

HEARING SURVIVORS: TOWARD A NATIONAL INQUIRY OF MALTREATMENT IN SPORT

A brief to
The Standing Committee on the Status of Women
and
The Standing Committee on Canadian Heritage
House of Commons
Parliament of Canada

By Scholars Against Abuse in Canadian Sport

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Overview of recommendations:

1.	Immediately initiate an independent, trauma-informed, survivor-led national inquiry into maltreatment in Canadian sport.
2.	Within an inquiry, conduct national research focused on the intersectionality of sporting experiences.
3.	Within an inquiry, develop an implementation plan, in consultation with the Aboriginal Sport Circle and Provincial/Territorial Aboriginal Sport Bodies, for the Truth and Reconciliation Commission's sport-related calls to action.
4.	Within an inquiry, conduct governance audits of the Canadian Olympic Committee, Own the Podium, Sport Canada, and National Sports Organizations, tying federal funding to compliance.
5.	Within an inquiry, conduct governance audits of Provincial Sports Organizations, tying provincial funding to compliance.
6.	Within an inquiry, require governance audits for all "for-profit" sport entities seeking to operate in the realm of safe sport.

Scholars Against Abuse in Canadian Sport (SAACS) was established on January 23, 2023, to echo and amplify the voices of sport survivors. This is a research-informed approach to advocacy, acknowledging that,

“practitioners and researchers should continually assess and build collaborative capacity, empowering communities to respond to new challenges by developing new competencies, new relationships, and new solutions.”¹

As such, we have worked closely with, and listened to, both survivor advocacy groups and individuals when reaching the conclusions outlined in this brief. We also represent the majority of academics currently working to resolve maltreatment in sport. Although the Standing Committees on the Status of Women in Sport (FEWO) and Canadian Heritage (CHPC) have already received a brief from a small group of academics, representing a single department from a single university,² we hope that our much larger coalition of scholars from over fifty universities, encompassing law, psychology, physiotherapy, sociology, kinesiology, medicine, education, and more, can provide a different perspective: one that takes a trauma-informed, intersectional approach to the ongoing abuse crisis in our sport system.

Abuse survivors' calls for a national inquiry are loud and clear. At the FEWO and CHPC, numerous athletes have recounted their trauma and called for a national inquiry, citing a broken sport system in which unaccountable administrators routinely thrive while athletes suffer. The efforts of Sport Canada have failed. The accountability measures drawn up to protect athletes were ignored. The trust is broken, at all levels. This system, and the complicit administrators, politicians, and academics that benefit from it, cannot fix itself. The recently established Office of the Sports Integrity Commissioner (OSIC) is an important contribution to the sport system, providing a national-level reporting mechanism, but it lacks the jurisdiction, powers, or buy-in to pursue largescale reform from the grassroots through to elite sport. Most importantly, as an organization under the umbrella of Sport Canada, OSIC lacks the trust of many survivors. It is time to recognize and reckon with the unacceptable state of the Canadian sport system.

We urge the Canadian government to initiate an independent, national inquiry to both identify the scope of abuse in the nation's sport system, from the grassroots to the national level, and offer up recommendations for change. A vast body of scholarship recognizes physical, psychological, and sexual abuse, as well as neglect, as categories of maltreatment in sport.³ We recommend an inquiry examine all four categories. This recommendation is consistent with the wishes of many survivors. For example, professional soccer player Ciara McCormick told FEWO,

“only a judicial inquiry into abuse in Canadian sport, with a broad scope, will shine a necessary light on the harm of the past while rebuilding trust for a better future.”⁴

At CHPC, gymnast Ryan Sheehan implored the government to order a

“national inquiry that can compel testimony and unravel the complexities of funding, conflicts of interest and corruption.”⁵

In front of FEWO, boxer Myriam Da Silva Rondeau was adamant that

“there can be no rebuilding unless a judicial inquiry is conducted by a third party in order to hold the people who perpetuate abuses and the current sports culture in Canada to account.”⁶

Hundreds of other athletes who are standing up and demanding transparency and accountability via organizations like Gymnasts for Change, Fencing for Change, and Figure Skating for Change, echo these calls. In this brief, we outline the reasons we wholeheartedly support these survivors' calls for a national inquiry. We also develop some potential methods and elaborate how a robust inquiry would unfold by drawing attention to significant scholarly arguments put forward by the academic community.

Trauma-informed, Survivor led

A public inquiry is the most effective mechanism to focus the attention of the nation on a single, significant issue.⁷ The path to an inquiry is quite simple. As explained in Part I of the *Inquiries Act*, “the Governor in Council may, whenever the Governor in Council deems it expedient, cause inquiry to be made into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof.”⁸ Although inquiries issue recommendations, not sanctions, such proceedings can still “hold individuals and especially organizations and society accountable in ways that courts, administrators, and legislatures cannot.”⁹

The Government of Canada has convened public inquiries to examine a wide array of nationally significant issues. Most recently, there was the joint federal/provincial *Mass Casualty Commission*, which intentionally used a more trauma-informed methodology than previous inquiries. The *Mass Casualty Commission* was intended to “be trauma informed, and be attentive to the needs of and impacts on those most directly affected and harmed.”¹⁰ An inquiry into maltreatment in Canadian sport must follow the same methodology. According to a 2018 document published by the Public Health Agency of Canada, trauma informed approaches “increase safety, control and resilience for people who are seeking services in relation to experiences of violence and/or have a history of experiencing violence.”¹¹ The goal of trauma-informed approaches is not to treat trauma, but rather to “minimize the potential for harm and re-traumatization, and to enhance safety, control and

resilience for all clients involved with systems or programs.”¹² Jennifer McMahon and colleagues studied survivor-led, trauma-informed initiatives on a smaller scale, but their conclusions are no less critical for an intervention of national proportions. As they explain, we must not stop at implementation, as these survivor-led, trauma-informed practices require “ongoing evaluation to ensure they are current, appropriate, effective and not doing harm.”¹³

The 1989 Dubin Inquiry into doping in Canadian sport cost roughly \$7.5M. When compared to the millions upon millions funneled into elite sport, \$7.5M represents the bare minimum that should be spent on an inquiry into maltreatment in the Canadian sport system. Dubin conducted an extensive investigation with such funds, amassing 26 public briefs, 295 pieces of evidence, and testimony from 119 witnesses.¹⁴ Given the scope and sensitivity of an inquiry into maltreatment in Canadian sport, the federal and provincial governments should expect the work to cost more than Dubin but, as always, can stipulate clear limits on the funding available.

Over the last several months, sport survivors have made the problem of abuse in sport very clear for legislators. SAACS’ advocacy focuses on echoing and amplifying the voices of survivors. Thus, before laying out some of the scholarship on abuse in the Canadian sport system, it is vital to acknowledge the voices of athletes who have come before CHPC and/or FEWO.

The pursuit of excellence at all costs has led the Canadian sport system into troubled waters. Over the last several months, Canadians have heard account after account of sport administrators failing athletes. In gymnastics, survivor Ryan Sheehan testified before the CHPC, detailing how Professor Gretchen Kerr, then Gymnastics Canada’s welfare officer, pursued no sanction or discipline against an alleged sexual abuser active within the organization, despite complaints from Sheehan and four other individuals. Frustrated, Sheehan took to social media in search of accountability. After he went public, Kerr allegedly told Sheehan that if he was “careful” about what he posted online “she would ensure there would be an outcome that both she and I would be happy with.” Furthermore, Sheehan alleges that Kerr stated he “never filed a formal complaint” and therefore “had no reason to be upset.”¹⁵ Keen to protect athletes and resist the toxic status quo, Sheehan became a co-founder of Gymnasts for Change Canada.

Given the testimony of Gymnastics Canada CEO Ian Moss at FEWO, it is clear that Kerr’s behaviour toward Sheehan is not an isolated incident. Rather, there is a broader culture of silence, coercion, and gaslighting within Gymnastics Canada. When MP Anna Roberts asked Moss about his inaction regarding complaints against now disgraced coach Alex Bard, he provided several unsatisfying replies, the most troubling of which was “allegations are not facts.”¹⁶ Although technically true, false allegations of sexual misconduct are exceedingly rare.¹⁷ A national inquiry would identify and address these allegations in a systematic way, and likely enhance the credibility of survivors’ testimony. Moss’ response suggests a toxic willingness to discard athlete complaints to protect an elite coach, illustrating a clear lack of accountability to the most vulnerable individuals within his organization. After all, national-level gymnastics is by no means restricted to adult competitors. Athletes as young as 15 are currently competing with the national junior program. When Gymnastics Canada finally removed Bard, however, there was no hint of the allegations that sparked the dismissal. Instead, the organization’s website said – and still claims – that Bard left for “personal reasons,” noting the coach helped the national women’s artistic gymnastics team “achieve its best ever performance at the 2018 World Championships.”¹⁸

Retired gymnast Kim Shore recounted the body shaming, intimidation, and sexual abuse she experienced as a gymnast. “Was it just me who was forcibly kissed by a married coach,” asked Shore, “who then had to miss practices to avoid him, who suffered two grand mal seizures after a training accident that got no medical attention, and who earned a full-ride scholarship to a division I NCAA school, only to give it up to escape a predatory coach who was later banned for life?”¹⁹ Transparency remains a clear and constant issue at Gymnastics Canada. One board member – Claude Aubertin – had a previous conviction for child prostitution. In 2016, he was arrested for “possessing, distributing and consuming child pornography.”²⁰ In 2018, Shore joined the board of Gymnastics Canada in hope of initiating change, but there was little appetite for improvement. There was also little transparency, inconsistent disciplinary measures, gaslighting, and negligence. But no change. “I still wonder how many complaints it takes to trigger a safe sport investigation,” Shore told the CHPC. “What is a child's safety worth?”²¹ Shore is a co-founder of Gymnasts for Change Canada.

In 2008, professional soccer player Ciara McCormick and multiple teammates consistently reported the sexual misconduct of coach Bob Birarda, leading to his termination by the Vancouver Whitecaps and Canada's under-20 national team. Both the Whitecaps and Soccer Canada, however, obscured the reasons for dismissing Birarda, suggesting it was a mutual parting of ways rather than the elimination of an abusive coach. As a result, Birarda remained active in soccer for another decade. Finally, in 2019, the courts convicted Birarda of sexual assault. Numerous administrators are implicated in the Birarda cover-up, but few have faced any real consequences for their actions.²² Several have thrived. Victor Montagliani, president of Soccer Canada from 2012-2017, is now the president of the Confederation of North, Central America and Caribbean Association Football (CONCACAF) and Vice President of the International Association Football Federation (FIFA). Nick Bontis, then on the Board of Directors, became President of Soccer Canada from 2020-2023, before joining Montagliani as the Vice President of CONCACAF. Charmaine Crooks, the current President, was also on the board while athletes pleaded for Birarda to be disciplined. While athletes suffered, administrators at Soccer Canada were and are failing up.

On December 5, 2022, cyclist Geneviève Jeanson testified to FEWO about the shocking maltreatment she experienced at the hands of her coach. When she was just 15 years of age, Jeanson’s coach told her “I'm in love with you. If you leave me, I'm going to kill you, and then I'm going to commit suicide.” He also verbally and physically assaulted her. She intentionally tested positive for performance enhancing substances to escape the violence. “In 2015, when a good part of my healing had taken place, I finally felt ready to open up about the violence I had lived through and how I had been coerced into taking performance-enhancing drugs, but I was not yet ready to talk about the sexual assaults. To me, it was still too dirty and too shameful.” Jeanson asked the committee to encourage additional maltreatment education for athletes. She also suggested “a system for receiving and processing complaints that is totally independent of the federations and that is not reserved only for our elite athletes.” Lastly, Jeanson urged FEWO to pursue changes to the nation’s sporting priorities, to have the system place the same emphasis on the “well-being of our athletes that they do to their performance.” She also called for a national inquiry.²³

Olympic skier Allison Forsyth told FEWO that “the impacts of my sexual abuse experience cannot be summed up in a few minutes. Extreme grooming, horrific sexual assaults, mental coercion and psychological abuse are some of the immense physical and mental burdens I still live with each day.” Forsyth called on the Government of Canada to invest to shift the culture of sport in Canada,

sanction offenders, and increase prevention and education around maltreatment. In closing, Forsyth showed hope for the future. "I truly believe that sport can still be a beautiful place to raise my children," said Forsyth. "I will not give up on that reality, and I ask that you don't either."²⁴

Fencer Emily Mason told the CHPC about coach Kyle Foster, who continues to work in the sport despite multiple maltreatment complaints, including sexual offences, against him. Although Foster's actions are known, many other complaints go unreported by athletes who fear retribution. To spark and maintain change we must "first understand the full breadth of the issue," Mason told the CHPC. "This is why having a public inquiry into Canadian sport culture is so imperative. That is not to say that an inquiry will solve the issues that it will uncover, but it will provide an informed framework on which we can build a supportive future."²⁵

After the highly publicized labour dispute between Soccer Canada and the Women's National Team, during which the governing body ordered the athletes back to work under threat of legal action, multiple team members – Christine Sinclair, Quinn, Janine Beekie, and Sophie Schmidt – appeared before the CHPC to testify on the lack of equity and transparency in the sport. Quinn told the CHPC that despite success on the field, including Olympic gold, the women's team still has "to fight for every incremental step in playing conditions, treatment and compensation."²⁶ Captain Christine Sinclair explained that "as the popularity, interest in, and growth of the women's game sweep the globe, our most painstaking battle has been with our own federation while trying to obtain fair and equitable treatment in the way we are supported and paid." After Sinclair met with Soccer Canada President Nick Bontis to discuss compensation, the latter stated "What was it Christine was bitching about?," illustrating a lack of professionalism, leadership, and empathy that is not isolated to Bontis but is typical of how many Soccer Canada representatives act.²⁷ Sophie Schmidt, dismayed, said "the opportunity for Canada to lead the way is here and now, but it can happen only with real change and the right leadership."²⁸ Reflecting on the controversial Canada Soccer Business deal, Janine Beekie told the CHPC, "Imagine our complete shock, then, at learning last year that Canada Soccer would see none of the financial upside of this excitement and engagement, that it had given it away to a third party that runs and funds a domestic men's league, and that our success is the engine driving a business that is not promoting the women's game in our country."²⁹ Sinclair, Beekie, Quinn, and Schmidt all emphasized the need for transparency at Soccer Canada. Quinn called for education on maltreatment, from the grassroots to the elite level, as well as a national inquiry.

At FEWO, retired national soccer team member and Canadian Sport Hall of Fame inductee Andrea Neil also emphasized the continued struggle for equity in the sport, highlighting some of the hardships faced by athletes during her career. The Birarda cover-up was again front and centre.

"For 15 years I stood alongside a small group of women as they risked their financial, physical, mental and emotional health to bring former national team coach Bob Birarda to justice for his sexual and psychological abuse of players," explained Neil. "Canada Soccer could not be counted upon. Our national federation had completely failed at safeguarding. They had irresponsibly shifted his predatory behaviour on. These women have been dismissed, diminished and devalued as human beings by those who are responsible for keeping them safe."³⁰

Neil also appeared before the CHPC stating "In the past, anyone who has asked for accountability or proper governance was exiled from the federation or silenced through things like non-disclosure

agreements. This toxic and authoritarian culture needs to end. We need a radical overhaul, with much wider representation and scrutiny.”³¹

Boxer Myriam Da Silva Rondeau told FEWO about the lack of accountability and trauma of centralization at Boxing Canada. “After two full-time years in the centralization process, I began to experience psychological exhaustion and was no longer able to protect myself,” explained Da Silva Rondeau. “I was required, on several occasions, to participate in ‘test’ fights against much bigger and heavier opponents. I expressed and communicated my concerns, but no action was taken.” At the Tokyo Olympics she experienced a dissociation episode. Da Silva Rondeau told FEWO that she had “no memory of what is supposed to be my most memorable experience.” She called for a national inquiry.³²

Athletes are also calling for an inquiry beyond the CHPC and FEWO committees. Boxer Kaitlyn Clark highlighted “bullying, grooming and psychological abuse” by her coach at Boxing Ontario, resulting in an “eating disorder, suicidal ideation and an Olympic-track boxing career being placed on hold indefinitely.”³³ Most recently, Figure Skating for Change issued an open letter addressed to both the Minister of Sport and President of Skate Canada regarding maltreatment at “Champs International Skating Centre of British Columbia (CISC), formerly known as the BC Centre of Excellence,” reporting “physical, verbal, and emotional abuse against young athletes spanning the last fifteen years.”³⁴ They called for a national inquiry.

Recently, the prevalence of sexual abuse in Canadian sport has made headlines. Although an exhaustive examination of sexual abuse in Canadian sport could only be conducted with the resources afforded by a national inquiry, we have taken the liberty of tabulating some of the publicly reported incidents, for the benefit of FEWO and CHPC, to help illustrate the troubling frequency of such offenses (see Table 1).

Table 1. Select Reports of Sexual Abuse in Canadian Sport, 2022-23

Date of Report	Province	Sport	Source
24 Jan 2022	Ontario	Softball	Oakville Beaver ³⁵
11 Feb 2022	Ontario	Hockey	Stouffville Sun-Tribune ³⁶
13 May 2022	British Columbia	Gymnastics	City News ³⁷
7 Jun 2022	Ontario	Tennis	CP24 ³⁸
14 Jun 2022	Newfoundland	Multiple	Yahoo News ³⁹
14 Jun 2022	Manitoba	Football	CBC ⁴⁰
13 Jul 2022	Manitoba	Rugby	CBC ⁴¹
11 Aug 2022	Alberta	Gymnastics	CTV ⁴²
13 Sep 2022	Ontario	Running	CBC ⁴³
2 Nov 2022	British Columbia	Soccer	CTV ⁴⁴
19 Oct 2022	Nova Scotia	Weightlifting	CBC ⁴⁵
8 Nov 2022	Ontario	Gymnastics	CTV ⁴⁶
8 Nov 2022	Ontario	Redacted	Ontario College of Teachers ⁴⁷
8 Dec 2022	Nova Scotia	Hockey	Halifax Examiner ⁴⁸
13 Dec 2022	Ontario	Redacted	Ontario College of Teachers ⁴⁹

19 Dec 2022	Ontario	Redacted	Ontario College of Teachers ⁵⁰
10 Jan 2023	Alberta	Basketball	CBC ⁵¹
25 Jan 2023	Quebec	Figure Skating	Sportsnet ⁵²
14 Feb 2023	Ontario	Table Tennis	Global ⁵³
15 Feb 2023	Ontario	Gymnastics	CTV ⁵⁴
7 Mar 2023	Quebec	Basketball	St. Albert Gazette ⁵⁵
7 Mar 2023	Ontario	Redacted	Ontario College of Teachers ⁵⁶
24 Mar 2023	Saskatchewan	Athletic Director	Saskatoon Star Phoenix ⁵⁷
18 Apr 2023	Ontario	Softball	Inside Halton ⁵⁸
28 Apr 2023	Ontario	Baseball	CBC ⁵⁹
1 May 2023	Saskatchewan	Youth Sports	CBC ⁶⁰

It is also essential that a national inquiry into abuse in sport investigate abuse faced by para athletes/athletes living with disabilities. Article 30, section 5a of the UN Convention on the Rights of Persons with Disabilities addresses the topic of sport, noting: States Parties shall take appropriate measures “To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels.” Moreover, section 5d addresses the rights of children with disabilities, noting that they must “have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system.”⁶¹ However, a 2020 policy brief from the Canadian Disability Participation Project (CDPP) cites research from the University of Toronto in partnership with AthletesCAN that found that athletes living with disability face more abuse and discrimination compared to able-bodied athletes. The report advocates for an evidence-informed definition for athlete experience that accounts for autonomy, belonging, challenge, engagement, mastery and meaning. They recommend that these criteria be incorporated into the Canadian Sports Policy, Innovation grants and other programming decisions. We recommend that the CDPP’s Quality Sport Experience criteria inform the approach a national inquiry into abuse in sport adopts when investigating abuse faced by athletes living with disabilities.⁶²

Exclusion: A Canadian Sporting Tradition

All contemporary national inquiries should also embrace an intersectional approach to their investigations, findings and recommendations. As Kimberlé Crenshaw explains, intersectionality is “a lens, a prism, for seeing the way in which various forms of inequality often operate together and exacerbate each other. We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What is often missing is how some people are subject to all of these, and the experience is not just the sum of its parts.”⁶³ The complicated ways in which race, gender, ability, class, nationality, and other factors influence government action cannot be ignored. As Laura Misener and Angela Schneider explained in *The Conversation*, for example, “If we compare this situation to past events in Canada, we see some glaring differences deeply rooted in the gender and racial inequalities in this country.”⁶⁴

The nation’s one and only sports-related national inquiry was the Dubin Commission of 1989, sparked by Ben Johnson’s positive drug test at the 1988 Seoul Olympics. The Government of Canada

scapegoated Johnson – a Black, immigrant, athlete – for a dysfunctional sport system. The government wasted no time tackling the issue. Jeanne Sauvé, Governor General of Canada, approved the Order in Council on October 5, 1988, just over a week after Johnson tested positive on September 27, 1988.⁶⁵ The government’s pursuit and humiliation of Johnson was deeply rooted in the power relations of the day. The media piled on. As Steven J. Jackson and Pam Ponik demonstrate, Johnson was transformed “from Jamaican immigrant to Jamaican-Canadian, as he became more successful, culminating in his ‘achievement’ of ‘Canadian’ status when he became world famous. However, following his disqualification, Johnson was quickly redefined as Jamaican-Canadian.”⁶⁶ If our call was to once again scrutinize Black athletes, rather than a group of abusers that are overwhelmingly white, middle class, abled-bodied, coaches and administrators would there be a more urgent push for change? If the survivors weren’t overwhelmingly children and young women, would there be movement by now? Our leaders must publicly challenge the racism, ableism, misogyny and classism that has been evident in many of the responses to athletes’ accounts of abuse. Adopting an intersectional approach to a public inquiry will ensure that the mistakes of past inquiries and responses are not repeated.

Racism continues to be a major barrier to sport in Canada, but organizations often treat it as an issue distinct from maltreatment, failing to examine the systemic underpinnings of racism in their respective organizations and sports. The Truth and Reconciliation Commission’s sport-related calls to action, for example, have rarely been mentioned in discussions around maltreatment in sport. We strongly suggest the Government of Canada consult the Aboriginal Sport Circle and Provincial/Territorial Aboriginal Sport Bodies before finalizing plans for any inquiry into maltreatment in sport.

In 2019, Courtney Szto, Sam McKegey, Mike Auksi, and Bob Dawson published the *Policy Paper for Anti-Racism in Canadian Hockey*. Their work was a powerful call for change in Canada’s national winter sport. “By first acknowledging the problem and then tackling it head-on in an integrated and holistic manner,” wrote Szto and colleagues, “Hockey Canada will help make the game we love more just, safe, and inclusive, with wide-ranging effects that will ripple throughout all other facets of Canadian society.”⁶⁷ The 2021 study by Janelle Joseph, Sabrina Razack, and Braeden McKenzie of the IDEAS Lab on anti-racism in Ontario University Athletics provided insights from across this provincial intercollegiate sporting landscape:

Stop believing racism is only at another school or on another team. Racism is part of every OUA program. Racism can be obvious/overt or subtle/hidden. Hiring and recruitment can be unfair, leaving out excellent racialized student athletes, coaches, and administrators who can bring success to Ontario universities. Not every community member understands what racism is, or how white privilege operates, and many athletes suffer silently. Most institutions lack transparent anti-racism policies and reporting processes.⁶⁸

Although only the most overt examples of racism typically make it into the press, the volume of such reports over 2022-23 alone suggest a very serious problem in Canadian sport (See Table 2). This plays out not only interpersonally, but through the media discourse and within the fabric of the organizations tasked with regulating and running sport. For decades, scholars across the country have documented the overwhelming historical and contemporary whiteness of Canadian sport which structures a system within which Black, Indigenous, and People of Colour have no recourse

and encounter little to no empathy: This is what we refer to as institutional/systemic racism.⁶⁹ This covert form of racism is especially pernicious as it is perpetuated by groups and people who do not consider themselves racist, i.e., intolerant, biased, or discriminatory. All forms of racism have a devastating effect on individuals, including, but not limited to, mental distress, quitting programs, lack of opportunities, and barriers to career advancement in one’s chosen discipline. Black, Indigenous, and People of Colour are marginalized from sport’s youngest levels to the oldest, in both amateur and professional programs. Year after year, season after season, governing bodies fail at addressing the roots of the multiple forms of racism targeting minority groups in the Canadian sport systems; this failure further perpetuates a system in which only White participants and professionals have a legitimized position.

Table 2. Select Media Reports of Racism in Canadian Sport, 2022-23

Date of Report	Province	Racism/Discrimination	Sport	Source
26 Jan 2022	Saskatchewan	Anti-Indigenous	Hockey	CTV ⁷⁰
21 Feb 2022	Manitoba	Anti-Indigenous	Hockey	CBC ⁷¹
9 Mar 2022	Manitoba	Unknown	Basketball	Winnipeg Free Press ⁷²
18 June 2022	Ontario	Anti-Black	Soccer	Peterborough Examiner ⁷³
19 March 2022	British Columbia	Anti-Black	Hockey	CBC ⁷⁴
31 March 2022	Quebec	Anti-Black	Hockey	CBC ⁷⁵
8 April 2022	Quebec	Anti-Black	Hockey	CBC ⁷⁶
12 April 2022	Ontario	Anti-Black	Hockey	CTV ⁷⁷
23 April 2022	British Columbia	Anti-Asian	Hockey	CBC ⁷⁸
11 May 2022	Ontario	Anti-Indigenous	Hockey	CBC ⁷⁹
17 May 2022	New Brunswick	Unknown	Hockey	CTV ⁸⁰
6 July 2022	Ontario	Anti-Indigenous	Lacrosse	Two Row Times ⁸¹
6 Oct 2022	Ontario	Anti-Black Anti-Asian	Hockey	Toronto Star ⁸²
22 Oct 2022	Ontario	Anti-Black	Hockey	Newmarket Today ⁸³
5 Dec 2022	British Columbia	Anti-Asian	Hockey	City News ⁸⁴
9 Dec 2022	Quebec	Anti-Black	Hockey	Montreal Gazette ⁸⁵
19 Jan 2023	British Columbia	Anti-Indigenous	Soccer	Chek News ⁸⁶
21 Jan 2023	British Columbia	Anti-Asian Anti-Black Islamophobia	Soccer	City News ⁸⁷
3 Feb 2023	New Brunswick	Unknown	Soccer	CTV ⁸⁸
3 Feb 2023	Quebec	Anti-Indigenous	Basketball	Eastern Door ⁸⁹

17 Feb 2023	Manitoba	Unknown	Basketball	Winnipeg Free Press ⁹⁰
18 Feb 2023	Quebec	Anti-Black	Hockey	Montreal Gazette ⁹¹
29 Mar 2023	Canada (online)	Anti-Indigenous	Curling	Regina Leader-Post ⁹²
30 Mar 2023	Alberta	Anti-Semitic	Hockey	CTV ⁹³
3 April 2023	Nova Scotia	Anti-Indigenous	Hockey	Global ⁹⁴
3 May 2023	British Columbia	Anti-Black	Hockey	CBC ⁹⁵

In her testimony before FEWO, Allison Sandmeyer-Graves, Chief Executive Officer of Canadian Women and Sport (CAWS), urged those in attendance to “seize on the all-party concern about abuse in sport to initiate a national judicial inquiry by the Government of Canada into maltreatment at all levels of sport to gain a full systemic view of the challenges and to design appropriate solutions. Again, *an intersectional gender lens must be applied to this process*, and as part of the inquiry, possible regulatory systems for sport should be explored.”⁹⁶ We believe that a balanced intersectional lens that highlights the interconnection of race, gender, class, age and ability is needed to enhance the findings of a governmental inquiry as all of these traits can lead individuals to be marginalised and potentially exploited under the current system.

The need, for example, to train and retain women in coaching and administrative positions is particularly pressing, but these women need to be intersectionally diverse. Only an intervention, deployed with intent and foresight, can spark change. The lack of role models, persistence of discriminatory hiring, and barriers to promotion continue to impede gender equity in coaching and administration.⁹⁷ This enduring marginalization is deeply entrenched in the Canadian sporting culture. As Sarah Barnes and Mary Louis Adams explain: “For what is submerged beneath the hostility and harassment faced by women who coach are ideologies and long-standing patriarchal norms that support and secure the positions of privileged men in our society.”⁹⁸ Sexism and misogyny are deeply ingrained in sporting culture in Canada and continue to prop up patriarchal norms despite sport branding itself as being inclusive.

As Shannon Moore, Teresa Fowler and Tim Skuce wrote in *The Conversation*, sexism and misogyny are “part of hockey culture” which were highlighted during the gang-sexual assault allegations into the 2018 World Junior Team. Women and girls remain objectified in sport and an inquiry committed to intersectionality can tackle these issues with greater nuance and precision.⁹⁹ As Janelle Joseph, Bahar Tajrobehkar, Gabriela Estrada, and Zeana Hamdonah illustrate in their review of existing literature, there is much work to be done to reduce the barriers to leadership positions faced by racialized, queer, nonbinary, and trans women. According to Joseph and colleagues, “Much more research should be done to disaggregate ‘immigrants’ into specific racial and ethnic groups, attend to intersectional identities and barriers, understand a wide range of involvement (eg, including coaching, high performance sport, recreation, exercise, university sport, mentorship programs), document racism and White privilege, and describe the joys of participation in sport for racialized women.”¹⁰⁰ Contrary to the arguments submitted to FEWO and CHPC by other scholars, there is

simply too much we do not know.¹⁰¹ To know better, we need the national inquiry to adopt a balanced intersectional lens that focuses on all forms of marginalization.

The Human Rights Consequences of a Broken, Unaccountable System

Although the rampant maltreatment of athletes is clearly a human rights issue, the durable “autonomy of sport” has obscured the nation’s moral and ethical compass, causing irreparable harm to Canadians. The intersectional marginalised identities, mentioned earlier, are susceptible to being abused through non-compliance with human rights legislation. A couple of examples are noteworthy here. As we have seen with the Canadian Olympic Committee (COC), which is not so much a component of the national sport system as an extension of the International Olympic Committee, the autonomy of sport pushes and pulls the moral and ethical compass of the nation in grim, often indefensible directions. As Borja Garcia and Henk Erik Meier explain, sports autonomy “restricts state sovereignty and political discretion, and raises serious questions about democratic accountability.”¹⁰² This problematic autonomy is also inflicted upon athletes by FIFA. In her testimony, Janine Beckie of the women’s national soccer team highlighted how this autonomy can be leveraged to silence athletes. “We held off on replying to the offer from Sport Canada for a financial audit,” said Beckie, “because the concern was raised by Canada Soccer that if that or something similar were to happen, then potentially we would be kicked out of the World Cup.”¹⁰³ In Canada, the effort to protect human rights in sport is further complicated by an ill-conceived, decentralized governance model.

Over the last two decades, Sport Canada has shifted to a metagovernance model involving the “proliferation of quasi/non-governmental organizations and interest groups...heavily supported and promulgated by Sport Canada...often through significant financial investment.”¹⁰⁴ Much academic debate surrounds the efficacy of decentralized governance, but the numerous recent cases of athlete abuse suggest this model is not in the best interests of athletes because there is an unsettling lack of accountability within the system. As Stephen Bell and Andrew Hindmoor suggest, metagovernance can lead to an “unrepresentative and self-perpetuating elite.”¹⁰⁵ Given the parade of complicit administrators coming before the FEWO and CHPC, from Ian Moss and Gretchen Kerr at Gymnastics Canada, to Steve Reed at Soccer Canada, to Scott Smith at Hockey Canada, it is clear this “self-perpetuating elite” is spreading throughout the system like a noxious weed.

The establishment of Own the Podium (OTP) was a clear red flag. OTP was established in 2005 as a vehicle to save Canada embarrassment at the 2010 Vancouver Olympic and Paralympic Games. Twice Canada had hosted the Olympics (1976 Montreal and 1988 Calgary) and had failed to win a gold medal. The focus of higher, faster and stronger – and the fact that we as Canadians should ‘own the podium’ – not only allows for a culture of abuse to thrive as long as medals are being won; it goes against the public discourse of what it is to be Canadian. OTP breeds a win-at-all-costs mentality, in stark contrast with the nation’s human rights commitments.

With a decentralized system (mal)functioning under a metagovernance model, only a robust examination of all its disparate parts can provide the insight and clarity necessary to move forward with meaningful, sustainable change. A national inquiry, including a governance audit of the COC, OTP, Sport Canada, and National Sports Organizations (NSOs) would help the nation take stock of

this widespread administrative failure. We propose a governance audit including a deeper look into the professional capacity and credentials of our national sport leadership. We must be critical and transparent about the Canadian sport leaders and professionals who, for decades, have failed to protect athletes. Abuse is often deeply embedded into cultures in ways that people simply replicate. A critical examination of the professional capacity of those who are in leadership positions in Canadian sport will support the Inquiry to share wider realities on the enabling factors of abuse, the current organisational weaknesses, the opportunities to evolve and new requirements for those who seek to take on these roles. It is important that independent, appropriately qualified people are brought in to perform assessments, evaluations, and governance audits. This work will ensure that the onboarding of sport leadership, and their ongoing professional development and capacity, will be conducted with integrity and diligence. Even with good intentions, a lack of professional capacity of those in leadership positions will significantly hinder the ethical evolution of safe sport and appropriate athlete care.

At the provincial level, where athletes are often younger and more vulnerable, there is a pressing need to identify and address the ways in which they are currently underserved. The UN Office on Drugs and Crime recognizes that the existence of abuse may impede the protection and promotion of human rights. They cite the UN Convention on the Rights of the Child as among the legal and policy frameworks that serve to protect human rights across all sectors of society, including sport.¹⁰⁶ Canada ratified this convention in 1991. Yet, as Katherine Covell, R. Brian Hall, and J.C. Blokhuis explain in their book *The Challenge of Children's Rights for Canada*, when compared against nations of comparable wealth, "Canada has been a laggard in reducing the number of children living in poverty, in improving child health, and in expanding early childhood education and care programs."¹⁰⁷ In sport, the plight of the nation's children is deeply concerning. Politicians must act with urgency. The Canadian Sport Policy lays out a collaborative approach to sport governance in Canada, acknowledging that "stronger alignment among the various elements of the system is essential to improve efficiencies and effectiveness, from the community to provincial/territorial and national levels of sport."¹⁰⁸ Thus, a culture of collaboration already exists, but Canada and its provinces/territories, Sport Canada and its provincial/territorial counterparts, must be willing to engage issues of abuse with the same vigor and cooperation as they do excellence.

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¹⁰⁰ Janelle Joseph, Bahar Tajrobehkar, Gabriela Estrada, and Zeana Hamdonah, "Racialized Women in Sport in Canada: A Scoping Review," *Journal of Physical Activity and Health* 19 (2022), 868.

¹⁰¹ Bruce Kidd, Gretchen Kerr, and Peter Donnelly, in their brief to the FEWO and SCCH, write: "While we empathize with the pain of the survivors who have testified, we believe there are other avenues available for redress. Given the wealth of relevant research available on Canadian athletes' experiences, including the nature, prevalence, and effects of maltreatment, we do not believe a judicial inquiry is necessary to recommend solutions." As the work of Janelle Joseph, Bahar Tajrobehkar, Gabriela Estrada, and Zeana Hamdonah shows, we only have "relevant research available" for a very specific group of Canadians, suggesting a need for a large-scale examination of the Canadian sport system with intersectionality as a guiding principle. See, Bruce Kidd, Gretchen Kerr, and Peter Donnelly, "Ensuring Full and Safe Participation by Canadian Girls and Women, Fair Athlete Representation, and Good Governance in Canadian Sport." A brief to The Standing Committee on the Status of Women and The Standing Committee on Canadian Heritage, House of Commons, Parliament of Canada (14 December 2022), 3. For a more nuanced view of the state of affairs see, Janelle Joseph, Bahar Tajrobehkar, Gabriela Estrada, and Zeana Hamdonah, "Racialized Women in Sport in Canada: A Scoping Review," *Journal of Physical Activity and Health* 19 (2022), 868-880.

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