



**CANADIAN CENTRE**  
**FOR ETHICS IN SPORT**



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## ATHLÈTES ET ENTRAÎNEURS

# DIEU LE *COACH*

L'ex-entraîneur de l'équipe nationale de ski alpin Bertrand Charest contrôlait la vie de ses skieuses dans les moindres détails. Comme bien des *coachs*, c'était le « patron », le « roi ». Presque un dieu pour les athlètes et leurs parents, avec un droit de vie ou de mort sur la carrière de ses pupilles. Un pouvoir qui ouvre la porte à de nombreux dérapages, racontent des sportifs qui ont été



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NEWS TORONTO & GTA

# Former York University football coach faces more sex charges

BY CHRIS DOUCETTE, TORONTO SUN

FIRST POSTED: MONDAY, APRIL 29, 2013 05:18 PM EDT | UPDATED: MONDAY, APRIL 29, 2013 09:59 PM EDT



TORONTO - A child luring probe involving a former coach has similarities to Penn State University's s... three more teenage boys have come forward claim

Toronto Police say Daniel Younis — the York Univ coordinator and running back coach from 2010 un ago — now faces an assortment of charges in cor four boys.

"After we put a news release in February, three ne contacted us," Const. Wendy Drummond said Mor eight charges have been laid."



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## SPECIAL REPORT | Canada Games judo coach John Mallory's appointment challenged

Judo Canada found coach responsible for 3 counts of misconduct involving female teen athlete

By Connell Smith, CBC News Posted: Dec 01, 2014 8:08 AM AT | Last Updated: Dec 01, 2014 12:04 PM AT



Martine Chenhall, wearing white, won one gold medal for New Brunswick in the 2011 Canada Games. (Courtesy of Martine)

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## Les entraîneurs responsables de 5% des agressions sexuelles sur les adolescents

Mise à jour le mercredi 6 mai 2015 à 18 h 21 HAE

82  
PARTAGES   +  4  AA



Sylvie Parent, professeure au département d'éducation physique, a compilé avec son équipe les réponses de 6450 jeunes de 14 à 17 ans qui ont été sondés à travers 34 écoles secondaires de la province à l'automne 2011.

Les résultats sont préoccupants : 10 % des adolescents rapportent avoir subi une forme d'agression sexuelle et 5 % d'entre eux disent avoir été agressés par leur entraîneur sportif.



## Evolution of the Responsible Coaching Movement

- 2013-2014 – Coaches of Canada & CAC hosted 12 workshops with over 160 coaches and sport administrators across Canada to identify best practices and new opportunities for closing the gaps around unethical behaviour in coaching
- May 2015 – CAC and CCES host NSO Summit on Responsible Coaching
- Summer 2015 - Executive Working Group and NSO Task Force created to guide the development of the Responsible Coaching Movement
- Fall 2015 to Spring 2016 – EWG and NSO Task Force work closely with CAC and CCES to create the first Phase of the RCM
- June 1, 2016 – Responsible Coaching Movement launched at the CAC Annual Partners meeting



## Why should you be a part of this?

- Sports have a legal and ethical responsibility to mitigate risk for athletes, especially minors
- RCM is a proactive means to communicate and act on your commitment to addressing key areas of risk
- The Canadian Sport Policy 2012 recommended that the principle of “values-based” be integrated into all sport-related policies and programs.



## Legal Counsel : Gowlings

- Our advice is based upon developments in the jurisprudence as well as societal expectations. The political climate is such that damage awards for the abuse of vulnerable victims will continue to climb into the foreseeable future together with associated litigation costs. When coupled with reputational and ethical considerations, it is not difficult to understand our recommendations that organizations are well served by moving towards developing “best practices” as quickly as they can financially and administratively manage. Across the world, awareness has increased with respect to the incidence of abuse and our courts and our communities are expecting greater vigilance on the part of the organizations best able to supervise and intervene.
- While there are always risks in agreeing to protocols which are not subsequently adhered to, the risks of avoiding or not participating in programs which are becoming the expected “standard of care” are much greater.
- It is far better to start down the path in a limited fashion as resources permit than to stay rooted in the past. This is a train that has left the station and there is no turning back.



## Legal Counsel:

- Coaching activities encompass much risk, including sexual abuse. This is especially true given that in most instances the coach is an individual in a position of power with access to an athlete on his or her own, provided that there are no policies preventing this access;
- Liability can extend to not only the perpetrator of the act, but also to an organization “sufficiently close” to make a claim of vicarious liability appropriate;
- A Defendant’s inaction in the face of the known risk of abuse can lead to vicarious liability;
- Vicarious liability may lead to very significant financial exposure in terms of damages and legal costs;
- Organizations have an ethical duty to adopt known “best practices” with a view to safeguarding youth; and
- Organizations should consider the reputational risks of not adopting known “best practices”.



## Counsel Continued

### Limitations Act, 2002

It is important to note that these amounts are on the rise, as there have been drastic changes to Ontario's *Limitations Act, 2002* since March 2016.

The 2016 changes essentially removed all limitation periods for Plaintiffs in Ontario claiming sexual abuse. As such, Defendants can no longer use the limitation period as an argument in response to a claim. As a result a person who was a victim of sexual abuse can bring a claim forward at any point in his or her lifetime without regard to when the assault occurred

SO 2002, c. 24.

# Responsible Coaching Movement



## Vision 2020

Phase 1 – Minor Athletes

Rule of Two

Screening

Respect & Ethics Training



## Rule of Two Defined

- There will always be two screened and NCCP trained or certified coaches with an athlete, especially a minor athlete, when in a potentially vulnerable situation.
- Any one-on-one interaction between a coach and an athlete must take place within earshot and view of the second coach, with the exception of medical emergencies.
- If screened and NCCP trained or certified coaches are not available, a screened volunteer, parent, or adult can be recruited.
- More information on a safe and inclusive environment:  
<http://cces.ca/gender-inclusivity>



## Real world examples

- Skate Canada
  - Phased-in implementation by discipline – Team sports first then singles due to challenges around Rule of Two
  - Currently undertaking a budget impact analysis of Rule of Two to assist in determining implementation



## Real world examples

- Scouts Canada
  - Significant communication and education of parents done upfront and continuously
  - When parents register their children, they are asked to volunteer to be a Rule of Two buddy
  - Rule of Two is built into the Code of Conduct
  - Children are also educated on Rule of Two
  - Parents now viewing this as a positive aspect of the organization



## 2. Background Screening

Tools to ensure coaches & volunteers are properly screened may include:

- Comprehensive job postings
- Criminal records check
- Interviews
- Reference checks
- Specific training for special needs populations

The Screening Process may vary depending on the position.



## Sterling BackCheck

- Partnership between CAC and Sterling Backcheck
- Provides quick online criminal records (EPIC) check for minimal cost
- Saves time and reduces paperwork
- Provides a safe secure storage means for completed EPICs:

[http://www.coach.ca/files/Epic\\_Matrix.pdf](http://www.coach.ca/files/Epic_Matrix.pdf)



## 3. Respect and Ethics Training

Increasing coaches' ethical conduct and ethical behaviour toward athletes requires that coaches be trained to understand what it means to act ethically.



## Respect and Ethics Training

Examples include:

- *Make Ethical Decisions* module within the National Coaching Certification Program (NCCP)
- *Respect in Sport*, offered by the Respect Group
- Empower+
- Sport organizations may also determine their own additional standards of ethical behaviour for coaches.

## Responsible Coaching Movement Pledge



Our sport organization pledges to align our practices with Phase 1 of the Responsible Coaching Movement and is committed to ensuring that our athletes and coaches are protected.



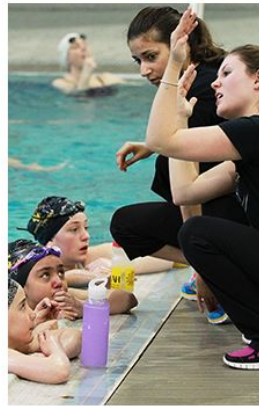
## Sports / Associations Who Have Taken the Pledge

Skate Canada	SportsQuebec	Ortona Gymnastics Club	GameOnCamps.com
Luge Canada	Royal Glenora Squash Club	Northern Lights Judo Club	Linden Christian School
Triathlon BC	Fraser Valley Rhythmic Gymnastics	Ligue de Quilles Junior d'Amos	Gitlaxtaamiks Sport and Recreation
NB Curling Association	Corner Brook Minor Soccer Association	<i>Basketball Canada</i>	<i>Badminton Canada</i>



Each organization will need to determine a **realistic** process for creating change based on their individual state of readiness, in order for it to be successful in the long-term.

# Responsible Coaching Movement



## Responsible Coaching Movement

The Responsible Coaching Movement (RCM) is a multi-phase system-wide movement, coordinated by the Coaching Association of Canada and the Canadian Centre for Ethics in Sport that has the potential to affect all sport organizations and coaches. The RCM is the result of extensive ongoing consultation with the Canadian Sport Community. These consultations will guide the different phases of the RCM that will address the role coaches play with issues relating to the health and safety of athletes, both on and off the field of play.



CLICK HERE TO  
TAKE THE PLEDGE

### Responsible Coaching Movement Pledge Statement

*Our sport organization pledges to align our practices with Phase 1 of the Responsible Coaching Movement and is committed to ensuring that our athletes and coaches are protected.*

▶ PHASE 1- SUPPORTING BEST PRACTICE IN CANADA'S SPORT SYSTEM

▶ KEY AREAS OF FOCUS IDENTIFIED IN PHASE 1 OF THE RESPONSIBLE COACHING MOVEMENT:

▶ HOW TO GET INVOLVED

▶ MOVING FROM PLEDGE TO ACTION

▶ RESPONSIBLE COACHING RESOURCES

For more information, please email us at [RCM@coach.ca](mailto:RCM@coach.ca).

<http://www.coach.ca/responsible-coaching-movement-s17179>



# SWIFT CURRENT

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"Sheldon's story has changed Canada for the better forever. His raw bravery in coming out, turning his life around slowly, painfully sharing how much effort it takes to overcome the scars of abuse is inspiring. He embodies the fragility of life and the triumph of the human spirit. We need to keep this difficult conversation alive to protect our children. We need to continue to equip ourselves to protect against this life devastating threat. Swift Current describes a journey that all Canadians should understand."

*Lorraine Lafrenière – CEO - Coaching Association of Canada*