to see that in a case of a serious sexual assault, it's unclear what the follow-up was. As Mr. Nater said, the financing just kept coming to Hockey Canada.

Why have you not put into place obligatory policies to ensure that financing is dependent and verified to ensure that all these practices are followed through with every one of the national sports organizations?

**The Chair:** Thank you.

I think we no longer have time for that answer. Someone may want to follow up on that in the next round.

We will now move to the second round. It's a five-minute round, beginning with the Conservatives and Kevin Waugh.

You have five minutes, Kevin.

**Mr. Kevin Waugh:** Thank you, Madam Chair.

I'm going to start with your mechanism "fair for all". Well, it's not.

Hockey Canada has a lot of money. They paid probably hundreds of thousands to Henein Hutchison LLP for the investigation. I can tell you that for judo, wrestling and other sports, it's not a level playing field.

Last month we were informed there were 47 complaints filed with NSOs as of June 2022. So when Sport Canada goes through these recommendation, how is this fair? Hockey Canada, soccer, basketball, swimming and other sports have more reserves than any others. How can you sit and tell us that this is a level playing field—because it's not. There is no third party investigation that can pay for softball, that can pay for wrestling. This is flawed by the federal government. I see it. You see it.

How can we protect others who are not in the eight or nine top sports that we have in this country?

**Ms. Isabelle Mondou:** If I may answer your question with a couple of points, the first point is that Sport Canada provides some financial support for secure sports to help those third parties to level that playing field. Part of the budget 2018 and 2019 gave some additional money to support safe sport, to be able to fund some of these organizations, and also to fund training, and so on and so forth.

The first requirement in 2018 was to establish this third party, and some money was allowed to help establish that. The second step I need to mention—which is maybe in answer to Mr. Julian's question in part—is that since budget 2022, \$18 million has been given to an independent sport third party so that it's no longer the organization that will conduct those investigations. To address partly your question, it's going to be another independent third party. That's the question, though, and the increased measures that are taking place as of now.

I hope that addressed your question.

**Mr. Kevin Waugh:** Yes, a little bit.

Glen McCurdie wrote to Hockey Canada on the day that he talked to your senior program analyst, Nicole Mulligan. I'll just state what he said at end of his email to Hockey Canada: "Nicole Mulligan thanked me for taking the time to make them aware, and said she had checked off all boxes with her actions to date. She commended us for our due diligence."

That was June 26, 2018. You have to be kidding me: I mean, four years later this comes out, only because a reporter does some digging and brings this to light in April 2022. Otherwise, we would not even be here today, I would say.

How can your department check off all the boxes from what we know today happened four years ago with Hockey Canada? How can you give me a straight answer on this?

**Ms. Isabelle Mondou:** I won't comment on the recall of the person who had that conversation. Obviously, it's his recall and how he felt about the meeting. However, what I can say is that the requirement as per then minister Duncan's new implementation measure was that there be a serious investigation by a third party.

In that case, Sport Canada was informed that the case was referred to the RCMP and that there would also be some reporting, which there was. They also mentioned at the time that they were going to provide some support for the victims, and hire an independent third party in addition to the RCMP investigation.

To your question, and I think Mr. Julian's question too, about why the funding is not stopping at the moment, you want these organizations to reveal this case. You want those organizations to actually take action on that. You don't want them to try to hide it because they don't want their accounting to be found. Every organization that has an economic mechanism, whether it's the public service or the private sector, has a mechanism in place, and they want people, when there is a case—hopefully, there is never a case—to report it. Cutting the funding at that moment is not the right thing to do because, at that point, you want them to do the right thing and investigate those cases.

What was different on May 24 is that we actually learned that they didn't quite do that, and that's why the minister at the time cut the funding and imposed three conditions. The first one was the audit, but she also said that she wanted them to sign on the independent third party.

• (1245)

**The Chair:** You have 20 seconds left.

**Ms. Isabelle Mondou:** Yes.

**Mr. Kevin Waugh:** Yes, the OSIC.

I will say, however, there's been no follow up with this. There is no follow up with Sport Canada to the hockey or other investigations, and it's just left in the open, and here we are four years later asking questions that could have been avoided in the last three years. Maybe we would have found some answers in 2018 instead of being here today in 2022.

**The Chair:** Thank you, Kevin.

I now go to Mr. Coteau for the Liberals for five minutes, please.

**Mr. Michael Coteau (Don Valley East, Lib.):** Thank you very much, Madam Chair.

I want to continue with the question around funding and the penalties that were put forward by the department and the minister on Hockey Canada. I know that on June 22, the minister did cut funding to Hockey Canada.

I'd like to ask the officials, what were the other penalties that were put in place? Also, are there any further sanctions that will be put in place in the future?

[*Translation*]

**Mr. Michel Ruest:** In June, we undertook a financial audit to see whether any public money had been used to settle the lawsuit. That was the first requirement, and until that audit is complete, no new funding will be approved and no funds will be provided.

Two other requirements were laid out. The second was that the organization had to become a signatory to the newly formed Office of the Sport Integrity Commissioner, or OSIC. Hockey Canada announced that that would be happening soon. We'll see whether it fulfills the requirement.

Under the third requirement, Hockey Canada has to provide Sport Canada with the preliminary recommendations made by the law firm Heinen Hutchison, as well as a plan to implement the recommendations.

No funding will be paid out and no new funding will be approved until those requirements are met.

[*English*]

**Mr. Michael Coteau:** To the actual second recommendation for, I think it was, the sport integrity commissioner, is that a choice for Hockey Canada to decide, or is it an obligation that the department will put forward?

**Mr. Michel Ruest:** It's now a condition of funding, so if Hockey Canada decided not to do so, we would not be in a position to fund them.

**Mr. Michael Coteau:** I want to talk about compliance for a second. I've been on both ends of the compliance process, both as an executive director of a not-for-profit and also as a minister of sport in Ontario. I know that when I was in the not-for-profit sector, we would sit down with a department consultant or official and go through our annual report, but we would also look at any types of potential—

[Translation]

**Mr. Sébastien Lemire:** Madam Chair, the interpretation has stopped.

[English]

**Mr. Michael Coteau:** Is it too fast for interpretation?

[Translation]

**Mr. Sébastien Lemire:** It's not just that it's too fast, but the line also seems to be crackling.

[English]

**The Chair:** I'm sorry, may we suspend for a second, please?

• (1250)

(Pause)

• (1250)

**The Chair:** We will resume the meeting. Michael, continue.

**Mr. Michael Coteau:** Chair, how much time do I have?

**The Chair:** You have two minutes and 16 seconds.

**Mr. Michael Coteau:** As I was saying, compliance is something that I've seen from both sides, either from the funder or the actual recipient. It's my understanding that in order to get funding—

[Translation]

**Mr. Sébastien Lemire:** Madam Chair, the interpreter is indicating that there is too much popping and static on the line.

[English]

**The Chair:** Please suspend.

I will go to Monsieur Lemire for 2.5 minutes. Thank you.

[Translation]

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

I think that time should have gone to the Liberals, and the speaking time could have been given to someone else.

Nevertheless, I'd like to know whether Hockey Canada has signed on to the program administered by the OSIC.

Mr. Ruest, you just said that Hockey Canada had not signed on, but how did you find that out?

Was it through the organization's open letter that appeared in the media, or did Hockey Canada officials inform you more directly of the organization's plans to sign on to the program administered by the OSIC?

**Mr. Michel Ruest:** Hockey Canada officials gave us confirmation that the organization planned to become a signatory.

The issue now is implementation, but no time frame has been set.

**Mr. Sébastien Lemire:** Do Hockey Canada officials notify you when they transfer money to partners for the purposes of international events?

**Mr. Michel Ruest:** The financial reports we receive pertain to the organization's funding and how that money is allocated.

I'm not sure which transfers you're referring to, but the financial reports usually lay out event revenues and expenditures.

**Mr. Sébastien Lemire:** Can you tell whether public funds were transferred to the Canadian Hockey League's account?

**Mr. Michel Ruest:** I can't answer that.

I don't have that information with me.

[English]

**The Chair:** Could you send us that information, please?

[Translation]

**Mr. Michel Ruest:** I've taken note of it, Madam Chair.

**Mr. Sébastien Lemire:** Can you tell us more about Ms. Mulligan's mandate? Does she have the authority to comment on the events that were reported in the email referred to by the Conservative member?

**Mr. Michel Ruest:** As I explained, the senior program analyst's role was to ensure that the requirements had been met. She received that information from Hockey Canada. That is basically what she would have known about the events that occurred in June 2018.

• (1255)

**Mr. Sébastien Lemire:** What steps did you take when you found out that this information had just been reported? What did you do?

**Mr. Michel Ruest:** Are you talking about 2018?

**Mr. Sébastien Lemire:** No, I'm talking about 2022.

**Mr. Michel Ruest:** When we learned that the lawsuit had been settled, we immediately wanted to find out whether public funds had been used, so we initiated the audit, which is within the minister's authority. We took steps immediately to find out whether public money had been used to settle the case.

**Mr. Sébastien Lemire:** Other cases of abuse have received media attention in the past few days, particularly in the case of Gymnastics Canada. Your department reacted by freezing the organization's funding until an investigation had been conducted.

Is that the response we should come to expect should allegations of abuse emerge involving any of the sport federations going forward?

**Mr. Michel Ruest:** It's very hard to answer that question at this time.

[English]

**The Chair:** Mr. Lemire, I don't think we have the time to answer that question.

We will go to Peter Julian for two and a half minutes. Thank you.

**Mr. Peter Julian:** Thank you, Madam Chair.

How many national sports organizations over the last 25 years—since we put in place these policies to counter sexual abuse—have seen their funding suspended, up until the end of last year?

[*Translation*]

**Mr. Michel Ruest:** I don't have that information.

[*English*]

**Mr. Peter Julian:** Could you please provide that to the committee?

**Mr. Michel Ruest:** Yes.

**Mr. Peter Julian:** From the moment when Sheldon Kennedy sadly shared his experience and these policies were supposed to be put into place to protect victims and to stop them from being further victims, it would be useful for this committee to know how many times Sport Canada has actually stepped up and said to an organization, “You are not meeting your obligations.”

We are certainly hearing from organizations from more than almost a dozen different sports, where, as CBC has reported, people have raised concerns about sexual abuse. These things should be concerning to all of us.

I want to address the answer by the minister to my question last month just prior to this committee's meeting. I asked how many complaints had been reported to Sport Canada that are criminal in nature, and the response was, “Sport Canada does not have the capacity or expertise to determine whether incidents disclosed to it are of a criminal nature or not.”

We would all agree that gang sexual assault is criminal in nature. We would all agree that child sexual abuse is criminal in nature. Is that information kept in any way separate, so that when those statistics are reported, these allegations of serious criminal activity are actually reported as well to the minister?

[*Translation*]

**Mr. Michel Ruest:** The information that goes into the tracking document indicates whether the incident was reported to police—if known—but Sport Canada does not determine whether the incident is of a criminal nature or not.

[*English*]

**Mr. Peter Julian:** But we all know what is a criminal activity or not, and what I'm understanding is that, unless a police report is filed, there is no distinction made. I find that unfortunate.

We have been functioning on an honour system, I think, with sports organizations, and it's not working. Things need to change.

Madam Chair, if you want me to ask more questions, I certainly will.

**The Chair:** Peter, no. I think we are finding that we don't have room in a one-hour questioning session to do the last two Conservative and Liberal members. We have to go with one round, ending now with you, because we are now at 9:59. Sorry, I'm talking about Vancouver time. We're now at 12:59 Ottawa time. We need to start with the minister in one minute, so we do not have room for the last two questioners.

Maybe we'll note that we cannot do this in a one-hour session; we don't have time for doing this. You may want to decide who's going to ask questions amongst yourselves when we get to the minister.

Thank you very much to the officials from Sport Canada for coming in today and answering our questions.

I'm going to suspend the meeting so that we being the last hour, which is with Minister St-Onge and her officials. Thank you.

• (1300)

(Pause)

• (1300)

**The Chair:** I call this meeting to order. We are currently studying the case of Hockey Canada's involvement in alleged sexual assaults committed in 2018.

Present is the Honourable Pascale St-Onge, Minister of Sport, and from the Department of Canadian Heritage, Isabelle Mondou, deputy minister.

Now we will begin with the minister.

Thank you, Minister, for taking the time to come. I know it's been very difficult for you with all of the things going on. I would ask you to begin your presentation. Go ahead for six minutes, please.

[*Translation*]

**Hon. Pascale St-Onge (Minister of Sport):** Madam Chair, members of the committee, good afternoon.

I want to begin by acknowledging the athletes and safety in sport activists who are here today.

Just over a month ago, I appeared before the committee to express my deep indignation and help shed light on this sordid affair.

What we learned on May 26 was not only shocking, but also symptomatic of a deeper social issue. I'm talking about the culture of silence and the downplaying of sexual violence against women.

I still wholly share the anger felt by all Canadians, especially Canadian families, who rightfully want to see Hockey Canada held to account in order to bring about real change. I have to tell you, our confidence in Hockey Canada and its leadership is at an all-time low.

Since Hockey Canada officials appeared before the committee on June 20, we have learned of more troubling allegations. An allegation of rape dating back to 2003 came to light, as did the existence of a dedicated fund to settle sexual misconduct cases.

Above all, these revelations illustrate a deeply entrenched toxic culture, one that allows individuals to act with impunity. What damning information is going to come out next week or next month? I don't know the answer to that, but I do know it's what everyone following this affair is wondering.

We are expecting a lot of Hockey Canada's leaders. They have a long road ahead to win back our trust. Simply put, they must get it right.

In the days after Hockey Canada's appearance before the committee, I made the decision to freeze the organization's funding and impose new conditions. They include having to participate in a financial audit to determine whether public funds were used for the out-of-court settlement, as well as disclosing the recommendations made by the law firm Henein Hutchison LLP and the action plan to implement those recommendations. Lastly, I directed the organization to speed up efforts to become a signatory to the program administered by the Office of the Sport Integrity Commissioner.

I did that because the testimony of the Hockey Canada officials was anything but reassuring. I realized that they failed to grasp how serious the situation was, and they needed to understand that this was a tipping point.

A few weeks ago, of course, Hockey Canada publicly committed to take action and, yesterday, released its action plan. That is clearly a step in the right direction. The organization's leadership has to do more than state its intentions, however. In the coming weeks and months, it must show that every effort is being made to bring about real culture change.

I hope what we are seeing is not an exercise in public relations meant to clean up the organization's image. That would be simply unacceptable.

• (1305)

[*English*]

Hockey Canada should not underestimate the work ahead. The organization's board and management leaders have a moral responsibility to reflect on the role they should play in what comes next. They must ask themselves if they are the right people to effect culture change.

Is this group of leaders adequately equipped to carry out a system-wide change? Is there enough diversity in decision-making roles to drive change? Are there enough women in significant leadership positions within Hockey Canada to provide needed perspectives on sexual violence and its impact?

Hockey Canada should be asked all of these questions. The nature of their answers will determine the credibility of the organization and the level of seriousness that they propose to take in their next steps.

Hockey Canada must also take the situation as an opportunity to make a fundamental shift on the underlying violence in the sport, including in issues such as racism, concussions and fighting on the ice. Canadians expect Hockey Canada to behave differently, and this requires leadership capable of doing so.

Hockey Canada, the whole country is watching.

[*Translation*]

The world junior hockey championship is taking place next month.

I have a message for those young players and the people around them: what allegedly happened in 2003 and 2018 no longer goes. I want to take this opportunity, here and now, to make that clear.

As Minister of Sport, I encourage you to push yourself and strive for excellence, not only on the ice, but also off the ice.

[*English*]

Young players from all over the country will be watching and looking to you as their inspiration in the game. Entire families and communities with a passion for hockey will be there to support and encourage you. Make them proud. Be the role models they deserve. Above all, give the public, and especially women, what they expect from you: respect.

Members of the committee and Madam Chair, thank you for your attention.

• (1310)

**The Chair:** Thank you very much, Minister, for your very passionate statement.

Now we're going to the question and answer period. The first round is for six minutes, and we'll begin with the Conservatives.

Go ahead, Richard Martel, for six minutes, please.

[*Translation*]

**Mr. Richard Martel:** Thank you, Madam Chair.

Your department was aware of the allegations. How is it that you found out about the allegations from Tom Renney two days before the story broke?

**Hon. Pascale St-Onge:** I believe the Sport Canada officials explained some of that to you earlier.

I shared this when I last appeared before the committee, but I will again read you the information that was given to Sport Canada in 2018.

[*English*]

It's as follows: "On June 19, Hockey Canada held a golf and gala for their national junior men's hockey team. Alleged sexual assault happened after the golf portion of the event. Involves member of the national junior—"

[*Translation*]

**Mr. Richard Martel:** Sorry to cut you off, Minister.

I don't really need you to read all that. I was simply surprised to learn that your department didn't inform you. Since your department was aware of the alleged sexual assault of June 18, 2018 and since the department knew that the sport was in need of a culture change, why does the department still have no program to address the situation?

**Hon. Pascale St-Onge:** To say that the department has no program to address the situation is not true.

Before this government, my predecessors had taken action. In particular, Kristie Duncan worked with partners to develop a new code of conduct in 2018, and sport organizations can now rely on that code.

The newly created Office of the Sport Integrity Commissioner will also have the support of the code in conducting sport environment assessments and reviewing athletes' complaints regarding violence and abuse.

Those are measures our government has taken since 2018, but there is still work to do.

I have already announced that I will be conducting a full review of the funding regime in the next year. That will involve raising the threshold when it comes to funding criteria. Organizations will have to have better governance practices, show transparency and sign on to the program administered by the Office of the Sport Integrity Commissioner.

It's an ongoing process that we, as a government, undertook in 2018.

**Mr. Richard Martel:** Has your department followed up on the implementation of the code of conduct at all? As far as I know, Hockey Canada has always received its funding, even after the department was made aware of certain events in 2018.

You say that the code of conduct Ms. Duncan introduced is more stringent, but was there any follow-up? What we know is that Hockey Canada has always gotten its funding up to now.

**Hon. Pascale St-Onge:** Sport Canada is not a regulator and doesn't have investigative authority. Our relationship with the sport organizations is, first and foremost, a financial one. We have contribution agreements with them, and we distribute public funds to them. Under those contribution agreements, we set out certain conditions.

Sport Canada has neither the mandate nor the power to investigate cases that are brought to its attention. It does, however, ensure that the organizations have independent mechanisms to investigate allegations.

Something I would say about the complaint mechanisms put in place by the federations is that athletes don't consider them to be independent enough, because the federations are the ones paying these independent organizations and agencies.

That is why our government created the Office of the Sport Integrity Commissioner. In the most recent budget, \$16 million in funding was earmarked for the office, to create a truly independent mechanism where athletes could turn to report abuse, and to ensure

investigations, sanctions and recommendations were overseen by the office.

**Mr. Richard Martel:** Culture change has been a hot topic in recent years. You, in particular, know that, given how much it comes up in discussions about hockey.

How do you explain that the Prime Minister didn't make that one of your mandate letter commitments?

• (1315)

**Hon. Pascale St-Onge:** Ensuring safety in sport is one of my mandate letter commitments. With all of the allegations and accounts I have heard since becoming minister, I have worked day in and day out to make sport safer, to listen to athletes, to make sure they are heard, to meet with every stakeholder across Canada's sport system, to be at the forefront of the issue and to bring in new measures.

That is also why I announced that our government would be reviewing the entire funding regime, as I already said. The idea is to raise the bar that sport federations have to meet. I want to make sure that the health and safety of athletes is our overriding concern, informing everything we do.

**Mr. Richard Martel:** We are talking about culture change at Hockey Canada.

Do you think Sport Canada is also in need of a culture change? First of all, Sport Canada officials never informed you of the situation, and second of all, no one there really did anything about it.

For all intents and purposes, this was a failure on Sport Canada's part.

**Hon. Pascale St-Onge:** I have heard so many stories since becoming minister that I feel Canada's sport system is in crisis, and I believe stakeholders across the board have to make the necessary changes to support the health and safety of athletes. That includes Sport Canada and the work it does, not to mention how it does that work.

We will be focusing on strengthening Sport Canada's evaluation capacity to make sure sport federations meet the requirements we set out for them. We will also be working with experts. On June 12, I announced a series of measures, including the creation of an athlete advisory committee at Sport Canada. This will make it possible for Sport Canada to obtain advice from athletes and to understand their realities. The advice of experts will help us identify the best way to evaluate compliance.

[English]

**The Chair:** Minister, can you hold that thought?

**The Chair:** Thank you, Minister. We have run out of time for this questioner, so if you can hold that thought and expand on it in the next question...

The second questioner is the Liberals' Lisa Hepfner.

Lisa, you have six minutes.

[Translation]

**Mr. Richard Martel:** How much time do I have left?

[English]

**Ms. Lisa Hefner:** Thank you, Chair.

Through you, thank you to the minister for being here to answer our questions today.

One of the things that was revealed through the media since your last appearance before this committee was the idea that Hockey Canada had a fund for uninsurable emergencies. Through the media, we learned that if Hockey Canada didn't want to put a sexual assault allegation through their insurance, then they could use this fund. I'm wondering what your reaction was to that news and what you make of that practice.

[Translation]

**Hon. Pascale St-Onge:** I certainly share the outrage of parents who learned that registration fees were used for that purpose. I found out through the media.

Hockey Canada has an obligation of transparency to those who provide the organization with funding, whether it be parents signing their children up for hockey, sponsors or Canadians as a whole, the source of the organization's public funding.

That is why I also asked for an audit. I wanted to make sure that no public funds were used to cover up the affair.

[English]

**Ms. Lisa Hefner:** Thank you.

You mentioned this a bit in your opening statement, but can you describe for us your reaction to Hockey Canada's response to the news and the committee's work here, and the steps that Hockey Canada is going to put in place, or says it's going to put in place, to address these cultural issues?

[Translation]

**Hon. Pascale St-Onge:** Having an action plan and sharing it with the public are steps in the right direction, but this isn't the first time Hockey Canada has made these types of promises. For the Government of Canada and the Canadian public, the key to figuring out whether Hockey Canada has actually made those changes lies in identifying the right evaluation methods. Now is the time for action.

What I and everyone else are wondering is this. Are the people who were on the job when the events occurred—those whose handling of the situation was very controversial, to say the least—the right people to implement the plan Hockey Canada has put forward?

Personally, I think the decision-making table at Hockey Canada needs more diverse representation if the organization is truly going to change at every level.

• (1320)

[English]

**Ms. Lisa Hefner:** Can you clarify this? As soon as you learned of the allegations, you froze the funding to Hockey Canada. I'm

wondering what other power you have as minister to act against allegations of wrongdoing. What sort of levers can you pull to take action?

[Translation]

**Hon. Pascale St-Onge:** Canadian sport federations and organizations are independent self-run entities. Their relationship with the Canadian government is based on contribution agreements. We have a financial relationship with them.

As someone in a leadership position, I intend to demand change. I also intend to use the contribution agreements to raise the threshold for compliance, so that federally funded sport organizations and federations have to meet more stringent requirements. The idea is to encourage them to adopt better governance, prevention and education practices when it comes to violence, abuse and maltreatment in sport. I also expect greater accountability on their part.

[English]

**Ms. Lisa Hefner:** Since the Hockey Canada allegations have come out, you've also heard from other sports organizations. Can you reflect on whether the culture problem is exclusive to hockey? Is it more widespread? Is hockey particularly different from other national sports?

[Translation]

**Hon. Pascale St-Onge:** Since taking office, I have received at least eight letters describing abuse and maltreatment in various sports, or inquiring about organizations' use of funds.

I said quite plainly that Canadian sport was in crisis and that the priorities of stakeholders in the sports world were very much in question. Performance is usually priority number one, at the expense of athletes' health and safety. That is the realization I have come to.

The hockey system in Canada is especially powerful. It's our national sport, and it is male-dominated. Men's teams receive the bulk of Hockey Canada's attention. The particularly heinous conduct we have heard about and the alleged events of 2003 and 2018 are proof that Hockey Canada needs to take specific actions to address sexual violence and the culture of silence organization-wide.

[English]

**Ms. Lisa Hefner:** Quickly, I heard a reference that Canadian women's hockey could have been—

**Ms. Lisa Hefner:** —better funded had a separate fund not existed for uninsurable claims. What do you make of that?

**The Chair:** You have 30 seconds, Lisa.

[Translation]

**Hon. Pascale St-Onge:** The people at Hockey Canada need to answer questions about how they managed the organization's finances and funded its operations. They need to answer questions about how much room they made for women and Paralympic athletes. Hockey Canada is more than just men's teams.

Asking those important questions is paramount, as is holding Hockey Canada to account.

[*English*]

**The Chair:** Thank you, Minister.

[*Translation*]

**Hon. Pascale St-Onge:** I applaud the statement issued by the members of the women's hockey team, and I hope they will be partners on the path forward.

[*English*]

**The Chair:** Thank you.

Mr. Lemire, you have six minutes.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you, Madam Chair.

Minister, I, too, applaud the women's hockey team for their statement.

I agree with you that they did the right thing and that women should be more involved in high-level decision-making, especially at Hockey Canada.

I want to thank you for the leadership you've shown since this whole situation began. We appreciate it.

I'd like to know whether you're satisfied with how Sport Canada, an organization in your department, handled the cases of abuse that were reported or brought to your attention.

**Hon. Pascale St-Onge:** I think we can do better.

When I said that everyone in Canada's sport system needed to rethink how they did things, I was including Sport Canada in that.

That work has begun with the deputy minister and leadership teams. There is a genuine desire to improve how we evaluate sport federations' compliance with our requirements.

It does, however, bear repeating that Sport Canada has no authority to investigate. That said, Sport Canada needs to be better equipped to conduct compliance evaluations.

**Mr. Sébastien Lemire:** Is your decision to suspend the funding of both Hockey Canada and Gymnastics Canada until investigations have been completed indicative of how you will proceed with Sport Canada going forward when allegations of abuse come to your attention, no matter the sport?

• (1325)

**Hon. Pascale St-Onge:** Suspending an organization's funding has major consequences, especially for small sport organizations. It's not a decision to be made lightly.

There are better ways to oversee the organizations from a process standpoint. There are ways to make sure that processes are being followed and that athletes are being heard. That is why we created the Office of the Sport Integrity Commissioner, which is independent from Sport Canada. The commissioner's office is intended to be a truly independent mechanism vis-à-vis the sport organizations.

Every stakeholder has a role to play going forward, to make sure athletes are safe.

**Mr. Sébastien Lemire:** Speaking of that, given the information that has come to light in recent days, do you think the OSIC's mandate adequately addresses what athletes and their families are calling for?

Isn't it appropriate to give the OSIC more power, so that it has the ability and means to conduct investigations and so that it doesn't simply pass cases on to the police?

At the very least, will the OSIC keep a case registry regarding the calls it receives?

**Hon. Pascale St-Onge:** Conducting investigations is part of the Office of the Sport Integrity Commissioner's mandate, but the office clearly won't replace the traditional court system, criminal or otherwise.

However, when it comes to practices in sport, the commissioner's office can impose sanctions in cases of assault or abuse. The OSIC is certainly empowered to conduct investigations.

Something else worth noting is that this is a new mechanism. Canada has never had anything like it before. The office just launched on June 20. Everyone was supportive of Sarah-Ève Pelletier's appointment as commissioner. She has tremendous experience, as a member of the sports community and a lawyer. She is an expert on athlete safety. She needs time to become familiar with the job and to conduct her first investigations. If the office's mandate or process needs improving, we will improve it.

My focus—and I have made this my mission—is making sure that the mechanism is effective and that athletes see the commissioner's office as a safe place to turn to when they have been the victim of an assault or maltreatment.

**Mr. Sébastien Lemire:** We agree that what we do not want to see happen is the office finding out about a situation only to put the investigation on ice because it doesn't have the means to take action, similar to what happened in 2018, when allegations were reported to Ms. Mulligan.

If Hockey Canada doesn't prove to you that it genuinely wants to change, how far are you willing to go to stamp out the toxic behaviour and culture of silence at Hockey Canada?

Are you willing to put the organization under trusteeship?

**Hon. Pascale St-Onge:** That involves legal considerations that would have to be examined.

As I said, the relationship we have with sport organizations is, first and foremost, a financial one. What binds us is a contribution agreement, a contract between two parties. That means I have limited authority as far as direct involvement in Hockey Canada goes.

However, in the wake of Hockey Canada's funding being frozen, we saw sponsors following suit, as well as an outcry and significant pressure from the public.

I would say that the most important people Hockey Canada has to answer to are members of the public, players, athletes, parents and young people playing hockey, all of whom expect a lot of Hockey Canada.

I said this, and I will say it again, Hockey Canada's leadership has to get it right. Gone are the days of doing things the same old way. Gone are the days of receiving a report and disregarding the recommendations.

**Mr. Sébastien Lemire:** Do you think the Canadian Hockey League, which is separate from Hockey Canada, should be subject to the OSIC's authority as well? That way, Hockey Canada could review its funding.

As we all know, funding flows from Hockey Canada to the Canadian Hockey League.

**Hon. Pascale St-Onge:** A lot of work has to happen on many levels and in every jurisdiction to ensure independent complaint mechanisms are in place to respond to athletes' concerns, and deal with cases of assault and abuse that arise in sport.

I met with my provincial counterparts, among other stakeholders, and we decided to open an OSIC office in any province wishing to sign on, instead of creating its own mechanism.

We don't want to leave anything to chance in Canadian sport, at any level, whether it be local clubs or national organizations.

[English]

**The Chair:** You have 30 seconds.

[Translation]

**Mr. Sébastien Lemire:** I want to get back to Hockey Canada. Have you set a time frame for resuming Hockey Canada's funding?

**Hon. Pascale St-Onge:** Once I'm satisfied that the conditions have been met, we will reevaluate whether Hockey Canada's funding should be resumed.

**Mr. Sébastien Lemire:** Lastly, I'd like to know what you are looking to hear from Hockey Canada—

[English]

**The Chair:** Thank you very much, Minister. That concludes that particular question.

[Translation]

**Mr. Sébastien Lemire:** My six minutes aren't up, Madam Chair.

[English]

**The Chair:** You have now—

[Translation]

**Mr. Sébastien Lemire:** I've been keeping track of my time, Madam Chair, and whenever it's my turn, you cut me off, even if I have time left.

[English]

**The Chair:** You have three seconds left.

[Translation]

**Mr. Sébastien Lemire:** Do I have time for one last question? May I go ahead and ask it? I still had 15 seconds.

• (1330)

[English]

**The Chair:** You have 13 seconds left. Can you tell me what your timeline is, please?

[Translation]

**Mr. Sébastien Lemire:** Madam Chair, I had 15 seconds left for a question.

[English]

**Mr. Justin Vaive:** Madam Chair, it's the clerk. He has about 13 seconds left.

**The Chair:** All right. If you can ask a question and get an answer in 13 seconds, Monsieur Lemire, go ahead.

[Translation]

**Mr. Sébastien Lemire:** Thank you very much.

What are you looking to hear from Hockey Canada when it comes to victims who may have been too afraid to come forward?

**Hon. Pascale St-Onge:** I urge them to do everything in their power to break the culture of silence. That will ensure that not only victims, but also witnesses of misconduct are comfortable coming forward and reporting to police, or participating in any other type of investigative process.

**Mr. Sébastien Lemire:** Are you expecting Hockey Canada to make a public gesture?

**Hon. Pascale St-Onge:** I am expecting Hockey Canada to strongly encourage people to speak up in order to end sexual violence.

**Mr. Sébastien Lemire:** Thank you.

[English]

**The Chair:** Thank you very much. That's the end of the round, Mr. Lemire.

I will now go to Mr. Julian, for six minutes, please.

[Translation]

**Mr. Peter Julian:** Thank you, Madam Chair.

I'd like to thank the minister for her remarks, which I think are very sincere.

Minister, I know you are being very sincere when you answer our questions, but it takes more than sincerity and fine words to end this crisis, as you so aptly described it. As a result of this crisis, new victims are being preyed on every single day.

It is true that Hockey Canada failed in its duty. It is also true that Sport Canada failed in its duty to protect the victims we heard about in Radio-Canada news reports, victims across a dozen or so sports, winter and summer—hockey, soccer, gymnastics and wrestling, just to name a few.

The reality is this is a crisis. People are still falling victim to sexual assault and abuse in sport. That shouldn't stand. Sport Canada should have done something years ago; it should have been more diligent and made sure that funding was tied to very strict conditions.

What do you have to say to all those people who were victims for years and are now coming forward? They were victims because Sport Canada didn't do any fact-checking, because it didn't require the 60 or so existing organizations to introduce processes to combat abuse in all forms, or to enforce zero-tolerance policies.

**Hon. Pascale St-Onge:** I would first like to recognize the courage of everyone who reported to us, or publicly reported, the violence, abuse or sexual assaults that have taken place at all levels of sport in Canada. We have heard stories of what occurred at various levels, including local, community, provincial and national. I would like to thank everyone for speaking up.

I try every day to make these people's voices heard in my work. Since I took up this position, they are the people for whom I have put all my energy into strengthening the system and calling on all participants in sport in Canada to show leadership by taking action and putting an end to this toxic culture in order to protect athletes' safety and health. I'm going to continue doing that work throughout my term in office.

**Mr. Peter Julian:** You said that you have certain powers in connection with funding. Mr. Lemire's question about putting Hockey Canada under trusteeship is very much on point. You say that the law has to be checked.

Is the department doing that checking regarding the steps to be taken to put Hockey Canada under trusteeship?

**Hon. Pascale St-Onge:** To date, I have not received an opinion regarding my ability, as minister, to put a federal organization under trusteeship. We can look into it to see whether it is possible. However, to my knowledge—

**Mr. Peter Julian:** Are you looking into the law?

**Hon. Pascale St-Onge:** I have not yet asked to have my ability to put a sports organization under trusteeship looked into.

**Mr. Peter Julian:** If Hockey Canada doesn't meet your requirements with complete transparency, as you said, do you intend to look into the law concerning the possibility of putting Hockey Canada under trusteeship?

**Hon. Pascale St-Onge:** I intend to use all the tools available to me to compel the organizations to make the necessary changes to the culture, particularly at Hockey Canada.

I also thank the members of the committee for studying this issue and Hockey Canada's actions in connection with its management of the events of 2018. Your work is extremely important. I'm going to use all possible tools to put an end to this toxic culture at Hockey Canada and in sport.

• (1335)

**Mr. Peter Julian:** Thank you.

Earlier, we spoke with representatives of your department about the measures to take to combat harassment. This question was raised in connection with the unfortunate story of Sheldon Kennedy.

For 25 years, every sport organization has been expected to put an independent mechanism in place to combat harassment, and an independent procedure for people to be able to report alleged harassment. Today, we have learned that the department never verified anything.

Do you now intend to verify the information provided by all national organizations, to make sure that you no longer rely on the honour system and rely instead on actual facts? If they do not meet the requirements, they should not receive funding.

**Hon. Pascale St-Onge:** That is part of the discussions under way with representatives of senior management at Sport Canada. We want to see how we can strengthen Sport Canada's ability to do the necessary verifications. There are new processes in place and new ways of doing the verifications. Sport Canada will probably have to seek out new expertise in that area.

On June 12, I announced that I was going to bring in experts to make sure that the reforms we will be implementing at Sport Canada are the right ones and that we are putting the right tools and processes in place. We have to be able to do the necessary verifications within the organizations.

We also have to make sure that it is not just management's word that counts. We also have to be able to verify what is going on with athletes, coaches and senior managers.

We have to enhance Sport Canada's capacity to ensure compliance with the requirements.

**Mr. Peter Julian:** Do you intend to also request more resources?

The work you're going to have to do is very important. However, it takes more resources.

[English]

**The Chair:** Sorry, Peter, but you are out of time.

If we want to get in a full round in the next round, we'll have to be crisp. I will be stopping you in your tracks when you speak over time.

We're going to the second round, which is a five-minute round, and we begin with Kevin Waugh for the Conservatives.

**Mr. Kevin Waugh:** Thank you, Madam Chair. I'm going to share my time with Mr. Martel.

Minister, you talked about Hockey Canada, and I'm going to give you this. I think Sport Canada has to share the blame. The person to the right of you knew what happened on June 26, 2018, and did nothing.

You can point fingers at Hockey Canada all you wish. I'm pointing fingers at Sport Canada. They could have stopped this. Yes, you pulled the funding in 2022 in June. I think the person to the right of you should have directed the minister in 2018 to do something, and it wasn't done. Sport Canada needs to own this as much as Hockey Canada and as much as gymnastics.

Canadians are looking for leadership from Sport Canada, and quite frankly, given the memo I read from Glen McCurdie to his staff at Hockey Canada, they haven't seen any leadership from Sport Canada.

I want you to comment on that.

[Translation]

**Hon. Pascale St-Onge:** The information that Sport Canada received in 2018 related to allegations of sexual wrongdoing. It was not given all the details concerning the precise nature of the allegations or events, which were subsequently revealed in the media.

At no time was Sport Canada informed of the extent of what had happened in 2018. The information provided was minimal.

Let me repeat: Sport Canada has no power to investigate, let alone investigate criminal allegations.

Sport Canada made sure that the police were aware of the case, that Hockey Canada had contacted the police, and that an investigation into the allegations was carried out.

[English]

**Mr. Kevin Waugh:** There's the interim report from Henein Hutchison. Have you seen the report? That is one of the conditions Sport Canada has. They need to see the interim report that was never so-called finished. Have you seen it? That's part of Hockey Canada's check box, if I can say that, to get their funding back. Have you seen the interim report?

• (1340)

[Translation]

**Hon. Pascale St-Onge:** No, I have not received the firm's interim report.

What we requested were the recommendations made by the firm and the plan for implementing them.

To date, I have simply received information about six points relating to recommendations that were made, but I have not received the report.

[English]

**Mr. Kevin Waugh:** Well, Hockey Canada released their statement yesterday and it's long overdue. They promised years ago that they were going to change the culture.

As to their action plan, what do you say as minister when Hockey Canada, two years ago, started an action plan that they never completed, and then we bring them to the heritage committee in

June, and all of a sudden 30 days later we have an action plan? What do you say to Hockey Canada finally waking up, even though the report and action plan should have been done two years ago when they started it?

[Translation]

**Hon. Pascale St-Onge:** I wonder whether the people currently in office are the right people to truly carry out the plan we submitted to them and to make sure that the entire organization supports and implements these new recommendations.

I seriously wonder about the members of senior management. I hope they will provide us with the answers tomorrow and tell us how the same people who were there in 2018 and in 2020 are the right people to make the changes, when their handling of the events of 2018 was truly disastrous and their first appearance was completely lacking in transparency.

[English]

**Mr. Kevin Waugh:** Will you have a conversation with Sport Canada at some time to up your game, the Sport Canada game—which needs to follow this important meeting today—and follow up? Will you do that quickly?

[Translation]

**Hon. Pascale St-Onge:** I intend to complete this work by the next funding cycle, that is, by April 2023.

I want to review all of the contribution agreements. I also want to review Sport Canada's capacity to do adequate checking to ensure that the organizations are meeting the requirements formulated by the department to ensure athletes' safety.

[English]

**Mr. Kevin Waugh:** Mr. Martel has 25 seconds. Go ahead.

**The Chair:** Thank you.

You have 26 seconds.

[Translation]

**Mr. Richard Martel:** You have said this about Hockey Canada, but I can't understand how you can trust the existing senior management after what we have learned so far.

I would like to know whether you are prepared to clean house in that regard.

**Hon. Pascale St-Onge:** I never said I trusted them.

**Mr. Richard Martel:** If the opportunity arises—

[English]

**The Chair:** You have five seconds left in this question, Mr. Martel.

[Translation]

**Mr. Richard Martel:** —would you be prepared to clean house regarding senior management at Hockey Canada?

**Hon. Pascale St-Onge:** I am urging senior management to do what they have to do to improve representation on their executive committee and board of directors, in order to ensure that women have a very strong voice and presence in the decision-making process, among other things, and in terms of how to implement the changes.

**Mr. Richard Martel:** Thank you.

[English]

**The Chair:** Thank you very much.

I'm going to the next person for five minutes. It's Michael Coteau for the Liberals.

**Mr. Michael Coteau:** Thank you, Chair.

I want to start by thanking—

**The Chair:** Excuse me, Michael. I just want to say that it will not be five minutes. Because you lost your two and a half minutes before, I'm going to give you seven and a half minutes.

**Mr. Michael Coteau:** Thank you very much.

[Translation]

**Mr. Sébastien Lemire:** Madam Chair, I absolutely do not agree.

[English]

**Mr. Michael Coteau:** Madam Chair—

**The Chair:** Well, because of technical difficulties, Mr. Coteau was not able to finish, and we told him that he could come back and make up that time. That's only fair in my book.

Thank you.

[Translation]

**Mr. Sébastien Lemire:** That part of the meeting was already over. This is a new meeting now, and the extension shouldn't be given in this case.

[English]

**Mr. Michael Coteau:** Madam Chair, thank you so much for your generosity but five minutes will be fine. I appreciate the generosity.

**The Chair:** Thank you.

**Mr. Michael Coteau:** Minister, I want to start by saying thank you for your testimony today and for the acknowledgement of the crisis in sport across this country and the issues. In addition to sexual violence, there are issues around racism and equity, but we also know there are issues around mental health in sport.

I got to see a glimpse of the complexity of the sector myself when I was the minister responsible for sport and for the delivery of the Pan Am Games back in 2015. It was astonishing to see the extent of responsibility and the complexity of sports organizations. There is the challenge of not only jurisdictional pieces, but also of holding organizations compliant based on the fact that a lot of their funding comes from outside of government. A lot of money flows from many different places into these organizations.

Make no mistake: We know that governments have tools and the minister has tools to ensure that organizations are doing what's best for the folks they serve.

Minister, what is your next move to ensure that sports organizations in our country are transparent and accountable, and that these organizations follow what we as Canadians see as the best pathway to ensure that we raise the next generation of athletes in a way that Canadians would be proud of? What's your next move?

• (1345)

[Translation]

**Hon. Pascale St-Onge:** The first thing will be to make signing on with the Office of the Sport Integrity Commissioner mandatory for all sports organizations that are funded by the federal government. We are doing this so that athletes have a place where they can file their complaint and explain their situation. Professionals will be able to conduct an investigation and impose sanctions or make recommendations concerning complaints. Obviously, the goal of all this is to improve the sports system in Canada to make sure that athletes and witnesses feel that they are able to speak, that they must speak and report cases of assault and abuse. Our other job will be to review the entire funding system.

As I explained, the connection between myself and the sports organizations we fund are the contribution agreements. Using those agreements, we are going to raise the governance, transparency and accountability threshold. We want to make sure that the recommendations made by the Office of the Sport Integrity Commissioner are actually implemented within sports organizations and that this produces results.

[English]

**Mr. Michael Coteau:** Thank you.

At the end of March, you acknowledged that there was a crisis in sports in this country. At the end of the day, we're all here to ensure that we create an environment that allows young people to excel in sport. If you go to any hockey arena or soccer field and watch young men and women play sports, you can see there is definitely a disconnect between what they're feeling and the complexities that we can build within systems.

What does the future look like to you, Minister? If you had anything to say to the young athletes in this country, what would you say to them directly?

[Translation]

**Hon. Pascale St-Onge:** Playing a sport should be a positive experience for young people. The message I am sending all young people, parents, coaches and officials who are part of Canada's sports system is that all wrongdoing in sport has to be reported, whether it involves assault or abuse. It is no longer possible to remain silent when you witness such incidents. Everyone has a responsibility to put an end to it and make sure that our children and the athletes who play sports in Canada have a great experience. They must have the full benefit of everything that sport can offer for mental health, physical health and personal growth.

I am also calling on the executives of sports organizations to demonstrate leadership. The way those individuals behave, the way they report assaults or abuse and take action on an everyday basis to transform this culture, will also determine what the future of sport will be.

I also urge everyone to ask questions about—

[*English*]

**Mr. Michael Coteau:** Thank you, Minister.

**The Chair:** Thank you, Minister. That's it. I'm sorry, but we've ended that particular section.

I'm going to go to Mr. Lemire, for two and a half minutes, please.

• (1350)

[*Translation*]

**Ms. Andréanne Larouche:** Madam Chair, it is me, Ms. Larouche, who will be speaking.

[*English*]

**The Chair:** Ms. Larouche, you have two and a half minutes, please.

[*Translation*]

**Ms. Andréanne Larouche:** Thank you, Madam Chair.

Minister, we had a chance to talk after Hockey Canada officials appeared before the committee in June. What struck me at the time was that they spoke of one or two cases of rape as something trivial, saying that it also happens in society. The word “trivialized” has also been used by parents and coaches, like François Lemay in Granby, who used the word and questioned the will to change.

What strikes me today, after hearing the representatives of Sport Canada, is the divide that exists between Sport Canada's reaction and the will that motivates you. My sense is that you are determined to turn things around. You have frozen Hockey Canada's funding; that's serious. However, it is something else entirely to let accusations like that drag on for four years. The Sport Canada representatives even said that the department should have perhaps intervened, when there was no follow-up. This is stated as a possibility, when it should have been said in definite terms.

What are you going to do, to get your job done, given the divide that exists between your will to act and Sport Canada's reaction? The divide obviously exists, and that has been demonstrated today.

**Hon. Pascale St-Onge:** It isn't the will that is lacking. I have told Sport Canada employees that it is my intention to change the culture in sport. Sport Canada has to be given greater capacity to assess, and follow up on, cases.

Right now, quite honestly, Sport Canada doesn't have the capacity to do these follow-ups, so it has to be given the tools. The work has been started by the deputy minister with the senior leaders—

**Ms. Andréanne Larouche:** Minister, the representatives of Sport Canada said they should have followed up. It could have been done. The department could have gotten information about the progress of the investigation, tried to follow up more closely on what was going on. The allegations, without all the details being known, were there. That could surely have been done, even with

what was available to Sport Canada at the time and with the lack of representativeness, which you also mentioned.

I also welcome the statement of the women hockey players. For a true change of culture to happen, in terms of this toxic masculinity, the board of directors absolutely has to have more women to represent that point of view and prevent there being one more victim.

**Hon. Pascale St-Onge:** I acknowledge that we also have to do better at Sport Canada.

[*English*]

**The Chair:** You have 25 seconds.

[*Translation*]

**Ms. Andréanne Larouche:** When there really is a will to change, what message are we sending about the importance of ensuring close follow-up of cases, of taking measures and holding these people accountable? That is obviously what is missing: accountability on the part of the Hockey Canada executives.

How is it possible, now, to bring about a change of culture, given the present executives?

[*English*]

**The Chair:** Ms. Larouche, we need to finish this question because we've run out of time. I think maybe the minister can try to fit it into somebody else's question.

The next person is Peter Julian, for two and a half minutes, please.

**Mr. Peter Julian:** Thank you, Madam Chair.

I have two questions for you, Madam Minister.

First off, you were kept in the dark. After you became minister, you were not informed by Sport Canada about these serious allegations.

Have you directed staff at Sport Canada to keep you informed any time there are allegations of criminal activity? I'm talking about sexual assault and sexual abuse. Have you directed now to be informed when those cases come forward?

My second question is about the national equity fund. Are you aware of how many of these national sports organizations have put in place funding to compensate victims rather than putting in place every measure to prevent further victims? How many of the 60 organizations have that?

[*Translation*]

**Hon. Pascale St-Onge:** I have asked Sport Canada to keep me informed of cases reported from now on. I have no information about the number of sports organizations that might have this kind of operating fund.

I don't know whether you have that information.

[*English*]

**Mr. Peter Julian:** If you don't have that information, could you furnish it?

**Ms. Isabelle Mondou:** We can undertake to provide this information, for sure.

**Mr. Peter Julian:** That would be very helpful information.

Also, I understand, Madam Minister, that you are now going to be directly informed. No minister will be kept in the dark anymore about serious allegations of criminal activity. I'm happy to hear that. That is important.

I think it's fair to say that victims have been let down. They've been let down by Sport Canada over the course of, I would suggest, the last few years certainly and potentially the last couple of decades. You are certainly standing with the victims. That is important, but I think it's also important to acknowledge that Sport Canada failed at its task of making sure that we have in place safe sports and safety for athletes who could be victims, but also safety for the general public, who could be victims.

• (1355)

**The Chair:** You have 30 seconds, Peter.

**Mr. Peter Julian:** Would you acknowledge today that Sport Canada fell short and has let down victims over the course of the last few years?

[Translation]

**Hon. Pascale St-Onge:** The discourse around wrongdoing, abuse and sexual assault changes over time, not just in sport, but also in society in general.

Today, in 2022, we are no longer where we were in 2010 or 2000 or 1990.

In 2018, the government took serious steps to start to get a better idea of what was going on in sport in Canada. Before that, we had no information.

Concrete measures have been put in place since 2018, and I'm going to continue working to provide Sport Canada with proper tools. We will have the help of experts, who will be guiding us in this transformation, to make sure we are able to achieve it.

[English]

**The Chair:** Thank you, Minister. We're out of time.

I would like the committee to know that we have five minutes left in this hour. We could split it between the Conservatives and the Liberals at 2.5 and 2.5 minutes each if you wish, or we can end the meeting now.

Anybody who does not wish to go 2.5 and 2.5 minutes, please raise your hand.

All right. Then I will go next, for two and a half minutes, to John Nater.

**Mr. John Nater:** Thank you, Madam Chair.

I want to follow up exactly where Mr. Julian left off. It's on the concept of accountability. I was exceptionally upset with Hockey Canada that there were no accountability measures in place. I'm equally upset that there hasn't been the same accountability with Sport Canada.

Minister, the person to your right knew of these allegations four years ago—just two weeks after then minister Kirsty Duncan made a major announcement about safe sport. He didn't even see fit to ensure that the minister, who just two weeks earlier had made this major announcement, was informed of these very serious allegations. He spent four years in possession of this information and did not inform the minister's office and did not follow up.

You made mention that you're not sure the current leadership at Hockey Canada has the right individuals to carry on, but I question you. Do you think the person sitting next to you is the right person to be leading change within Sport Canada, when we have seen his failure, and his organization's failure, to follow up on these allegations?

Where is the accountability within Sport Canada? Have you spoken to Sport Canada officials, specifically Mr. Ruest, to say that what he did for the past four years was not acceptable and that you expect more from that organization?

[Translation]

**Hon. Pascale St-Onge:** I want to point out that Sport Canada does not have the power to carry out investigations. It is also not a regulatory body. Cases like the one in 2018 involving Hockey Canada have to be dealt with by the traditional court system.

However, I do recognize that we have to improve the tools available to Sport Canada so that cases are followed up on and so that there is more accountability on the part of sports organizations. There is certainly room for improvement, as is the case in all sports.

Since 2018, however, new tools have been created and new procedures have been put in place. Sport Canada has done what it was asked to do: it has taken note of cases. It did not have the power to investigate or try those cases.

[English]

**Mr. John Nater:** Well, no one is asking Sport Canada themselves to investigate. You just mentioned they "took note". They took note and wrote it down on a piece of paper and nothing more happened with that. It was kept in a filing cabinet somewhere, and the Minister of Sport, who two weeks earlier had made a big deal about safe sport, wasn't even informed. They took note and then did nothing.

That's not good for anyone in the sporting community. It's not good for individuals participating. It's not good for victims. That's what happened in this case. They took note and did nothing.

Will you acknowledge that this was unacceptable? They didn't even inform the minister's office.

[Translation]

**Hon. Pascale St-Onge:** These procedures absolutely have to be improved, so there is better follow-up on cases of assault and abuse reported to Sport Canada.

We will be bringing in experts to make sure that the processes to be put in place by April 2023 enable us to do these assessments.

[English]

**The Chair:** Thank you very much, Minister.

I'll now go to Tim Louis for the Liberals for two and a half minutes.

**Mr. Tim Louis:** Thank you, Madam Chair.

I want to thank the minister for being here today.

From discussions with constituents and people everywhere, I know parents want to see change. Canadians want to see change. We see that trust in Hockey Canada has definitely been lost.

Minister, as you mentioned a number of times and as we understand, Sport Canada is not a regulatory agency. It's through funding agreements that we can impose these conditions. We also see that suspending funding is a very strong lever for applying these conditions. I do not think—and I don't think anyone thinks—it's a coincidence that since Sport Canada stopped its funding and private companies pulled their sponsorship funding from Hockey Canada, it's only now they're claiming to step up and do more to address the toxic culture.

If it takes a federal freeze on funds, a financial audit and corporate sponsors pulling their support, are you prepared to halt funding to other sports organizations if they're not complying with the funding conditions that are now in place?

• (1400)

**Hon. Pascale St-Onge:** Absolutely. One of the conditions that we're going to impose until now and April 2023 is that all national organizations funded through the federal government will have to sign off with the Office of the Sport Integrity Commissioner. That is extremely important. It's a major game-changer in the whole sport system. If they don't comply, they won't be receiving any money from the federal government.

That's one of the examples. We're also going to look at the governance of the sport organizations and the accountability, and at how Sport Canada can assess whether they have met the very strong and important criteria they are going to be given in order to receive fed-

eral funding. If they don't comply, they won't receive funds from the Canadian government.

**Mr. Tim Louis:** I have very limited time, Minister. Maybe in closing, what would you say to encourage the bravery, the courage, of someone who has felt abuse to come forward, and that their voice will be heard?

**Hon. Pascale St-Onge:** First of all, I want to tell them that it is their stories and their experience that guide me every day in doing the job that I'm doing. I want to salute their courage. I want to thank all of the athletes and all of the victims who came out and told us their stories. Without those stories, it's still the culture of silence, and that's exactly what needs to be broken.

We need to empower athletes in speaking out. We need to empower witnesses. That's one of the reasons the Office of the Sport Integrity Commissioner was created, so that there's a safe place for their cases to be assessed and addressed in a professional and transparent matter. The most important of the criteria was independence.

I want to thank each and every one who came out and who is also helping us do our jobs today and improving the sport system.

**Mr. Tim Louis:** Thank you.

**The Chair:** Thank you very much, Minister.

That puts an end to this hour of hearings. I want to thank the minister and her officials for coming.

I also want to thank my colleagues. It's been a long, long haul, with the number of hours we've done, although Mr. Housefather is sitting on the Mediterranean looking gorgeous. I think the important thing is that we need to see you back again tomorrow, ready to roll. Thank you very much.

Thank you to the clerk and all of the interpreters, etc., for making sure that we could hold this meeting.

Will everyone accept that this meeting be adjourned? Yes?

Bye.





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