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Standing Committee on Canadian Heritage

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• (1100)

[English]

The Vice-Chair (Mr. Kevin Waugh (Saskatoon—Grasswood, CPC)): Good morning, everyone. I call the meeting to order.

Welcome to meeting number 76 of the House of Commons Standing Committee on Canadian Heritage.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Tuesday, September 20, 2022, the committee is meeting to continue its study on safe sport in Canada.

We have a number of witnesses. Four are in front of us, and two are on video conference today.

Myriam Da Silva Rondeau is an Olympian and teacher. We have Rachael Denhollander, attorney and victim advocate. She is on video conference. Ciara McCormack is a whistle-blower and professional soccer player. Andrea Neil is a former Canadian women's national soccer team player and assistant coach. David Wallbridge is a lawyer, and he's on video conference. From Fencing for Change Canada, we have Emily Mason.

For those on video conference—that means Rachael and David—on the bottom of your screen there's a globe for translation. You will get questions in English and French, so act accordingly.

Everyone, we have at least 30 minutes of testimony here this morning.

We'd like to start with Myriam Da Silva Rondeau for five minutes.

Myriam, the floor is now yours.

Ms. Myriam Da Silva Rondeau (Olympian and Teacher, As an Individual): Thank you.

[Translation]

It's important to understand that in sports, everything happens quickly. Competitions represent points, and points are what lead to being selected for training camps, the national team or even international competitions. They are what makes it possible to reach a classification and move up through the ranks to the very top. Without these points, there's no advancement.

In this process, which looks simple, here's what complicates things:

Athletes who refuse to sign the contract submitted to them can't take part in competitions and don't get any points. The timelines are also short. It can be only a few weeks or even days ahead when

you're selected to take part in a competition where points can be earned. The current whistle-blowing mechanisms take months.

So I ask you: if you were in our position, would you blow the whistle on anyone?

Then there's the matter of points and selection. It may look simple from the outside, but everything is governed by often exhaustive and malleable documentation from the federations. In connection with this, I would ask that we table the document I sent to the clerk yesterday evening.

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Mr. Clerk, the document has not been translated, but I'd like you to distribute it, please.

[English]

The Vice-Chair (Mr. Kevin Waugh): Does anyone object to its being sent around?

I think it's in French, is it not? Is it in both languages?

Ms. Myriam Da Silva Rondeau: I'm sorry. It's in English, because they are documents from my federation.

My comments are in French.

The Vice-Chair (Mr. Kevin Waugh): It's not perfectly translated. Is that fine, if we have it sent around to everybody?

Ms. Gladu.

• (1105)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): As long as it's eventually translated in both official languages and sent to the committee, I think that would be fine.

The Vice-Chair (Mr. Kevin Waugh): It has been sent to translation, so it could take a little while.

Are you fine with that, Chris?

A voice: Yes.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Ms. Rondeau, please continue.

[Translation]

Ms. Myriam Da Silva Rondeau: Among the documents I sent you I found the summary of Boxing Canada's changing selection criteria from 2011 to 2021. These were approved by the board of directors. Oversight by Sport Canada, when there is any, is substantial. Without any context and a lack of familiarity with the community, it's easy to approve a document without asking any questions.

Once again, when athletes follow the existing mechanisms, it can take several months. In the meantime, the athlete does not take part in any competitions or training camps, and cannot accumulate any points. Like it or not, whistle-blowing is something you have to think about carefully.

There is also the stigmatization that goes along with whistle-blowing and using the existing mechanisms. When a fellow team member and I made a complaint to the federation, it took barely 24 hours for the coaches and athletes to identify us as those who were accusing the high performance director. Needless to say, we felt excluded. The people in power quickly lined up some allies. I believe you now understand why.

After two weeks, my mental health had suffered a great deal: loss of appetite, trouble sleeping, self-mutilation and isolation. The doctor put me and my teammate on sick leave. We could have been sent to a safe place, such as another gym or another club, until the situation had been dealt with, but the president of the federation refused. To receive certification, and financial support from this committee, several federations require total centralization and the rules are strict and inflexible. If we were given permission to decentralize, it would have to be given to others as well. That's what we were told. In the interest of equity, we had to remain inactive until we were prepared to return to this toxic environment.

When we said we wanted to take part in the training camp, our applications were denied, because we had missed too many of the regular training sessions, even though the doctor was in agreement and an accommodation had been requested. This inevitably meant losing our points, which would of course have an impact on our certification and potential selection. I would remind you that all of that was happening at the same time as Sport Solutions was in contact with the federation and the high performance director. It's a lot for an athlete to handle, but that's how things currently work. It's also important to understand that the federation—in my case it was the high performance director—could simply take away my certification in the blink of an eye, as well as any funding, without anyone, even you, having anything to say about it. I could also have complained through various existing mechanisms. Once again, that might take months. So we go for months without any financial resources and that's why we eventually give up.

Under the current system, athletes are responsible for the oversight of their federation. This can cost us dearly, because all reports and actions taken, and any accusations and complaints made within the Canadian sport system can be taken over by each province's own justice system.

[English]

The Vice-Chair (Mr. Kevin Waugh): Please wrap up, because you're over five minutes.

[Translation]

Ms. Myriam Da Silva Rondeau: In other words, the system and the mechanisms that are supposed to protect us are like a sword of Damocles hanging over our heads.

I'll ask the question once more. In light of the information I've given you, would you be prepared to point the finger at anyone? I did so, and I paid the price, both in terms of my career and from the psychological and financial standpoints.

How many athletes are willing to pay that price, by which I mean putting their career, and their mental and physical health, at risk, until a national inquiry is held?

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll go to Rachael Denhollander, who is an attorney and victims advocate.

Rachael, you have five minutes. Please go ahead.

Ms. Rachael Denhollander (Attorney and Victim Advocate, As an Individual): Thank you, members of Parliament. It is a privilege to be here with all of you today.

Like so many others who have testified at this committee, I am also a survivor of sexual abuse in the athletic community, having been victimized by Dr. Larry Nassar, the former Olympic team physician for our United States women's gymnastics team.

I am also an attorney with a background in public policy. My professional field of expertise is abuse prevention, crisis response and institutional transformation.

I am privileged to educate at our U.S. military academies, medical conferences and law school and bar associations, as well as universities, non-profits, law enforcement agencies and the largest Protestant religious denominations in our country.

Often, when I come in to work with these groups, I'm asked, "What is the most important thing we can do to prevent abuse?", with the expectation that my response will be some sort of policy change or education program that can take place. However, this is incorrect, because policy changes and education programs are only as good as the motivation and knowledge that accompany them.

If any institution is truly serious about preventing child abuse, the single most important thing it can do is pursue honest and transparent assessments. Far too often, when an abuse crisis occurs—whether it is in the athletic community, the religious world or universities—the response of leadership is to attempt to simply move forward with education and reform. "Let's move our organization into the future." This is a critical error for two reasons.

First, when harm has occurred, it is the responsibility of the organization and the leadership to aid in the healing. As adults, we know this. We teach our children to accept responsibility for the harm they perpetrate. My four-year-old knows to say “I am sorry that I hit you and that I took your toy. What can I do to help you feel better?”, yet somehow, as we move out of childhood and become leaders in the country, it has become acceptable for leaders who are in charge of the safety of thousands of children and athletes to refuse to acknowledge the massive failures that have led to the life-altering abuse of the innocent who were placed in their protection.

The survivors of every one of these abusers have asked for answers. They have asked for truth and transparency, and they deserve this. This is critical to their own healing process, because the heartbeat of survivors is to know that what happened to them is not going to happen to the next generation.

Second, honest and transparent assessments are critical for child protection, because you cannot fix what you will not accurately diagnose. When the culture that led to these abuses is not thoroughly understood and honestly discussed and diagnosed, education programs are a mere Band-Aid designed to make a gaping wound look palatable. When the policy and structural breakdowns in an organization have not been thoroughly understood, policy reform fails to be effective.

When you, as Canada's leadership, do not have thorough and complete information on and an understanding of which individuals in leadership enabled abuse, turned a blind eye or perpetuated a destructive culture, you will have no ability to discern whether the leadership changes are effective or simply a regime change from one toxic system to the next.

It is more than appropriate for you, as Canada's leaders, to ask how it is possible that GymCan, for example, could select as one of its high-performance leaders a U.S. high-performance coach from my country, who was part of the deeply abusive system that produced my perpetrator, Larry Nassar. Why did complete regime change in USA Gymnastics result in GymCan selecting one of those very same coaches to run its allegedly new and improved program?

It is more than appropriate for you to ask how GymCan can in one breath say it has changed, while in another it refuses to release the alleged investigation clearing Mr. Gallardo of abuse allegations. The survivor who has come forward testified that she was never consulted during this investigation.

It is fitting for you, as Canada's leaders, to ask how GymCan can suggest that true change has taken place after Kyna Fletcher was named as national team lead, when Ms. Fletcher silenced her own athlete who spoke out about the sexual abuse she suffered from a coach who has now been banned for life. Ms. Fletcher testified on behalf of this prolific sexual abuser against the athletes who had risked everything to protect the next generation.

Ms. Fletcher and the victims of David Brubaker literally stood on opposing sides of stopping a pedophile. GymCan looked at those 11 victims of childhood sexual abuse and at the woman defending the

abuser, and they said to the woman defending the pedophile, “We pick you.”

• (1110)

It is appropriate to ask how GymCan can profess to prioritize athletes' safety after retaining Lorie Henderson to run their junior national program, despite multiple athletes reporting abuse by Ms. Henderson.

It is absurdity in the highest degree to suggest that there is an understanding of these issues and that anything has changed, when this has taken place. It is fitting that this has come before the heritage committee, because your children are your heritage.

• (1115)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Denholander. We have to move on.

We go now to Ciara McCormack.

Ms. Ciara McCormack (Whistle-blower and Professional Soccer Player, As an Individual): My name is Ciara McCormack. I'm a professional soccer player, a whistle-blower and a board member of PFA Canada, the first pro soccer player union in Canada.

As an athlete, I was forced to leave Canada to escape abuse. Today, 16 years later, I live abroad, not feeling safe to stay in Canada, professionally or personally, because of the truth that I have shared.

Online, as I have watched these government hearings and seen countless athletes bravely retraumatize themselves, telling their horrific stories, I can't help but ask myself this: How many more stories will it take for those of you in government to demand a national inquiry and implement real change?

In 2007, I left Canada after reporting abuse by my former Whitecaps and Canadian national team coach, Bob Birarda.

A year later, in 2008, he was fired for sexual misconduct against Canada under-20 national team players, yet inexplicably was allowed by Canada Soccer to continue coaching teenage girls. For 12 years, I and others reported this known predator repeatedly, to no avail.

In February 2019, seeing no other options to get him off the field, I published, in my blog, a story entitled “A Horrific Canadian Soccer Story—The Story No One Wants to Listen To, But Everyone Needs to Hear”. The blog went viral, and victims came forward.

Today Birarda sits in jail, convicted of sex crimes against four former teenage players, over a 20-year period. The last victim was from 2008, the year that the Vancouver Whitecaps and Canada Soccer covered up publicly his departure as a “mutual parting of ways”.

However, the worst of the ordeal was not Birarda's abuse. Rather, it was realizing that for the decade we tried to report Birarda, the silencing we faced wasn't born out of a dysfunctional system, but rather was done with a wilful precision, a system where to play sports in Canada meant and means doing so with a deliberate lack of protection from abuse, as well as the threat of retaliation for speaking out about it.

As I watched a few weeks ago while MPs in this room spoke glowingly to members of Canada's women's national team, I couldn't help but think of Charmaine Hooper. You probably have never heard of her. I bet you didn't know that she was the most decorated player in Canadian soccer in the late 1990s and early 2000s. I bet you also didn't know that in 2006, she and two other players, who together had represented Canada 243 times, didn't show up to a national team game in protest of an abusive national team environment and were thrown off the team. Despite using all of the “proper” resolution channels, including the SDRCC, none of the three ever played for Canada again.

I bet you believe the heroes in Canadian soccer from the last three decades were those scoring goals and winning medals, but I'm here to tell you that the players who deserve your admiration are the ones you've never heard of, the ones who took a brave stand against abusive coaches and administrators with no protection, and lost everything. Their voices and treatment matter equally, if not more than those of the players who stayed silent and played on, and their stories deserve to be told through a national inquiry.

These hearings have outlined rampant conflicts of interest, zero oversight over money, and a massive power imbalance between athletes and the gatekeepers of Canadian sport organizations, causing immense harm. Many of these groups and people have testified or been spoken about during the government hearings in the last few months.

Let me recap some of the learnings, starting with Canadian Soccer Business, a for-profit business that has made a preposterous and secretive 20-year deal with our non-profit NSO, Canada Soccer. The committee is now aware that there is no record in Canada Soccer meeting minutes that this ludicrous deal was ever ratified, and Canada Soccer board members have stated explicitly that they did not sign off on this deal.

We've heard from and about Victor Montagliani. He was found in these hearings to be involved with the above CSB deal. He was also identified in the July 2022 McLaren report to have been directly involved in covering up for a now-convicted sex offender, along with Peter Montopoli, someone who should also be called to answer for his despicable conduct in his time with Canada Soccer. Both continue untouched in their prominent roles at FIFA.

I can't help but wonder this: Will you force us to watch Montopoli and Montagliani take centre stage at the Canadian taxpayer-funded 2026 FIFA World Cup, despite the documented harm they

have caused, or will this government step up and take a stand against their behaviour?

Outside soccer, we've heard about for-profit “safe sport” groups such as ITP and Sport Law, operating like wolves in sheep's clothing, that present themselves as a safe place for vulnerable, abused athletes, not revealing that in actuality they are paid by and to protect the interests of sport organizations that have caused these same athletes harm.

Then there's an academic receiving millions in government funding to research safe sport, who, according to a witness who stood before you, attempted to silence him when he came to her with an abuse claim in her role as welfare officer at Gymnastics Canada, an organization riddled with abuse.

There are law firms such as Ruben Thomlinson, displaying zero moral compass, that present their normalized lie to sport abuse victims, such as our group, as doing “independent investigation”, when in reality they're glorified PR jobs with an attorney-client privilege for abusive organizations. Neither fits the definition of either “independent” or an “investigation”. It's a team effort to operate the status quo of harm.

● (1120)

The list goes on and on, so I again ask all of you here today, what will it take for a national inquiry to finally commence, or will this silent complicity by the Canadian government continue?

Those whose egregious actions have been revealed in these committees are hoping that you will forget about their conduct and allow them to retain their money and power, and that in a few short weeks this will all go away. Instead, I'm pleading on behalf of Canadian athletes for you to loudly support a national inquiry, an inquiry that will shine a spotlight on how abuse has been allowed to happen, build a new sports system based on safety, accountability and transparency, and allow people like me to finally feel safe to come home.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you very much, Ms. McCormack. You did it. You hung in there.

Some hon. members: Hear, hear!

The Vice-Chair (Mr. Kevin Waugh): Well done.

We now have Andrea Neil, former Canadian women's national soccer team player and assistant coach.

You have five minutes, Ms. Neil.

Ms. Andrea Neil (Former Canadian Women's National Soccer Team Player and Assistant Coach, As an Individual): Thank you.

I played in four World Cups, was a captain on the national team, and also helped coach Canada in a fifth World Cup, so I bring over 30 years of experience from which to speak.

It's been encouraging to witness these hearings. At the same time, it's been disheartening to watch the responses to your questions and the answers of Canada Soccer. They haven't always been accurate or honest. I know because I was there, deeply involved in the reporting on the Bob Birarda sexual abuse case, the federation's mishandling of finances and its neglect of the women's program. Their communication style is harmful and not trustworthy. This is often the case.

I know that this is how the old boys holding the purse strings of power operate. They deny, deflect and launch a media blitz of misinformation designed to manipulate and defend. It's a pattern of behaviour that I encountered in working with them. They did more to protect themselves and a sexual predator than they ever did to safeguard players.

They responded to a head coach's concerned reports of funding going missing, misleading financial statements and other unethical acts not by investigating and sanctioning the manager involved but by instead promoting him and punishing the women's national team coaches who came forward to report the wrongdoing.

As a monopoly not subject to proper oversight, Canada Soccer operates with unchecked power and control, which has created a culture of exploitation and a lack of accountability. Individuals in power in our federation have taken advantage of this authority. They have promoted their own power, influence and wealth at the cost of the safety, health and human dignity of those they are meant to serve.

This is not surprising, as our leaders are so deeply embedded in FIFA, an organization renowned for its sexism and corruption, but with Canada about to play host to the World Cup, it behooves us to pay attention.

The last time we hosted, we violated our own Charter of Rights and Freedoms by giving women's teams inequitable and dangerous working conditions. What legacy does Canada want to leave this time?

It should alarm our country that the same men, Victor Montagliani and Peter Montopoli, who have done such a deleterious job of running Canada Soccer, are now in positions to oversee our country's hosting of the 2026 World Cup.

The leaders of Canada Soccer have consistently failed to take responsibility. With the Birarda case, we saw their appalling failure to respond to several red flags of abusive behaviour. These went well beyond sexual text messages, despite how Montagliani is trying to misrepresent and excuse himself now. There was sexual and psy-

chological abuse of players on the team by Birarda. One ended up as a key witness in his criminal conviction, but Canada Soccer didn't act to protect the community. They negligently shifted his predatory behaviour on and shrouded the reason for his departure, so he was back coaching vulnerable girls just weeks later.

It took players enduring a three-year criminal justice process to get Birarda out of coaching, and their purpose was to protect others. Canada Soccer should have done that in a day, with one sound decision.

Business-wise, Canada Soccer clearly lacks acumen, transparency and accountability. How else can we explain not being able to make one of the best women's teams in the world financially sustainable? Canada won gold in the last Olympics and bronze in the two games before that. They have been world-class for decades but get met with bush league budget cuts and an opaque and questionable business deal that redirects their marketing and sponsorship earnings to the owners of men's professional teams. This is unacceptable.

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.

The problems with Canada Soccer have long been apparent. The heritage committee threatened to pull funding on the federation back in 2008. Please take the action that will institute real change. We need a national inquiry.

When Ben Johnson's steroid scandal rocked Canada, we responded by becoming a world leader on doping in sport. This is a pivotal moment for Canadian athletes, to be sure, but we can meet it with the wisdom and the compassion that have been missing from this all. We can transform this difficulty into a more ethical, healthy, dignified and effective way of administering sports in our country.

Thank you.

• (1125)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Neil.

We'll now go to video conference and David Wallbridge.

David, you have five minutes.

Mr. David Wallbridge (Lawyer, As an Individual): Good morning, Mr. Vice-Chair and members of the committee.

My name is David Wallbridge. I am a labour and employment lawyer in Halifax, Nova Scotia.

I want to begin by acknowledging that I'm in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people.

I'd also like to acknowledge and thank the committee's staff for their assistance in arranging for my video appearance.

Most of my practice involves representing employees and unions across Atlantic Canada in the public and private sectors. Beyond the representational work, I have an ongoing interest in legislative matters affecting workers' issues and rights.

From a workplace perspective, the provinces, in particular, have abandoned most athletes, particularly hockey players, but in some cases any athletes working for a team, such as soccer, lacrosse—it doesn't matter what sport.

This committee should be very concerned about the workplace rights of players. From a safety perspective, having basic workplace rights and a means to having those rights enforced, helps to balance a very unbalanced power structure.

Many of my comments will focus on the Canadian Hockey League and its affiliate leagues and teams.

The players who work for Canadian Hockey League teams are young, and they're chasing a dream. It puts them in an extraordinarily vulnerable position.

In general, young workers are more vulnerable than others. They're inexperienced, often working their first job. They're not aware of their rights. Many are minors working for adults.

It's the same for major junior hockey. You have 16-year-olds working with 20-year-olds or older. That's who the employer employs.

Watching some of the games, it's unimaginable, as an employment lawyer, to think of a situation where an adult can get into a fist fight with a minor and there are no consequences. What's most troubling is that the owners profit from it.

I understand it's a unique workplace. Being an employee player on a hockey team is different from most workplaces. There are bosses. There are job requirements. The team earns revenue. The owners desire to make a profit off the labour of their players. It's really not much different from any other private sector enterprise.

What has happened in the provinces is nothing short of a complete withdrawal of any protection for these employees. Most provinces have exempted athlete employees and hockey player employees from many of their minimum labour standards.

What happened in Nova Scotia, where I'm from, just as an example, was astonishing. With no public consultation, and with, reportedly, no Canadian Hockey League lobbyists registered in the province, worker rights were taken away in the middle of the summer by regulation. It was reported by CBC News that, essentially, the league called, and the premier changed the law. It was law reform in fast-forward. This has now spread to most other provinces—the lack of minimum labour standards for employees.

What should the committee do about it?

The committee needs to recommend, or have as part of any inquiry, some option to intervene on behalf of employee players. The committee should recommend an inquiry, or that the federal government instruct its legal counsel to come forward with whatever proposals are required to put in place proper workplace protections for the health and safety of employee players.

This could include taking action under the Canada Labour Code to have it declared as federal work or undertaking. This should all be part of any review of safety in sport, not just for hockey but for all other athletes. This is really about, and we've heard it from other witnesses, the shocking imbalance of power that exists, while a significant imbalance of power is between these employees and their employers, the teams and the league.

Thank you.

• (1130)

The Vice-Chair (Mr. Kevin Waugh): Thank you very much, Mr. Wallbridge.

We will now move to Fencing for Change Canada and Emily Mason.

Thank you, Emily, for providing your comments to us in advance.

You have five minutes.

Ms. Emily Mason (Fencing for Change Canada): Thank you.

Good morning. I'd like to begin by thanking you all for inviting me here today to speak to you about our little sport, which I think is more often associated with *The Princess Bride* or *Star Wars* than with a modern Olympic event.

My name is Emily. You may also know me as the unnamed athlete in a recent Reuters article detailing some of my experiences while training under Igor and Victor Gantsevich at Dynamo Fencing Club in Vancouver.

I'm here today to speak not exclusively to my own history of abuse but on behalf of the dozens of other Canadian fencers who have been brave enough to share their stories and desire for change.

As you have already heard with respect to so many other sports, for decades a culture of toxicity, bullying and abuse has been pervasive in Canadian fencing.

I'd like to tell you a story about a coach named Kyle Foster. In 2018 Kyle Foster hosted several female national team athletes at his home for a training camp prior to an international event. Some of those girls were underage, and while they were under his care, Mr. Foster brought out sex toys. He demonstrated how to use those sex toys on himself and on some of the athletes. He encouraged them to go to a sex club. A complaint was filed; wrongdoing was found, and as a sanction Kyle Foster received a year-long no-contact order with respect to some of the athletes who were involved.

In 2020 another complaint was filed, again alleging sexual harassment involving a minor. The independent third party investigation again found wrongdoing. What were the sanctions? There was an apology letter as well as a one-year order of no contact with the survivor, and a four-month ban from competition during the time of the pandemic, when there were no events being held regardless. After some push-back from the survivor, the CFF posted these sanctions on its website, though they were taken down after four months.

Kyle Foster is the owner of the Canadian Fencing Academy in Oakville, Ontario, team leader at Toronto Metropolitan University fencing, and an accredited member of the Canadian Fencing Federation, the CFF. If his recent social media is any indication, he has been advertising his children's programs as recently as February 8.

I wish I could tell you that these were the only incidents of misconduct that we've heard about over the past months, but the heart-breaking reality is that we've heard story after story of maltreatment at the hands of coaches and other individuals associated with the CFF from across the country. Again and again we have also heard that survivors are afraid. They are afraid that if they come forward they will face not only personal retribution from their abusers but also the risk of losing their national team spots. This is because under the current CFF selection policy, national members may be chosen by majority vote of CFF officials and staff rather than by results or official rankings. For many athletes, coming forward with their stories of abuse could mean losing not only their profession but also their lifelong dream of competing for Canada.

Stories like Kyle Foster's show athletes that their voices will not be heard even if they decide to navigate the complicated process of reporting their maltreatment. What is left for athletes to do? If they choose to come forward, they risk everything that they have worked for in exchange for what? An apology letter.

This is why we created Fencing for Change. We love this sport. This is where we've grown up, met our closest friends and learned our most valuable lessons. Our athletes are hurting. My friends are hurting, and it's time for change.

Our hope is to keep the positivity that sport can bring while making the culture one that supports athletes' success on and off piste. To achieve that change we must first understand the full breadth of the issue. 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.

We are at a pivotal time in the history of Canadian sports. The momentum of athletes' coming forward is a force that is too strong

to silence or to redirect. We now have the responsibility to decide what kind of legacy we will leave behind for all future athletes. Will it be one scarred with our stained history of abuse, of sacrificing children's well-being and of prioritizing medals over the lives of athletes, or will we be part of the change?

We as athletes have done our part. We're here to ask for your help in the next steps towards a safe and inclusive community of sport in Canada, in which all are welcome to experience the absolute joy that sports can bring. That step can be achieved only through a national public inquiry.

Thank you.

• (1135)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Mason. In fact, thank you very much to all four of you.

We have questions and answers now. The first round will be for six minutes each. We'll start with Mr. Shields from the Conservative Party.

Go ahead, please, Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chairman, and thank you to the witnesses for being here. We very much appreciate your stepping forward. As you've heard, many others have appeared before us, and we appreciate that very much.

Ms. Mason, in the sport of fencing, there are many different parts. It's what we see in the international competitions with Olympic athletes in the profession that you have chosen.

I will start with a different type of question, to get a sense of how this has affected your family. How has this affected, more broadly, the people you live with outside of the sport? How has it affected you and your family?

Ms. Emily Mason: When I left the sport, I was 17 and I was a broken individual. I was in a mental health crisis. I attempted suicide. I was seeing a mental health professional. The difficulty my family has gone through in the years since I left the sport has been immense. It's been five years now, and it will be a part of our lives for years to come.

No parent wants to send their child into an environment that they believe is abusive, yet few children recognize their own situation as being abusive when they're in it. I didn't know what happened to me was wrong, so I didn't come home and say something was wrong. The guilt they feel from that is a difficult thing for all of us, I think, to come to terms with.

Mr. Martin Shields: Thank you. I appreciate that. I think that's a critical piece to what we have learned about and need to pay attention to—the extended family and what it causes for them.

When you talk about the organization, would you say the case of mishandling extends to the current executive level of this organization?

Ms. Emily Mason: I would say, echoing Ms. Denhollander's statement, that the current leadership has a responsibility to aid in the healing and to take accountability for all accounts of mishandling that have come forward, regardless of whether it is happening now or it happened historically. We need these issues to come forward. They need to handle them appropriately, if they were involved or not. It makes no difference.

Mr. Martin Shields: We've heard testimony today about policy, which is something we've often looked at in organizations: Do they have a structure? Do they have a policy? However, we're hearing there's more to it than just the structure and the policy. You've heard that. You've experienced it.

Beyond the structure and policy that we often talk about as we look at organizations, in your opinion, what we should be paying attention to?

Ms. Emily Mason: Besides the structure and the policy, I think it's incredibly important to pay attention to the broader culture that allows for these individuals to exploit children. I think, in fencing specifically, and in other sports, there is generally a level of tolerance of maltreatment and abuse, because those individuals get results. I think that's unacceptable, and I think that's something that's going to require a systemic change beyond policy. It's going to take an entire framework shift in how we approach sports.

● (1140)

Mr. Martin Shields: You mentioned an example of those people who are chosen to be in events by a vote rather than by performance. That's something we are not going to see in a policy. How are we going to find that level at which we reward people's performance rather than via a voting structure? How are we going to find that?

Ms. Emily Mason: In the case of the Canadian Fencing Federation, it is actually part of policy that they vote on our team. However, if you look at other fencing organizations, like in the United States, for example, they use a ranking system that is objective. If you're looking for those policies, they exist. There are examples of how to do it better that you can observe, for sure.

Mr. Martin Shields: How far we dig into this is up to us. We could make sure we find those things you've highlighted in policies, such as the structure you mentioned. Are there other pieces in policies that you haven't mentioned today, that we need to pay attention to in your organization?

Ms. Emily Mason: In our organization, I think it's incredibly important to pay attention to the complexity of the policies, particularly surrounding the reporting of abuse. It's incredibly unclear whether athletes are supposed to go to their provincial organizations, the national organization, OSIC, or selection policy 1 or policy 2. It's incredibly complex, and a lot of it is out of the hands of the survivors themselves. It's a huge limiting factor, I think, in athletes choosing to come forward.

Mr. Martin Shields: That's an understanding of the structure. What about the whistle-blower? How scary was it for you to come forward?

Ms. Emily Mason: For me, I'm given a sense of protection, knowing that I'm no longer a competitive athlete.

The reason I'm sitting here today and not some of our Olympic athletes or athletes who are still competing is that they're still terrified. They're afraid of our high-performance director. They're afraid they're going to be removed from the team.

I'm very lucky, in that sense, to be able to have the distance and to speak about my experiences. Even so, I'm still afraid of my abuser. It's just that I'm fortunate enough to know that there's nothing he can take away from me anymore.

Mr. Martin Shields: That's because you've lost it already.

Ms. Emily Mason: Yes.

Mr. Martin Shields: Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Shields. Thank you, Ms. Mason.

We'll go to the Liberal Party now, and Mr. Louis for six minutes.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you very much, Chair.

I want to thank all of the witnesses, virtually and in person, for being here and for the bravery they're showing.

There was no pathway for many of you. You're the ones who created that path. That's an important legacy. You need to know that there are people now who are brave enough to come forward because of people like you who led that way.

However, you're saying that those who are brave enough to call out those issues are still suffering retribution, and that's one of the things we really need to focus on.

Ms. Neil, as a former captain and a player for the Canadian nationals—I think you mentioned you were at five World Cups as a player or a coach—I appreciated your submission in writing. You talked about how the current system puts the onus on the athletes to hold the organizations to account. That's something we need to address. You talked about “mismanagement”, and “financial practices”. You talked about “dispensing of the norms of good governance”, and then the “failure to adhere to [their] own policies”.

We've seen so many times, in this study and elsewhere, that organizations do their own reports, their own studies, and they seem more performative than anything.

What are your concerns about organizations that say they will take care of it—that they'll handle their own strategy development plans—and that then try to rebrand themselves? How can we hold them accountable?

Ms. Andrea Neil: Well, first of all, when you consider performance, a lot of the performances are occurring in spite of it. When players and athletes are calling for transparency over and over again, it means they do not trust, and trust is fundamental to any human relationship.

When you're talking about the ethics of how people are going about it, you can see a pattern of behaviour over time. That's why I cited 30 years. With what people and the leadership are saying, and the lived values of what they're doing over time, you can see the attitudes come out through the behaviours of what the reality is. Right now, with the sports organizations, there's a big gap between what they're saying and what they're doing. This is a massive problem.

Leaders need to take a reflective approach to what has come forward—whistle-blowers coming forward or people saying there's a lack of transparency—and look at their own leadership approaches. That takes a lot, and it takes a lot of vulnerabilities of leaders to do that. That takes a lot of work and humility.

If you want to make the problem go away, then now you need to excuse the whistle-blowers. There's a conflict within the person, and they have to rectify that somehow, within themselves, to change their own behaviours or to make voices go away. It's a double-edged sword. There's the first victimization, say of the former U-20s, and then there's the institution's response to that. That can be as harmful, if not more harmful. It impacts, as Emily just mentioned, the culture, not just then, but into the here and now.

• (1145)

Mr. Tim Louis: I appreciate that answer.

Also in your suggestions were the executive's financial practices. What can we do? With regard to the importance of that forensic auditing, how can that also have organizations held to account?

Ms. Andrea Neil: Absolutely. I think that the national inquiry is the scrutiny that needs to happen. A forensic audit into the finances going back 20 years will give evidence of the patterns of behaviour that have occurred financially. When questions have been asked in the past by coaches or athletes striving for compensation, for example, for player compensation packages, and that transparency is not forthcoming, or money and camps all of a sudden seem to disappear, that's really questionable. It's hard to steady a boat in the direction of performance if there is a lack of trust there in our relationship.

I think the time is now for a deeper scrutiny. That's not to criticize and blame and shame people. We need to know where we are and where we've been in order to course correct and aim in an appropriate way.

Mr. Tim Louis: You also mentioned in your written submission that your success—that of both the men's and women's national teams—has come despite the current system.

Can you describe how a safer and more responsible culture will not only benefit the safety and well-being of our players, which is first and foremost why we are here, but also focus on more success? Sometimes, we're seeing a push-back of.... The suggestions are that it will come at the price of a loss of competitiveness.

Can you help by explaining how, with this system, we can successfully bring up a generation of athletes who are safe and can still be competitive?

Ms. Andrea Neil: The start point is to define what safety is. That means free from harm, and that has to be our aim. In order to create an environment and culture in which people can be healthy, thrive and perform at their best effectiveness, it has to be free from harm, because you cannot thrive if you're in defence mode and protective mode.

What damages human relationships, for example, is a lack of trust. That is fundamental. If you don't get that going, and the very people who are assisting to help chart the course, as far as the boat is concerned, are often drilling holes in the side of the boat.... How can you perform if that's happening and it is not an honest and supportive relationship moving forward, when people inside the boat are having to bail water? How can you perform under those circumstances to the best of your ability?

You may be able to override it for the short term, but it comes at the cost of relationships, health and well-being. It doesn't just impact a person then and there. It impacts their careers, but it impacts their health and well-being for decades down the road.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Neil, and thank you very much, Tim.

We will move to the Bloc and Sébastien Lemire. Go ahead, Sébastien, for six minutes.

[*Translation*]

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

I must admit that I am truly shaken this morning, even though I had prepared myself for this encounter and for the kind of testimony we were likely to hear.

Thanks to each and every one of you for your courage.

I'm angry about people's indifference to the situation. I'm not sure that the committee is the right forum. Your testimony needs to be heard by a judge or an independent commissioner so that concrete measures can result from your testimony, whether in terms of the judiciary, the police or at another level.

We've heard a very wide range of stories that affect sexual, financial, psychological or physical aspects of life. These cases of abuse are very difficult. I can't understand why things aren't moving more quickly at the political level and I'm genuinely sorry about that.

Thank you for being with us today. Your testimony will truly move things forward.

I'm going to begin with Ms. Denhollander.

Ms. Denhollander, I'll begin by calling attention to your courage. You were the first person who dared to speak out. You were pivotal in effecting a major change around the world, because of what you did and what you said.

How important was Judge Aquilina's inquiry in advancing the claims made by American gymnasts?

How do you feel about what you heard today in the testimony?

Thank you.

• (1150)

[English]

Ms. Rachael Denhollander: I think Judge Aquilina's ruling was absolutely critical, because it was a values statement. It communicated how much the survivors of Larry's abuse were worth. What you have before you today is also a values question: How much are your children worth?

This is the reality. Every time your athletic organizations are choosing an action, whether that is passivity, whether it is an assessment that is really designed to be a PR stunt, whether it is silencing survivors.... Every time your athletic associations take an action, every time you take an action, you are, in essence, pulling out a scale. On one side of that scale, the athletic associations are placing the priorities that they have. Maybe it's a desire to win, fear of loss of reputation, a desire to protect assets or professional relationships, or a goal those organizations have. Then, on the other side, they are placing the children who are going to pay the price for the choice they make.

Judge Aquilina's ruling was critical, because it sent the message that our children matter and that these survivors matter. I think what you have clearly heard from these athletes and from so many who have testified before is that the athletic organizations that are in charge of athlete and child safety right now are pulling out that same scale. They are saying that their organization and their reputation matter more.

I really appreciate Ms. Neil's answer about how safety really contributes to athletic success. I would like to reframe that question for you a bit, because, again, we have to go back to our core values. When we start with the question of how we can make sure we still win, what we are really saying is that maybe winning is more important than our athletes' safety: "How do we make sure we get to this end goal? And hey, if we can keep kids safe, that's great, too."

I would submit to you, members of Parliament, that that's the wrong goal to start with. Our question really ought to be, first and foremost, this: "How do we contribute to making sure our children are safe, understanding that safety is also fundamental to athletic success and professional well-being?"

What you have heard before you today is that all of these organizations have engaged in nothing more than PR stunts. It has been a regime change from one toxic system to another toxic system. The assessments and inquiries that have been put before you, where these organizations have said, "Oh no, we understand everything that has gone wrong," have lacked transparency. They have not involved survivor voices. They have not been set up in a way that makes it safe for survivors to engage and that is actually looking to get to the truth of what's taken place.

My field of professional expertise is institutional transformation, setting up these types of processes so that we can actually find out what's gone wrong. Let's diagnose the complexities of what led to this child abuse and this athlete abuse so that we can make sure it doesn't happen again. This is complex. It involves culture. It in-

volves policy. It involves structure. It involves a lot of things we don't think of as directly tied to child abuse, like how board systems manage their finances and selection processes.

Having a national inquiry that can look into the complexity of those dynamics to accurately diagnose what took place, to accurately identify individuals who are part of that toxic system so that those individuals are no longer in charge of child and athlete safety, is an absolutely critical step. It really starts with that fundamental question, asking what your children are worth. That is what you have to decide today.

[Translation]

Mr. Sébastien Lemire: I fully share your point of view, Ms. Denhollander.

Ms. McCormack, how can the sport Canada organization ignore the voices being heard in all facets of sport? Do you feel that the answer you've received from Sport Canada and the minister is adequate?

Do you get the impression that all of the inquiries carried out in the private sector, by the independent third parties that are accountable to Sport Canada, are adequate at this time?

• (1155)

[English]

Ms. Ciara McCormack: As someone who has come here twice and broken down while talking about what happened to us, I think it's, you know, shocking, honestly, that there's nothing being done. It feels sometimes disheartening. How many times do we need to keep showing up, and how many times do we need to keep telling all of you? You know, I think for the four of us, it has massively impacted our lives in a really substantial manner.

Yes, I think I don't understand how, just on a human level, you can literally witness the car accidents over and over, all of our stories in all of our sports. It's all the same thing. From that perspective, I think it's been very disappointing in terms of the larger.... I don't understand what's holding back a national inquiry. How can we cheer on our athletes if we're telling you that this is a reality of what it looks like behind every single sport, province and gender, you know?

You just wonder whether she is even watching. Is the Minister of Sport watching? Is the Prime Minister watching? Is whoever is making these decisions watching?

It's very much impacted our lives, far past our sporting careers. It's just so disappointing. I just feel ashamed, honestly, to be a Canadian—ashamed that this is the reality of what it means and of the response to being a Canadian athlete. This is the response to so many of us who have been coming forward for months now, telling you that this is the reality behind the Olympic medals and all this kind of thing. You know, it's—

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. McCormack. We have to move on.

Thank you, Mr. Lemire, for the questions.

We'll move now to the New Democratic Party.

Mr. Julian, you have six minutes.

[*Translation*]

Mr. Peter Julian (New Westminster—Burnaby, NDP): I'm at a loss for words over what you've just told us. It's very profound. We are listening to you and we understand.

[*English*]

We know the pain that you've endured. We hear your powerful voices. Ms. McCormack, when you say we can't continue with the status quo of harm, that is something that I think every member of this committee absolutely agrees with. We are wedded to that idea as well. We have to stop the harm. That's why we've been having these hearings; that's why we continue to hear this profound testimony from each of you. Thank you.

We've heard your voices on a public inquiry. I think that is something that, as a committee, we will be discussing as part of the report that we have to prepare. Personally, I absolutely support the call for a public inquiry.

What has to happen now? What does the federal government need to be doing now with Canada Soccer, Fencing Canada, Boxing Canada or Gymnastics Canada? What are the measures that the federal government needs to put in place now?

These are all organizations funded by the taxpayer. They have basically had carte blanche. They've had a blank cheque to do whatever they want. The astounding, appalling, horrific stories of harm and abuse that continue and are perpetuated obviously show that Sport Canada and the federal government haven't been doing their job.

What would you like to see the sports minister announce this week that would oblige each of these organizations to fill their mandate of not doing harm, protecting the athletes and protecting the public?

Ms. Ciara McCormack: What is completely lacking—this is from conversations with all of us—is that athlete organizations, these sport NSOs.... As we've all said, we're little specks, and they control the funding, the power and who is getting chosen. I don't think things can change until there is some sort of body that represents our interests and our voice. If they know that we are represented, that we're not trying to play our sport and fight these monsters at the same time, and that there is a collective to be able to....

Myriam is now getting sued by her coach for defamation for going through the sport process. That is coming out of Myriam's pocket, to fight back for basically just doing what she was told to do in the sport system and report maltreatment. If there were an entity....

Nine dollars are going to Canada Soccer to basically have sketchy financial behaviour and also clear cases of abuse. If there were an organization protecting us from those nine dollars that are going to Soccer Canada, with half of that money going to an organization that fights for our rights and makes sure we're okay.... None of us have received therapy from Canada Soccer for what we've been put through. We've had a private person come forward and give us funding to even be able to approach them.

We're so underprotected, underfunded and under-represented, yet the sport system does not happen without our participation. It's the most insane set-up, and it's reflective of what's going on.

That's what needs to happen. There has to be a structural change in the system, an entity that protects our interests and fights for us so that we can just play our sport in a safe environment, enjoy it, not be harmed and not be picking up the pieces years after we are done playing.

• (1200)

Mr. Peter Julian: Ms. Neil.

Ms. Andrea Neil: It's fundamental.

To those who are not acting while listening to all that has gone on, what is blocking that action? To listen to what athletes have been speaking about with compassionate ears, with wisdom; to look at things from an empathetic perspective; to discern what is going through a very complex situation takes leadership. It takes moral leadership. It takes compass points. It takes courage.

What is holding that decision back, what fears? When people are shedding tears and have been harmed, not to do something about it immediately is also part of the problem.

My fundamental question, as these organizations are doing all of this, is, "Who has the oversight for them, and therefore, what is blocking the ability to take action?" I don't think that the people who got into this problem are the people who are going to fix it. It's going to take a transformative situation—values-based—to first understand what the purpose of sport is and to always come back to the fundamentals, but I think that fear is holding a lot of this back.

Mr. Peter Julian: Next is Ms. Mason.

Ms. Emily Mason: I agree, and I echo the statements of the other witnesses who are here today.

I would say that action is important, but rash action without understanding the full context of the issue would be a mistake. I think it's imperative that there be a public investigation called as soon as possible. How many more voices do we need to hear before the minister takes action? That baffles me.

As Ciara mentioned, mental health support is severely lacking. There is immense trauma that has occurred for so many athletes, and it's going to require immense resources for our community to be able to heal. I'd like to see some of that provided.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Peter.

Mr. Peter Julian: Thank you.

Next is Madam Da Silva Rondeau.

Ms. Myriam Da Silva Rondeau: I absolutely agree with my colleagues.

On the side of Emily and the mental health process, we need funds. We need money. We need resources. After two years, I'm still in therapy, and I'm paying, of course. The game plan is helping, because I have two therapists, but I suffered from disassociation for six months, so I can't recall either my Olympic qualification or my Olympic participation. I have no recall of the best memory of my life—as it's supposed to be—so we need...and all that money is paid from my pocket. I need to work to pay for my therapy, so how am I able to work if I'm not able to work...? I have to go to work to earn money to pay for therapy, but it's super hard to go to work because I was in a depression stage for so long.

Yes, we need help on that, please, and we need to stop people inside the federation from using our complaints against us in the judicial department in our province. On what we're saying, all the complaints we're telling you about, we're using the mechanisms you put in place. The government put mechanisms in place and put a complaint process in place, but when it's used, it can be used against us, and we don't have the same money power. You have to understand that: I don't have the same power as people in my federation who are paid, who are actual employees of this federation and receive a proper salary. Athletes are not employees of their federation.

I'm happy to see that at Hockey Canada they are employees. They are the luckiest ones, yet you see abuse in that federation, and it is considering them athlete employees. Imagine, for the rest of us who are not even considered employees of the federation, how we are treated. We don't even have this respect of being considered an employee, but it's because of us that the system is working.

It's not working.

• (1205)

The Vice-Chair (Mr. Kevin Waugh): We can come back to that.

Ms. Myriam Da Silva Rondeau: Yes—

The Vice-Chair (Mr. Kevin Waugh): We'll come back to that, okay?

Ms. Myriam Da Silva Rondeau: —so please help.

Some hon. members: Hear, hear!

The Vice-Chair (Mr. Kevin Waugh): Thank you, Peter.

Now we'll have the second round: five minutes each for the Conservatives and Liberals and two and a half minutes each for the Bloc and the NDP.

We'll start with Ms. Thomas of the Conservatives for five minutes.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you, Chair.

To the witnesses, thank you for being here. Thank you for being brave, for showing courage and for leading a tremendous effort. Thank you.

My first question is going to be for Ms. Denhollander.

In your opening statement, you discussed policy. You said something along the lines of it being only as good as the motivation to actually make sure that the policy is adhered to. Clearly, we need

leaders who are going to step up and be willing to make sure that policy is in fact abided by. Without that motivation, it's nothing more than a piece of paper, some writing and perhaps a signature.

My question for you is that when it comes to the honest and transparent system you were talking about, and that is needed, I'm wondering if you can break that down a bit further in terms of what that might look like in order to protect players and their families.

Ms. Rachael Denhollander: It really begins with a well-done national inquiry, and this is why. This is what I tell my children: There are two reasons you can choose to do what's right. You can choose to do what's right because you care about the people who will pay the consequences if you don't, or you can choose to do what's right because you are afraid of the consequences. The goal is that we have organizations and leaders who want to do what's right because they care about the athletes and the children under their protection, but that is not what we have right now. The only thing that remains at this point in time is motivation out of fear of consequences, knowing that, if we do not do this right, the truth is going to be told about what we have done if we silence survivors. If we stand on behalf of abusers, if we fail to follow our policy, the truth is going to be told.

The most powerful thing members of Parliament can do right now is stand up and say, "We are going to tell the truth, and if you have not done this right, we are going to tell the truth." Setting up a national inquiry that has the proper survivor protections in place can be done in a way that is trauma-informed and that protects survivors' identities. We talk about personal identifying information, or PII. It can be set up in a way that protects survivor PII and that is a collaborative process with the survivor community and with members of Parliament, where everyone is moving together in the same direction.

Let's do the right thing. Let's find out how we can keep our children safe. Let's work together to tell the truth. A well-done inquiry or independent investigation is a truly collaborative process, because everyone is headed in the same direction of doing what is right. It's set up with the proper survivor protections in place. It is set up so that all information that is relevant is accessible and can be told, so that we are truly pursuing transparency and accountability, and it is set up in a way that is very robust, that can look at the culture of the organization as well as policy and structure breakdowns, because we tend to find all three things.

When you have an organization that is run by individuals who are not geared towards child safety, oftentimes those organizations are set up in a way that the structure allows for communication silos, power imbalances or other corporate structural deficiencies that make it possible to ignore red flags and to cover up child abuse. You need a very robust inquiry that is going to look at all of those dynamics, is set up in a way that can truly access and report on all relevant information and is done with the proper survivor protections in place.

This can be done. I do it all the time. When everyone is headed in the same direction of telling the truth and working together to protect the next generation, a national inquiry or an independent investigation is not an antagonistic process. It's very collaborative, because everyone is moving towards protecting the next generation and bringing our community to heal from what has been done.

• (1210)

Ms. Rachael Thomas: Ms. Denhollander, thank you for your explanation and for giving us points to consider. They're much appreciated. I think just the experience with which you speak, as someone who has led these processes, is very much taken to heart, so thank you.

I'm going to direct my next question to Ms. Neil.

One of the things you have stated is that we need a national code that applies to all of our sports federations. I'm curious as to what that would look like. Again, the code is one thing; the enforcement of said code is another. I'm curious as to how you would see that play out.

Ms. Andrea Neil: Absolutely. It's very wise.

I think we can look to other countries, like we've just brought in this beautiful American example of what's happened to help navigate through these challenging times. If you look at the governance code in England for their high-performance and grassroots sporting organizations, they have a common governance code, where the government is very much involved, and it spreads down through the organizations.

I think it's a great starting point to begin to study what others have done and how they have been called to action from certain harms or certain situations that have come up in the past. I think we're trying to find our way through a very confusing situation, yet we can look to other examples.

Policies can be flexibly done, and education programs can be flexibly done, but we need to challenge ourselves as leaders and influencers of others. It's very much ethics and morals. You can add policies, but we need to look inside ourselves as leaders and at the impact we have in a positive way and what stands in the way of showing up with courage. I think that's the fundamental starting place.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Neil.

We'll move on to the Liberals and Lisa Hepfner for five minutes.

Ms. Lisa Hepfner (Hamilton Mountain, Lib.): Thank you, Chair.

I would also like to extend my thanks to all the witnesses for their really compelling and important testimony here today.

I'd like to follow on in that same vein of finding out what other jurisdictions have done well.

I'd like to go to you, Ms. Denhollander. Are there any advancements that have been made in the U.S. to help improve the culture of sport there that we can learn from here in Canada?

Ms. Rachael Denhollander: There are some changes that have taken place that I'm grateful to see. There has been a significant amount of regime change in USA Gymnastics, for example.

I'll be honest with you. Most of the problems you are facing right now are problems that, to an extent, you inherited by moving our safe sport system into Canada. Our safe sport system is incredibly broken. It is underfunded. It lacks proper victim protections. It has lots of policies in place from a top-down level that make it very difficult for our athletes to report, and there has been a stunning lack of transparency in our athletic organizations.

When you speak to the gymnasts in the United States, they will tell you that USAG, to a large degree, has lacked the types of transparent assessments that we have asked for. This is contrasted with U.K. gymnasts, who felt that the Whyte report, in general, at least gave them a voice. It gave them the opportunity to say, "Yes, we feel like you have really understood what's gone on."

There are some models that I have set up in the United States that work primarily with very large and complex religious denominations. These processes have been much more robust and, therefore, much more successful than what has taken place so far in our athletic organizations.

Really, the key is that you want the survivors to be able to come out and say, "We have been hurt, and we believe these organizations have truly grappled with the complexities of what led to our abuse." The reason you want survivors to be able to say that is, first, it is critical to their healing and we have a responsibility, when we cause harm, to aid in the healing process. Second, the heartbeat of a survivor is to know that their story means something and that what has happened to them is going to make the next generation safer.

It is entirely possible to set up processes whereby both the leaders of the organization who are heading in the right direction come out and say, "That was so helpful for us and we now understand what we need to do," and the survivors can say, "We feel like we have been heard, and we have confidence that the truth has come out and that there's an understanding of what's taken place."

You then have the long road ahead of you of rebuilding, but you have the knowledge base for what went wrong, so the diagnostics have been done and the reform can be accurate and effective. That provides closure for the survivor community and a path forward that is effective, makes good use of resources and accurately protects the next generation.

• (1215)

Ms. Lisa Hepfner: Thank you very much.

I'd like to turn to you next, Mr. Wallbridge. I believe I heard you say in your opening statement that provinces have abandoned athletes. You were talking about basic workplace rights that are required.

When we go forward with a national inquiry in this country, what will the onus be on the provinces? Can you talk a bit about how that might work, and how that co-operation should work?

Mr. David Wallbridge: Yes. What has happened in virtually every province—there are one or two exceptions—is employees are covered under the minimum standards legislation. It's the labour code or employment standards, however you want to describe it. Federally, it's part III of the Canada Labour Code. What has happened across the board is that players are exempted from either the entirety of the code or sections of the code. In some jurisdictions, it explicitly lists hockey player employees, and in others, like in my province of Nova Scotia, it says just “athletes”. That is a problem.

Listening to the witnesses talk about their particular situations, and then imagining the work I do for employees.... When you take away any workplace rights and you take away any means to enforce those rights, a culture can perpetuate that results in a whole variety of harm.

I would hope that this committee looks at this huge gap that's been created for athlete players as part of the proposal for an inquiry, and that in your report you say that this has to be on the table. You'd have to pull the provinces in.

The other component to look at—and I suggested this in my initial presentation—is what authority the federal government has to assert jurisdiction in the absence of the provinces' participation. There are means under the Canada Labour Code and the Constitution Act whereby that could be appropriate. Obviously, these are very delicate constitutional questions that the government would want and need to get advice on, but they have to be there.

You can't allow this culture of exploitation, whether it's in amateur sport or in professional sport, to continue for anybody, particularly for any employee players.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Wallbridge.

We'll move now to two and a half minutes to the Bloc, with Mr. Lemire.

[Translation]

Mr. Sébastien Lemire: Thank you, Mr Chair.

I'll continue with Mr. Wallbridge.

Mr. Wallbridge, I'm going to repeat the adage used last summer by Ms. Stéphanie Grammond of *La Presse* to describe what's happening today in all sports: the fish rots from the head. What she is alluding to is the sickening smell rising from the accumulation of scandals in all sports. What happened at Hockey Canada is happening everywhere else. It's clear that our system is broken.

In the midst of all this, Hockey Canada quickly reviewed its funding, without any public accountability being required. The minister or one of the Sport Canada structures took full authority for approval.

What do you think of the decision to provide funding to Hockey Canada again?

[English]

Mr. David Wallbridge: I was surprised to read about that in the news, because it seemed like it was a return of funding, but none of

the questions were answered, and the work of this committee was not concluded. It was very surprising.

Again, much of my experience is employment law and workplace related, but what you can clearly see is that there's a culture of exploitation that runs through the ranks, right through to organizations like the Canadian Hockey League, where the power imbalance is incredibly dramatic.

As that culture continues to perpetuate, the players live in that system. They are victims of that system, and they move on to then become part of that in a broader sense. Until that gets broken down, through the investigations that this committee is doing, through bringing in.... As was mentioned, either you do it through voluntary means, where people just want to be better.... I agree with Ms. Denhollander when she said that sometimes there just needs to be a law that's enforceable, where people know what those rules are and the people who are affected, the players across the board, have the power to have those things enforced.

• (1220)

[Translation]

Mr. Sébastien Lemire: Thank you, Mr. Wallbridge.

I'm going to conclude by saying that I really like your idea of developing legislation to give rights to athletes, like those set out in part III of the Canada Labour Code. That could be one way of restoring a balance that would make sports healthier and safer.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Lemire. You're right on time.

We'll now go to the NDP, with Peter Julian, for two and a half minutes, please.

Mr. Peter Julian: Thank you very much.

Ms. Denhollander, I asked the question to other witnesses who were here about what Sports Canada and the sports minister need to do right now, in addition to the call for the public inquiry that we've all heard.

What do you believe the minister needs to be insisting on and obliging Gymnastics Canada to do?

Ms. Rachael Denhollander: One of the primary steps that, hopefully, can be taken is putting anti-SLAPP type of legislation into place, or protections into place so that survivors are able to act as whistle-blowers without fear of retaliation, without fear of being left unprotected when their abusers come after them, and without fear of having to forfeit their point system and their careers. Protections should be put in place to allow survivors to speak up, and to do so safely.

Honestly, again, the most important thing that anybody can do is look at how we communicate on issues of abuse when the message is.... I really appreciated the most recent questions asking, “What do you think about the money being returned to Hockey Canada?” There really hasn't been transparency there. When that type of action is taken, when any type of action is taken, it is a communication. It is a value statement.

When you have communications taking place, and actions taking place, that are making value statements, we're not going to require transparency. We are not going to require honesty and accountability. We are not going to require proper diagnostics. When that is taking place, what the government is essentially saying is that it matters, but not actually. We don't like child abuse, but we don't not like it enough to say, "Hey, we are not going to fund these systems while they are harming our athletes and children."

The most important thing that leadership can do is communicate very clearly in words and actions that this matters, that we are going to find the truth and we are going to tell it. We are going to use whatever resources are at our disposal to make it safe for those athletes and children to come forward, so that we can find out what has happened to them.

What we say and do is a communication on our values.

Mr. Peter Julian: Thank you very much.

[Translation]

Ms. Da Silva Rondeau, you mentioned whistle-blowers. Ms. Denhollander just spoke about the importance of protecting information and striking a better balance in terms of resources when it comes to whistle-blowers.

What ought to be done immediately to protect whistle-blowers in a system that is so lopsided?

Ms. Myriam Da Silva Rondeau: It's simply preventing the transfer the sports system to a justice system. All complaints and all whistle-blowing within the sports system should remain there and prevented from entering each province's public justice system

Quebec's justice system is different from Ontario's. Each province operates differently, but it's still possible to take whatever is happening within the sports system and use it against anyone through the public justice system. That has to stop. Complaints and whistle-blowing within the current existing sports system must simply be kept within that system.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you very much.

We'll move now to Ms. Gladu for the Conservative Party.

Marilyn, you have five minutes.

• (1225)

Ms. Marilyn Gladu: Thank you, Chair, and thank you to all the witnesses for their courage and their testimony today.

I took note that each of you asked for a national public inquiry. I heard Ms. Hepfner say "when" the government conducts an inquiry, so I think the minister needs to weigh in on this. She's been hugely silent.

I took note of your comments, Ms. Mason and Ms. McCormack, that she has been absent in terms of action. She has known about all of the things that are going on in these various sporting organizations, and continues to fund without concrete actions.

There are some actions that we've heard could be done while an inquiry is being held. They include vulnerable sector checks for ev-

ery coach and person who's involved. This is something that happens in most charitable organizations across the country. There's also the reporting of sexual abuse to the police. It's a criminal offence. These organizations should not be investigating it themselves. As well, a registry would prevent these predators from going from one place to another and continuing the cycle of abuse.

There's anti-SLAPP legislation, making protection for whistle-blowers and ranking systems that are objective. Then I think there's something to be done in governance, because it's clear that although there's governance in all of these organizations, it's not working.

Ms. Mason, do you have some comments about the governance? I know you have an opinion here.

Ms. Emily Mason: Yes. As I think we've mentioned already about the governance of the Canadian Fencing Federation, they have an immense responsibility here to take accountability for all the past misconduct that's occurred and all the misconduct that has continued. Specifically, I think they need to take accountability for the appointment of Igor Gantsevich as high performance director.

On a broader scale, there needs to be a widespread change, not only in selection policies but also in reporting policies, so that it is safe for survivors to come forward, and they feel supported. It needs to be trauma-informed.

With those two things together, I think it's a good start. It's a good start.

Ms. Marilyn Gladu: I also want to talk about retribution. We've heard a lot about people coming forward and telling their stories, how difficult and traumatizing that is. On top of that, they are punished. They lose their spot, or in some cases there are other kinds of retribution.

Ms. Rondeau, am I correct that you're being sued as a result of coming forward?

Ms. Myriam Da Silva Rondeau: Yes.

Ms. Marilyn Gladu: Are you allowed to describe the circumstances of how this came about?

Ms. Myriam Da Silva Rondeau: I am not. This is why I am being sued. It's to silence me as a victim.

Ms. Marilyn Gladu: Ms. Neil, could you talk about retribution in soccer?

Ms. Andrea Neil: I can draw upon personal experience where everything was going A-okay; actually, it was not okay.

I had reported the Bob Birarda situation. A few months later, I became an assistant coach, and things were seemingly okay. I was offered contracts, and I was offered help to get my coaching certification. After I helped the head coach come forward—there was discrepancy and a lack of ethics within the women's national team program—then the certification was blocked. Money was also blocked for me.

What I saw was what I would consider institutional gaslighting towards the head coach and making her job so difficult moving forward. She couldn't get information, the correct information, or other information was dumped on her. She could not chart the course appropriately and could never grab hold of the ship to chart its course.

You think that people coming forward talking about ethical situations.... Well, that person was given a promotion while she was given great difficulty. The whistle-blowers coming forward are trying to say you're way off course. They should be held in a supportive environment, and instead are looked on as the problems.

Ms. Marilyn Gladu: I'm very concerned about the heads of organizations—multiple heads we have heard, and names listed today and then names in other sessions—who are part of problem and not part of the solution but are still at the top of the governance. The Minister of Sport, who is at the top of that pyramid, needs to take some action to address that.

Ms. McCormack, you mentioned in your testimony something about silent complicity.

The Chair: It will have to be quick.

Ms. Marilyn Gladu: Could you expand on what you mean by that?

• (1230)

Ms. Ciara McCormack: Again, when you have power to change something and you don't do something, I think you are contributing to the problem, whether that's on a micro level, with our situation with Bob Birarda—the number of people who were aware of his predatory behaviour and did nothing—or now, at a macro level, with the Minister of Sport or whoever would be the one to pull the trigger to call for a national inquiry.

When you don't do something, you are complicit, and that is a huge part of the abuse. It's enabling abuse every time you don't say something or do something and you have the power to, and the abuse continues.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. McCormack.

We'll move now to the Liberals for five minutes, with Michael Coteau.

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

I want to start by thanking all of our witnesses here today. I know the committee appreciates their testimony and their commitment to improving sports in general across this country.

The stories we've heard over the last few months have been unbelievable. When I hear about the abuse that's taken place, especial-

ly child abuse—well, abuse to anyone—to me, it's something we need to move on quickly.

I've been public in my support for a public inquiry, and I support the witnesses here who are calling for that as well.

I wanted to start by asking a bit more about whistle-blowing and the lack of protections that are in place.

We heard today from one of our witnesses that she came forward with information and now is being sued. I know we can't speak specifically to that case, but is there anyone on the panel who can speak to the tactics that are used in a bit more detail—not specifically to the case we heard, but in general? What are tactics that organizations use to hold back whistle-blowers, using the court system and other methods to silence them?

Can anyone speak in a bit more detail about that to the committee?

Ms. Andrea Neil: I can personally speak to there being certain clauses within contracts that prohibit people from speaking about certain things. As an assistant coach, when I finally did get a contract with the association, there were certain clauses, things like non-disclosure agreements, whereby you couldn't talk about a situation. These are tactics that are used to silence people coming forward, or, when they have spoken, to punish them.

There is also the complicity...or the whole culture of permissiveness that is fear-based. People will not come forward if there is that threat of reprisal. That is an ongoing, cultural, systemic issue. People stay very quiet and aren't willing to risk coming forward to be a whistle-blower.

Mr. Michael Coteau: Yes. I have a question for Rachael Denhollander.

You talked about value statements and honest assessment in regard to moving forward and truth and accountability. I was intrigued about the comment you made: "You cannot fix what you will not...diagnose." Do you see a national inquiry as being one of the mechanisms for diagnosing the challenges we're talking about today?

Ms. Rachael Denhollander: Absolutely, and this is for a couple of reasons. One thing you have heard repeatedly from survivors and athletes who have testified today and over the past several months is that the organizations are, by and large, riddled with the same people or groups of people who have been part of the abusive system. To suggest that that leadership is capable of doing an accurate assessment or even has the skill and the knowledge base to be able to look at a structure, a policy change, a practice or a cultural dynamic and understand and identify how that plays into child and athlete abuse is just naïveté in the highest degree.

The people who have been part of the system or, frankly, who just lack the skill sets to be able to do that type of assessment cannot be in the position of accurately diagnosing what's taken place, so we have to get outside of that system, and the national inquiry provides you a way to do that.

Of course, it will need to be set up well. It will need to be set up so that survivors are safe to engage, so that proper survivor protections are in place and so that the team is trauma-informed. That team will need to have the requisite education and knowledge base to be able to understand athlete wellness and corporate structure, and some of these dynamics that we've heard and have recognized are quite complex.

Child abuse and athlete abuse extend far beyond what we think of in our child abuse protection policy. These are complex issues, and you need a team of skilled experts who have access to all of the relevant information, a team that is set up in a way that makes it safe for athletes to come forward. Until that process is done, what you've essentially done is looked at all of these organizations that have decades of bodies left behind them, and said, "We understand that you're part of the problem, but we also think you can fix the problem that you created." That simply does not work.

• (1235)

Mr. Michael Coteau: Is there any organization out there that you can point to, either in the States or in Canada, that has gone through a process, corrected and made improvements to the system?

Ms. Rachael Denhollander: Yes, there are. I have been privileged to help set up these systems on a very broad scale for some of the largest denominations in our country that have very complex governmental systems and entities very similar to athletic organizations. I have also worked with much smaller ones. It really can be done well, and it can be done relatively easily.

As complex as the problems are, the way you get to that is really quite simple. Get the proper contract structures in place and the proper scope set up, and when that is done and done with leadership and survivors who are both headed in the same direction of wanting to do what is right, it really is an intensely collaborative process where everyone is able to come out on the other side so they feel like we now have a path forward.

Mr. Michael Coteau: Thank you so much.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Michael.

We're going to go to the third round. We'll see how our time is. The third round would give the Conservatives and Liberals five minutes each, and the NDP and Bloc two and a half minutes each. We'll play with the clock after that, but we'll start with the Conservatives.

I have Ms. Thomas first.

Mrs. Rachael Thomas: Thank you.

Again, thank you to each of you for coming and being a part of our time here today.

My question is for each and every one of you. It's a bit of a rapid-fire question. You have bravely come to committee and allowed your story to stand. We recognize that we've been able to capture only a glimpse, so, in many ways, it feels like an injustice to you and to the life you've lived.

I want to give you one final opportunity, and that is to make a short statement. Again, I realize that's an injustice, but I want to get

through all of you. If you were to say in one to two sentences what it is that you're hoping for from the sport minister what would it be?

I will start with you, Myriam.

Ms. Myriam Da Silva Rondeau: I just wish to see this national inquiry started. We really need this national inquiry. There's no other.... We can put plasters or band-aids on problems, but they won't fix the system we're in. Stop waiting. Launching this inquiry will be the best thing the minister can do.

Mrs. Rachael Thomas: Thank you.

Ms. Ciara McCormack: I echo Myriam.

I would also say to start taking steps to have an organization that represents the interests of athletes, so we're not fighting these fights on our own. With that in mind, there's also a need for some sort of support, whether it's so that Myriam has somebody to go to so she can get funding legally, or so we don't have to sit around waiting for Canada Soccer, whenever they feel like getting back to us to give us some.... You know, we're begging them for therapy money, essentially, for the problems they've caused us.

It's those two things, and adding 100% to an inquiry. Start taking steps towards an athlete organization, not that they set up, but that we set up and support legally and with therapy.

Ms. Andrea Neil: While this transition is going on, it's very unhealthy, so supporting athletes and people involved—it's not just the athletes—financially and psychologically to help stabilize is very important.

I think whistle-blower protection is incredibly important, because these are the people who are really trying to chime in and say there's an issue.

Looking at our legislation towards complicity for the people who are involved, the laws there are very weak. Without a national inquiry, I think there's a risk it's going to be safe-sport washing. It's going to be something, but it won't get to the root of it, and it's only going to create more harm.

• (1240)

Ms. Emily Mason: I echo the statements of the other witnesses here today, although I think it cannot be understated that with every passing day, more children are placed in those environments. More children are experiencing the same things we have and continue to every single day that a national inquiry is not called and we're not taking action. That is unacceptable.

Mrs. Rachael Thomas: Ms. Denhollander.

Ms. Rachael Denhollander: I would add my voice to these incredible women and athletes who have come to testify.

It is time to take action. It is past time to take action. You, as the leaders of Canada, have a unique ability to say that we are going to move forward, we are going to find the truth, and we are going to do everything we can to protect the next generation. I think you've heard very clearly from those who are part of the system what that needs to look like.

Mrs. Rachael Thomas: Thank you.

Mr. Wallbridge.

Mr. David Wallbridge: Yes, it's that the minister and the government have the courage to protect all these athletes, including the employee athletes who work for teams and leagues across the country.

Mrs. Rachael Thomas: Thank you.

I think that concludes my time, so thank you again.

The Vice-Chair (Mr. Kevin Waugh): Actually, you had 45 seconds left, Mrs. Thomas.

Mrs. Rachael Thomas: I'll allow their voices to stand as the final word.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We go to Mr. Housefather of the Liberal Party.

You have five minutes, please.

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you very much, Mr. Chair.

Thank you so much to the witnesses for coming forward and for speaking to us today. Your testimony was compelling. It was moving, and I think you highlighted the disequilibrium that exists between the national federations and athletes.

When we talked about the fencing selection process...I know a lot of my colleagues may not be totally aware of how that puts power in the hands of federations and coaches. In my sport, swimming, you don't have that. The top two finishers at Olympic trials automatically make the team, provided they made the Olympic standard.

In so many sports—I'm looking at Rachael for when she was competing in gymnastics—you could finish second in the Olympic trials in the all-around, but you'd be going back into a room and Bela and Marta Karolyi would basically make the decision as to who made the Olympic team. You could be penalized because you didn't go to their training camps, or when Larry Nassar was at their camps and you caused a ruckus, you might not be invited. That happens in way too many sports. In our recommendations, I think we need to deal with that as best we can.

You are all heroes in my book. Thank you.

I want to go to Andrea and Ciara for a moment, on Canada Soccer.

Ciara, you mentioned that the minutes never showed the contract with Canadian Soccer Business being signed. As you might remember, Canada Soccer left those out of the initial minutes that were provided. Then, miraculously, minutes turned up after our meeting that suddenly showed an approval of the contract after the fact. We

still know the general secretary of Canada Soccer didn't sign the contract as he was required to. There are a number of issues around the contract.

We have Mr. Reed from Canada Soccer coming next week. In terms of the witnesses who have already appeared from Canada Soccer and in whose testimony you've spotted inconsistencies and inaccuracies, I would like to give you the opportunity to tell us what those were, so we can follow up next week with Mr. Reed.

Andrea, I don't know if you want to go first.

Ms. Andrea Neil: With regard to the Bob Birarda situation, I know it's Steve Reed, but he was also there during those periods of time. This wasn't just about sexual text messages. This was about much, much more. Sexual text messages are a form of grooming and are incredibly damaging, but this was much more than I personally reported to their independent fact-finder, Anne Chopra, back in the day. For them to continue saying that there was no cover-up and that it was handled appropriately is a major issue. To not acknowledge that, by the leadership, and by Steve Reed to the leadership beyond that and into today, is a very damaging thing. It continues to not give a voice to those people.

To say that he was just sanctioned in some of these public hearings, you ask this question: Well, he has now been banned, but what does that mean? Why did it take until these hearings for them to utter the words that he's suspended now? A police investigation and his being in jail should have been enough. It should have been enough well before that.

As far as the finances are concerned, it's concerning that there's everything about the players asking for transparency in the men's and women's programs, yet it's been unsettling that money has been reported in the past. Things needed to be looked into; that's never happened. Money was not accounted for. It just seems to get buried in the past, yet that culture continues on year after year.

• (1245)

Mr. Anthony Housefather: Ciara, did you have anything you wanted to add?

Ms. Ciara McCormack: Yes. I just want to say, first of all, thank you to the committee members.

I know, just from watching—especially you, with Canada Soccer, at that hearing—that it's been well established. Whether it's the McLaren report putting all of the people at the scene of the crime in the Birarda case.... It's not even a question. Victor Montagiani and Bob Lenarduzzi are names in black and white that this report found. Then you have people sitting here, like Victor Montagiani, saying that he wasn't involved. Yes, you were. In that report, it said you were involved. Those are facts.

I think, again, what you uncovered also about the finances.... It's so comical. It's almost a blueprint of how dysfunctional it all is. Again, the minutes were not there. It was not signed off on, yet this agreement still exists, and the federation is essentially bankrupt. The future of Canadian players for the next 20 years....

I'm in Ireland, playing right now with Canadian players in a women's league. There's no league in Canada. People have to go over there. That is all part of the CSB. It's all been established.

I think the question now is that there's obviously a huge issue with what happens now. This has all been established. It's not a question of this: "Victor, were you there, or weren't you?" He was there. The evidence has proven that he was there. I just think that is all highlighting, again, this lack of what happens now. The CSB deal is not legitimate, because they did not follow the processes. What happens now? Victor Montagliani and others were at the scene of this whole thing. They're still involved in soccer. What now?

I think that's what we need to ask ourselves. I think in terms of our case it's quite clear. There's been massive financial mismanagement. There's been massive, egregious behaviour with the Birarda situation. I don't think they're going to be the ones to provide solutions, accountability or transparency, because they've been the ones.... We've had to put in so much to even just get here today—after 15 years of fighting for all this.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. McCormack.

We'll move on for two and a half minutes to Mr. Lemire of the Bloc party.

[*Translation*]

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

Ms. Da Silva Rondeau, you've given us a lot to think about, including something that was mentioned today, by which I mean the all-consuming pursuit of the gold medal, which has an enormous impact on the entire funding system. I asked for members of the Own the Podium organization, among others, to come and testify before this committee in the near future.

How do you explain their inaction with respect to the behaviour of the sports federations? Former members of Own the Podium have told us that the organization had trouble determining what the sports federations had done with the money they were given.

Can you tell us about any connections you see with respect to Sport Canada's responsibilities in all of that, and the role of the minister? Why is nothing happening?

Ms. Myriam Da Silva Rondeau: I think officers are supposed to be monitoring what's happening within the federations, but I've never seen any. Part of the responsibility falls to them, meaning what happens within the federations. Currently, though, this role has shifted to the Own the Podium organization and of course, the athletes, via the complaints system and the current mechanisms we are familiar with.

Monitoring the federations through complaint mechanisms has fallen to the athletes. However, it's too demanding for us. Own the Podium does its share by attempting to get the federations to assume responsibility for their actions, but its power is limited. The rest of the power lies with Sport Canada.

What's happening there? Where are these safety officers?

• (1250)

Mr. Sébastien Lemire: There's something that strikes me as particularly shocking. I get the impression that people like you who dare to speak out are sued, based on what I have understood, or involved in out-of-court settlements owing to the notorious non-disclosure agreements. This means that the toxic culture of silence continues and the offenders are never held responsible.

In what way could our system be different? What can we do to protect people like you?

Ms. Myriam Da Silva Rondeau: Right now, I can find a solution to every situation I've experienced. But I can't suggest solutions for the future, for things I'm not aware of. That's why a national inquiry is absolutely essential.

How can you come up with solutions to problems that you're not really thoroughly familiar with? I can come up with solutions for situations I encounter—and I've told you about them—whether in terms of protection or what happens with the complaint and whistle-blowing mechanisms. What I'm talking about here is the fact that it mustn't be taken away from the federations and transferred to the justice system. That's one solution.

I'm only a teacher, but teaching is nevertheless very important in our society. I'm a teacher, and I know things, but the kinds of knowledge at issue here are not something I have. It will therefore be up to you to find solutions.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Sébastien.

We'll move on to two and a half minutes for Mr. Julian.

Mr. Peter Julian: Ms. Mason, when you talked about the situation with Kyle Foster, I was absolutely shocked. The idea that these abuses would happen and the only protection that Fencing Canada would offer was a no-contact rule for some of the athletes.... It seems to me that you might as well be saying to an abuser, "Just go find new victims."

How can anyone feel safe in that kind of an environment, when a national sport organization does nothing but pay lip service to protecting victims?

Ms. Emily Mason: Well, I think the simple answer is that people don't feel safe. People don't feel safe coming forward when they experience maltreatment. I think stories like Kyle Foster's, unfortunately, are very common in Canadian fencing. He is not the only person who has mistreated athletes. It's across all of our provinces.

This year, the CFF has not only consistently and repeatedly mishandled those cases but bullied our athletes into silence when they have tried to do something. It's difficult, still, for a lot of people to come forward, and it speaks, I think, to a larger culture of permitting these behaviours because those coaches get results.

Mr. Peter Julian: Ms. Neil, on that question we also heard through the Hockey Canada hearings how Hockey Canada needed to clean house. Canada Soccer has had a couple of resignations, but is it time for Canada Soccer to clean house so that we can build a national sports organization with our soccer players that protects athletes and keeps our values?

Ms. Andrea Neil: Yes, I think transformation needs to happen. Quite often, that's like a forest fire burning through something so it can renew itself, so I would say that transformation needs to happen through new people.

I know board members in the past who have challenged and have received physical threats from other board members when they're speaking up for transparency. I've heard of yet another board member who was asking for transparency and accountability around the Bob Birarda situation. They brought in a lawyer to say that she could not reach out to really empathize with the former U-20s.

I mean, this culture gets passed on from one to the next because it gets very homogenized. Even within the present culture, if somebody speaks out for what is right and moral, they are silenced, and that teaches the next generation coming in that this is the appropriate way to behave. This is very unhealthy.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Neil.

I'm going to go to a two-minute round, and then we'll wrap it up.

Ms. Gladu, from the Conservatives, you have two minutes.

Ms. Marilyn Gladu: Thank you, Chair.

I have a final question, then, for our witnesses. It's coming up on a year that OSIC has been in place, so is it helping, is it what we need, and will it address these issues? Anybody can weigh in.

• (1255)

Ms. Ciara McCormack: I'll go first. I think OSIC absolutely is not even close to a solution. I think it's representative of, again, a sport system washing within itself to try to appear to be solving a problem, but in reality it's exactly the same people, if you look again at the links between all the different organizations. No, I don't think at all that OSIC is an answer.

Ms. Marilyn Gladu: Do the rest of you agree with that?

Ms. Andrea Neil: Very much, yes.

Ms. Rachael Denhollander: I would echo that. OSIC has a lot of the same problems that our U.S. safe sport system has, and I work with athletes trying to navigate that system all the time. The proper survivor protections are not in place, and the investigative teams are not skilled. It easily takes two or three times the length of time that it ought to take to complete an investigation, while the athlete is left unprotected and there are no whistle-blower protections in place.

The same things that you have heard these athletes articulate are the same problems we are dealing with in the U.S., and it is so deeply retraumatizing to survivors and so deeply unfair to ask them to navigate a system that is going to leave them more crushed than when they went in.

Ms. Marilyn Gladu: Ms. Neil.

Ms. Andrea Neil: I don't have much more to add to that. I agree.

Ms. Marilyn Gladu: Ms. McCormack, do you agree with that?

Ms. Ciara McCormack: Yes.

Ms. Marilyn Gladu: Ms. Rondeau and Mr. Wallbridge, do you agree?

Voices: Agreed.

Ms. Marilyn Gladu: That's excellent. I think that's my time.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll move, for our final question of the day, to Mr. Bittle for two minutes.

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

I want to echo my colleagues in thanking you all for being here. This wasn't easy, but you're being heard—I want you to know that.

My questions will be for Mr. Wallbridge.

We've talked a lot about the interplay between provincial and federal jurisdiction; we've talked about things like anti-SLAPP legislation, which is provincial, and you've talked about employment standards legislation.

I know the minister has said that it's not a matter of if there will be an inquiry but how. Is it fundamental that the provinces be at the table for any type of inquiry, so we can address many of the things that have been discussed here today?

Mr. David Wallbridge: If workplace issues are part of that inquiry, then they would absolutely have to be at the table to account for the decisions they made to basically withdraw from protecting employee athletes. Absolutely, there's no question about it.

It's shocking to hear these stories about how long these athletes have sought justice, and the fact that provinces got a phone call from an owner of a team and changed the laws over a weekend, by comparison. They have to be at the table; they have to answer questions about why that happened. If they're unwilling to do anything to protect player athletes, then the minister and the federal government need to have the courage to intervene.

Mr. Chris Bittle: If I can build on the myth in the CHL of the student athlete exemption, how has that come to be? Is it like what's happened in the United States with the NCAA, where schools are making millions of dollars? We have hockey teams worth tens of millions of dollars here. How does it come that these athletes are exempted from legislative protections?

Mr. David Wallbridge: How has it come to be that they're exempted? That's a good question.

I'm most familiar with Nova Scotia, where over the course of the weekend in July the regulations of the province changed, and the province said the Canadian Hockey League, or some owners of teams, called them and asked them to do it. As it's reported, neither the league nor one single team was on the registry of lobbyists, so how did those conversations take place? I don't know the answer, but it certainly is suspicious, and one plus one often equals two.

The Vice-Chair (Mr. Kevin Waugh): Thanks very much, Chris.

Thank you, David and Rachael, who are both on the video conference today.

Thank you to our guests appearing in person.

Thanks to our analyst, Gabrielle, who is back.

Mike, thank you very much.

I need someone to say—

• (1300)

Ms. Marilyn Gladu: Motion to adjourn.

Mr. Kevin Waugh: Thank you very much.

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