



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Canadian Heritage

EVIDENCE

NUMBER 085

Monday, June 5, 2023

Chair: The Honourable Hedy Fry



Standing Committee on Canadian Heritage

Monday, June 5, 2023

• (1100)

[English]

The Vice-Chair (Mr. Kevin Waugh (Saskatoon—Grasswood, CPC)): Good morning, everyone.

I'd like to start this meeting. I will chair the full two hours here this morning.

I welcome everyone to meeting 85 of the House of Commons Standing Committee on Canadian Heritage.

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

Today's meeting is taking place in a hybrid format pursuant to the House order of Thursday, June 23, 2022. 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 guests on video conference.

You will see on the lower right side of your screen a globe, and that is for interpretation—English and French—and you make your choice on that, Kelly and Rebecca, as you are on video conference here with us today.

For the first hour, we have Kristen Worley, a former elite athlete and advocate. She's with us live.

Thank you, Kristen.

We also have, from My Voice, My Choice, Kelly Favro by video conference, the co-founder, and Jessica Gaertner, advocate.

Moreover, from The Spirit of Trust, we have Rebecca Khoury, the founder. She is also here by video conference.

The three groups will have five minutes each to start their presentation.

Ms. Worley, you may now proceed with your five-minute opening statement. Thank you.

Ms. Kristen Worley (Former Elite Athlete and Advocate, As an Individual): Thank you, Mr. Chair.

It's an honour to be here today as a participant in the standing committee's review on safe sport in Canada, as a recognized survivor by the International Olympic Committee, sharing my lived experience from over two decades on and off the field of play.

My experience is about abuse, trauma, maltreatment, collusion, the use of wilful blindness, the lack of state responsibility, gross liability, brand protection and foreign interference, while validating the importance of civil courts and tribunals in Canadian sport to ensure the independent access to remedies.

In 2005, I would be the first athlete in the world to be gender tested under the IOC's policy, where I would be violated as a pre-termination of my participation in cycling. Canada is a signatory to the Olympic Movement, which is found in Canada's sport system. They felt they could, that they had a right, and I deserved it, while they knew nothing.

The IOC is given blind trust under the autonomy of sport under which the IOC operates, guiding and regulating sport federations.

In 2008, realizing Canada had no connection to the leadership of the IOC, I personally convened a conference call with the leadership of Canadian sport and the IOC. Dr. Patrick Schamasch, who was unable to answer the medical questions, as one of the authors, became flustered, admitting that the IOC had never done any research for the published policy. In that moment, Ottawa realized they'd raped me.

Justice and Sport Canada, collectively, did no due diligence upholding the state obligation in respect of protecting and fulfilling human rights as a result of international customary human rights law, before adopting a policy from a foreign entity.

The cover-up would come fast and furious from employees of Sport Canada, the CCES, Cycling Canada, COC members, CEOs of the UCI, and even a cease and desist order from WADA's CEO John Fahey. I've never met John Fahey.

They blacklisted me to prevent the world from knowing what they had done and what I knew. A united front from Ottawa, Montreal to Lausanne, their sole intent was to protect the IOC from "civil, human rights exposure and consequential impact to the Olympic brand", preserving at all cost the autonomous structure within which they operate outside the civil law and society as a whole—a behaviour familiar to the mob.

The IOC is not a sporting organization; they are a brokerage business in sporting event management and do not run a single sport. The COC is a marketing franchisee, controlling the IOC's business channels in the Canadian marketplace selling the idealism of Olympism—utilizing the autonomous system.

By 2014, I would walk away from elite sport as my body had completely failed me. I decoupled myself from their autonomy. The next action I sought was expertise from CAS. They stated, “We are not a court of law and such cases need to be heard within civil courts and human rights tribunals.” They directed me to seek expertise in civil law and human rights.

I would seek legal counsel in Toronto on June 30, 2015, where the IOC, UCI, Cycling Canada, Cycling Ontario would be served...and WADA was subsequently served in January 2016 as a fifth respondent.

Thomas Bach would directly attack the survivor, suggesting that if I were successful “It would impact IOC’s Swiss sovereignty, impacting the future Olympic movement”, and that “this was a sport issue and should be heard at the CAS.” Bach knew I had found the Achilles’ heel. The IOC argued jurisdictional reach, and the HRTO denied their application.

The IOC’s next step was inconceivable, “choosing to alter the policy without research” as a legal scheme to mitigate liability within a court system where they could no longer politicize nor control the outcome. They had to come with science, which they didn’t have.

By pushing them outside the autonomous system, they were made to care. Ottawa, including the broadcasting licensee of the Olympic games, the CBC, remained silent, limiting public awareness of the IOC’s presence in Canada. I would go it alone. The IOC would focus to hit the survivor with a bigger hammer.

On February 29, 2016, in the Superior Court of Justice in Toronto, the IOC would present their policy into evidence, which was firmly rejected. They would lose the day and be ordered to appear in the HRTO with all the other respondents.

The IOC would hide, from sport, the outcome in Toronto, in an unsupported policy that would remain in place for five years, leading to worldwide consequence in sport and society, due to the IOC’s concerns of statement against interest and impact to their brand.

The WADA lawyer at the HRTO proceedings weeks later said “We thought...Ms. Worley was going to give up.” They miscalculated the will of a survivor.

Their focus was to play a long game, utilizing the shield of the autonomy from the liability. Inevitably we would be successful preventing future physical harm and trauma experiences across the sporting globe.

Paul Melia, a panellist at the AthletesCAN safe sport meeting back in April 2019, chose the word “pioneer” when he confronted me in person, in an effort to relieve his anxieties as an abuser stating that I would never forget what he did to me, and I would have to live with it for the rest of my life.

Abuse in Canada’s sport is systemic across the system in various forms. Indeed, “the autonomous system allows career abusers to reinvent themselves without accountability or oversight.”

- (1105)

By being here today in person, it was important to speak truth to power and for my own closure and not to live the life that Mr.

Melia intended, releasing me from the carousel that they have kept me beholden to, while ensuring from this day forward that it never happens to anyone else of any age, at any level of sport participation in Canada.

Thank you.

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

We’ll move now to My Voice, My Choice for five minutes. We have Jessica Gaertner live with us, and by video conference Kelly Favro, for five minutes.

Ms. Jessica Gaertner (Advocate, My Voice, My Choice): Thank you.

My name is Jessica. I’m an advocate for sexual assault survivors. I’m certified in trauma-informed practice and I hold a first-class honours degree in law. This is the first time I’ve advocated for myself.

My decision to be here today was not taken lightly. I made a choice between reaching a resolution with Hockey Canada via the ITP or using My Voice to stand beside Canadian athletes to plead with the government to help victims.

I don’t want to see more half-hearted pity. I want change. I have significant concerns that the ITP process will cause many like me to consider rescinding and retracting complaints. It is not trauma-informed, or even trauma-respectful, and it greatly jeopardizes true legal processes. What good does that do?

I’m not an athlete, but I lodged a complaint to BC Hockey in 2021. The response was pathetic. I had no confidence in their ability to handle historical sexual assault complaints. The ITP accepted the complaint last year, but only because my husband, a coach and Hockey Canada member for over 18 years, interacts with the respondent in his work—not simply because the respondent is a member himself.

I was provided with very little information on how this process would go. Had I known, I would not have agreed to it. I have a very short time, so I will try to fit all of this in.

I was told that if the victim is not “in hockey” the misconduct policy may not apply and that survivor support services are not available to non-members.

My identity was not protected. My name and the allegation were simply emailed to the respondent with no safety or risk assessment carried out. You cannot lean on your support system, or speak about the process. I was left vulnerable and exposed. I was discouraged from reporting to the police until the investigation had finished, despite frequently stating I wished to do so.

The interviews were antagonistic to the point of bringing me to tears, cutting me off, speaking over me. There are significant risks of evidence contamination, with each party's evidence and responses relayed back and forth over several interviews and sometimes via email. It lacks integrity. But perhaps that is the point: The fine print suggests that the ITP and Hockey Canada are one and the same, after all.

The ITP deemed it appropriate to hold a hearing between the parties in which the respondent would receive submissions and disclosures of evidence and have the opportunity to directly ask questions of me. This is a sexual assault case. No matter how much I protest and tell them how harmful this is, they push for the victim to attend a meeting with the alleged assailant to talk it out. This is nothing short of cruel. They operate as a pseudo court without the legislative or personal protections. Victims are faced with a wall of lawyers and risk managers attempting to distance Hockey Canada from liability and the imbalance of protecting a respondent's unqualified right to participate in sport with that of protecting athletes and victims from harm.

There have been multiple people involved in this ITP process, none of whom are there to advocate or support victims, but all of them continue to profit from our trauma. The system has not changed. It is all the same people under different entities and process, all conflicted by their own affiliations and personal interests. They may call it safe sport and sport integrity, but it is anything but.

Survivors are tired of fighting the system from every angle, but this one shouldn't be so hard.

I'll turn it over to Kelly.

• (1110)

The Vice-Chair (Mr. Kevin Waugh): Kelly, you've got two minutes.

Ms. Kelly Favro (Co-Founder, My Voice, My Choice, As an Individual): Thank you.

My name is Kelly Favro and I'm a survivor of sexual violence. I can only tell you this because I represented myself in BC Supreme Court in June 2021 where I won the right to say my name and identify myself as a victim in my own story.

I am here today because I have lived experience of how legally silencing complainants of sexual violence through publication bans or NDAs can have unintended consequences and how this can affect safe sport. Despite our being told that publication bans and NDAs are in our best interests, both carry thousands of dollars in fines or penalties, or possibly jail time should a victim breach a gag order.

It's important to note here that my perpetrator is not a member of any organized sports league, safe sport or Hockey Canada, but publication bans and their effects are not limited to those outside of professional athletics. David Shoemaker, the CEO of the Canadian Olympic Committee, testified here on June 1 that they do criminal record checks and have a selection committee that validates that.

Safe sport relies on criminal record checks to tell them if someone's been convicted of a sexual offence or crime, but those are on-

ly performed every three years, and they should be performed annually. It doesn't say anything about charges or arrests for sexual offences unless they work with vulnerable persons, and even then the victim would have to be a minor for it to show up. For those who don't have convictions, publication bans and NDAs prevent victims from filing complaints to members of safe sport.

Safe sport is operating in a similar manner to court systems in silencing victims with confidentiality agreements that prevent complainants from speaking to anyone about the complaint other than to seek legal advice or NDAs that are enforced upon parties once resolution is provided, thus preventing them from talking about it or even finding out if there are other victims of the same perpetrator. When someone reports someone for abuse, it is not the first time that person has abused someone, it's just the first time they've been reported. Trauma-informed approaches in working with victims and survivors of sexual violence needs to be higher on the safe sport to-do list.

There is a culture of silence, secrecy, privilege and protection surrounding the sexual abuses that take place in sports within Canada.

The Vice-Chair (Mr. Kevin Waugh): Please wrap up, Kelly.

Ms. Kelly Favro: No one will put themselves through this process for fun. Not being able to have the choice in sharing your story in the hope of protecting others from going through the same thing you did is one of the most helpless feelings in the world.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Our third group here this morning is The Spirit of Trust with Rebecca Khoury, the founder. She's on video conference, welcoming us this morning.

Go ahead, for five minutes.

Ms. Rebecca Khoury (Founder, The Spirit of Trust): Thank you, Mr. Chair.

Good morning, everyone. Thank you once again for the opportunity to be part of this crucial study on safe sport in Canada.

The world of sport is in crisis. Canadian sport is in crisis. Make no mistake. Abuse in sports in all its forms is a systemic crisis, and it requires our immediate and undivided attention. Harm has already occurred and it's continuing to occur today. It will continue to occur tomorrow. We must act now, because now we know, and we must start taking care of our people now.

We know that as many as 70% of participants in sports will fall victim to at least one form of abuse during their sporting journey. The last record of sport participants in Canada dates from 2016 and stood at eight million people. Of that, 70% is 5.6 million people harmed.

Let that number sink in for a second or two. That's 5.6 million people harmed.

Put together all of the stories you've heard first-hand here, the ones you've just heard today, in the media and through friends and family. Even if we were to add the thousands of people who signed the petitions to request a national inquiry into sport—which should happen, actually—we are nowhere close to the actual number of people harmed in sport, with absolutely no end in sight and certainly no holistic solution on the table. “Urgency” doesn't even begin to describe the gravity of the systemic crisis we are facing.

I'm here today before you as the founder of The Spirit of Trust. It's the only charitable organization in the world that has developed a blueprint for a holistic and scalable model of care with a dedicated focus on empowering, supporting and safely guiding all survivors of any type of abuse in sport on their transformational journey.

We must start taking care of our people now. Won't you be part of that solution with us?

Let me tell you about our “why”. Why do we think we need an organization like The Spirit of Trust? It's because we wished we'd had it when we all went through our issues.

There's this urgent need to build capacity to empower the largest number of survivors on their paths to recovery. We're going to be able to do two things at once with this model of care. Number one, heal the past and present survivors in order to, number two, prevent the harm in the future. Healing is the best form of prevention.

We must exist because healing survivors has always been a non-negotiable part of the safe sport agenda, and it must be delivered independently from the sporting systems.

We must exist because the imbalance of powers must be addressed. Empowering, guiding and supporting survivors will be key for the scales to finally start to shift.

We must exist because we need to decrease the hardship on all survivors. We will build trust, foster hope and save lives.

What we know about healing from trauma is that it's a lifelong journey. It's a unique path for each and every one of us, but we have one common thread. It's us, the survivors. Whether it's Myriam, Amelia, Katherine, Guylaine, Kelly today, Trinea, Kristen, Jon or Ryan, it doesn't matter. The commonality is our lived experience. The key's to create safe and professional spaces to foster that human connection that will build trust, foster hope and save lives.

At the centrepiece of our scalable model of care there are evidence-based, holistic, survivor-led and expert-driven programs and tools that are developed, built and delivered for, with and by survivors. More specifically, they model the peer support concept that's very successfully used in the military and other high-intensity industries. That's at the core of our offerings.

Whether survivors will use the individual or group model, virtually or in-person, or the survivor advocate accompanying someone through a complaint process, all of these paths will exist individually or be used in combination with each other. Peer support will build trust, foster hope and save lives.

We will be able to deliver that through our partnerships, research and protocols. All survivors wanting to support others will be screened and trained, as well as supported, to offer the safest model of care.

Who's in the team of superheroes behind these initiatives? There are a ton of us, and we're all from diverse backgrounds, but we share a mandatory combination of things. You heard some of them today. They are lived experience with expertise, and the trauma-informed and human-centred lens.

Each of us is driven by ethics and courage. I want to put emphasis on these two words. It's ethics and courage. We all believe in the same thing, which is that our model of care is a must, as we need to start taking care of our people now. We will build trust, foster hope and save lives. It's a game-changer.

Thank you, Mr. Chair.

• (1115)

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

We'll have two rounds. It looks like we have 40 minutes to question our panel.

We'll start with a six-minute round. Mr. Shields will lead it off for the Conservatives.

Go ahead, Martin.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chairman.

I appreciate the witnesses being here today both in person and on video.

The minister made a statement about non-disclosure agreements, saying that non-disclosure agreements or non-disparagement clauses should never be used to prevent athletes...

On that word “should”, everybody who pays attention to language knows the difference and knows that words matter: “Should” is not “shall”. What is your reaction to the minister's statement on publication bans and NDAs when she uses “should”?

Go ahead, Ms. Gaertner.

Ms. Jessica Gaertner: It should be “must”. They “must” not be used. Unfortunately, when you have an NDA or anything that prevents anyone from speaking, you have no idea if there are other harms that the person has caused. You have no idea if you can protect other people from those harms. It’s “must”. They “must” be forbidden.

Mr. Martin Shields: Ms. Favro...?

• (1120)

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Kelly. You were asked to respond.

Ms. Kelly Favro: I’m sorry. My apologies there.

I agree with everything that Jessica has just said. Words are important. Making sure that everybody understands what is required of them and leaving nothing up to interpretation is going to be key for anything that moves forward from these meetings. Yes, the word “must” must be in there. The wording is a good start, but we have a chance right now to make it better, and I hope we do so.

Mr. Martin Shields: Mr. Favro and Ms. Gaertner, you also referred to hockey in the sense of this type of challenge that you have. What about the other sports that we have listened to, in a sense, and that apparently you’ve been following? Do you find the same challenge such that you would say this is symptomatic across national sports?

Ms. Jessica Gaertner: Absolutely: I have read every article and every story that’s come out and I’ve watched every person come before this committee. Every single one of them has the same theme coming across the board on how they’ve been treated, how the system has treated them and the silencing and the additional harm and trauma that have been caused by going through any kind of complaints process with these systems as well.

Mr. Martin Shields: For example, when an organization sets out a third party place for the complaint to go to—and I think you’re referring to your experience in this, in the sense that you have a legal background—you have a parent, probably, dealing with a minor of theirs. In the legal process, how does this set up the parent for failure or threat or challenges versus the person they’re trying to deal with?

Ms. Jessica Gaertner: One party has direct access to legal advice and legal counsel, either through a criminal system or through this process itself, and it’s never the victim. There were legal complexities that I found throughout the process. Even just the policies themselves leave so much room for interpretation. At the beginning of my process, I was sent the policies directly, with no explanation. I had to do it myself to interpret those. No one else was there to help.

Mr. Martin Shields: You’re speaking of yourself, as you’ve said, from a legal background. If I go to a parent who is out there trying to protect their child and is not coming from that kind of background, what chance do they stand?

I’m looking for recommendations, as this committee is. When a sports organization says that it doesn’t have a problem and they’ve set up a third party group for you to appeal through, what would your recommendation be for that process? We’re hearing all the organizations say, “Hey, it’s not our fault, because we have a third party to deal with this.”

Ms. Jessica Gaertner: I would say that even as adults, not just children, there is no trauma-informed process here either, so it’s not just about the legal side, but also about having someone that’s coming from it with understanding that the person you’re dealing with has gone through trauma. There’s no capacity there for the investigator or the third parties that are involved to treat them. Unfortunately, you have to treat them with a very different scope than you would treat anybody else, because of the situation they’re in.

From a recommendation standpoint, there needs to be full support from day one that isn’t dependent, and full legal advice that isn’t dependent—having someone like a victim services worker who can actually help you through the process and say “this is what the policy says, these are the stages you’re going to go through and these are the next steps”. It’s someone who is your advocate throughout the complaints process, so that it’s not just “here’s this wall of lawyers and risk managers that you’re going to battle with directly”, who, at the end of the day, are protecting the rights of the entity, the respondents and the members of the organization.

Mr. Martin Shields: That’s a good point. I think often what we’re dealing with is that it’s the parent who is the advocate for their minor, who is a child, because we’re talking about safe sport. It’s not usually the person who has suffered through this, who is a minor, but the parent who is the advocate, so you have a ripple effect, so that it’s not just that person who is victimized; it is extended. I think that’s what you’re trying to get at. What you’re saying is that the support mechanisms need to be there in a number of ways.

Ms. Jessica Gaertner: Yes, that’s correct.

Mr. Martin Shields: Go ahead, Ms. Favro.

The Vice-Chair (Mr. Kevin Waugh): Be quick, Kelly, if you don’t mind.

Ms. Kelly Favro: I just want to add to this.

The public has a right to know who in positions of power are around children and youth. It’s up to them to determine what the parents’ choice should be and if they want to be associated with that particular organization.

Again, the idea behind safeguarding children and youth—and adults—from abusers in sport needs all teams, all organizations, on board here. I would like to see a requirement for all teams and all complaints, no matter how minor, to be recorded to make sure—

• (1125)

The Vice-Chair (Mr. Kevin Waugh): We’re going to move on. You’ll maybe have questions later that you can elaborate on.

We’ll have six minutes with Tim Louis from the Liberal Party.

Tim, you have the floor.

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

I want to thank all of our witnesses for being here for this important testimony. We’re hearing a lot of themes, and they’re chilling.

I’d start with My Voice, My Choice.

Ms. Favro, just out of respect, I want you to finish your comment, if you will, where you were saying that no matter how small a complaint or issue is, it should be recorded. If you don't mind expanding on that, I'd like to give you the time.

Ms. Kelly Favro: Thank you. I very much appreciate that.

I would like to see some penalty for teams and organizations that do not take these reports seriously. It's kids who are getting hurt. You had 500 gymnasts come forward and say, "Somebody hurt me." It was not just those 500; there had to have been more. There needs to be accountability for these teams and organizations that don't take these reports seriously.

Further to that, we need to recognize that when an incident occurs outside of sport by a member of an organization, like Hockey Canada, for example, having an abuser or sex offender—convicted or not—associated with that organization is a reflection of what is deemed acceptable. If they turn a blind eye to it just because someone isn't wearing the logo at the time they commit the offence, that puts others at risk and deters people from coming forward.

That was my final thought on that. Thank you very much.

Mr. Tim Louis: I appreciate that. The format allows us to move quickly, but these are important conversations that take much longer. You can see how long this study is.

One of the challenges we've run into here at the federal level is that this is a multi-jurisdictional issue, so we have to work with provinces and territories as well. A lot of these abuse cases fall under their jurisdiction, especially at the beginning age when parents leave those small children in gymnastics, hockey or other sports.

How can we strike a balance? At the federal level, we can only handle a few thousand athletes at that kind of level; a lot of them are at provincial and territorial level. What are some of the best practices you can give as far as working together with provinces and territories is concerned?

Ms. Kelly Favro: Again, I think it's going to take open communication. I think it is going to take keeping something, like a database or an HR file, for example. For most folks, from what I'm gathering, once you're in safe sport, you are in safe sport for life. This is your job; this is your living.

Having a provincial registry that can be read nationally would probably be my biggest thing right now.

Jessica, I don't know if you want to add to that or not.

Ms. Jessica Gaertner: Absolutely. It needs to be something that's accessible to all. Again, I know from my husband working in hockey that there are many cases or incidents that have happened where the coach or staff member is just moved from province to province and can continue to be that harmful person, because they are only suspended from being in that particular province and not across the board.

Mr. Tim Louis: I appreciate that. Thank you.

I would like to bring in Ms. Khoury to this discussion, because it sounds like you have a lot of expertise in that as well.

What is the best way of setting up that pan-Canadian complaint system? How can we work together? If abusers are allowed to

move from province to province, that's absolutely unacceptable. At the end of the day, we're trying to protect our children. What kind of system can we set up at a federal level that can encourage, compel—I'm not sure of the right word—the other jurisdictions to get on board?

Ms. Rebecca Khoury: At the end of the day, the most important piece right now is to support the people who are going through these things. As we put all of the bigger brains around the table, we should be thinking about what's the best structure we need to have. How do we create the list of people with the offences? How can we do it with all of these privacy things? It doesn't matter, because at the end of the day, we need to support people now. Our concern is guiding and helping people through the process. At the federal level, it's that continuous conversation. If you want to have a system that exists outside civil courts, criminal courts, human rights courts, you have to have a system that makes sense and that is truly connected. If it's not connected, it's not even worth having the discussion.

There are pros and cons to having an insular system. You heard Kristen today. She told you about taking things out of the independence of sport. That's where you get better justice. That's where people are heard. Listen, you have people at high levels of football in France and Haiti, and I don't know where, and then they're moved around. They even have bigger roles in international federations. It's a complete cesspool.

At the end of the day, we must now support the people who are going through the harm. We have to accompany them. For us, at The Spirit of Trust, that's our focus. We are focusing on helping the people now. What can we do to help them navigate?

We should be part of the conversation to make a better system. Sure, yes. When we look at what everybody has been asking for months, this national inquiry, get the right people around the table, and ask the right questions and get to the right solutions. We don't want the band-aid ones, not the checklists. We need the right solutions that are going to change foundationally the culture that's going to be impacted. Everything starts from underneath. It leads from the top.

You have to have a way to change the culture to make sure that you're embedding human-centred and trauma-informed pieces in everything we do. It doesn't sit next to it; it sits within it. Like the diversity piece, it's not a checklist; it has to be embedded.

I don't know if I helped you at all, Mr. Lewis, with that question. It's really about supporting people now as they're going through all of these egregious processes. Jessica mentioned it. You sit here, and you have this army of lawyers in front of you. These are people who trying to protect their own, or cover their own, you know what.

• (1130)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Khoury, but we have to move on.

Thank you, Tim.

We'll now move to the Bloc with Mr. Lemire for six minutes. Welcome.

[*Translation*]

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Thank you, Mr. Chair.

To begin, I'd like to express my solidarity with the people back home affected by the wildfires, particularly those in Normétal and Saint-Lambert. I also stand with the people affected on the north shore, in northern Quebec, in Saguenay—Lac-Saint-Jean and in northeastern Ontario. This situation affects me personally. I obviously intend to return to my region as of tomorrow, because I want to be there.

Before, though, I thought it was very important to be here in person.

When I heard the testimony of Ms. Da Silva Rondeau and Ms. McCormack, for example, I was particularly shocked to learn just how far organizations go to protect themselves.

I was pleased to receive an invitation from Laurel Collins, a member of the NDP, to attend a meeting with My Voice, My Choice, to discuss the process related to non-disclosure agreements and their adverse effects. That's where I met Ms. Favro and Ms. Gaertner.

As I told you before, I was particularly shocked by your testimony. I was impressed by your strength and prominence.

Thank you for being here today. I absolutely wanted to see you contribute to our study, given your expertise and your sensitivity.

I would like to address one particular point. It seems that the people involved in the complaint process are often lawyers. However, there are certain skills required when dealing with someone who has been a victim of a crime of this nature, and that element is missing.

You explained the importance of having an investigator or adjudicator who takes victims' trauma into account. Are their practices being properly monitored? Does it have enough oversight?

For example, the committee would have liked to hear Mr. Bard's testimony last week, but he did not appear. That said, can the sport community govern itself?

How are staff from the Office of the Sport Integrity Commissioner or the Sport Dispute Resolution Centre of Canada involved in this work?

How can lawyers be at the head of national sports organizations?

Finally, can you tell us about the dangers of contamination of evidence and conflicts of interest?

[*English*]

Ms. Jessica Gaertner: I'll try to remember all of those things.

First of all, going back to your question of the need to be trauma-informed in this process and having lawyers involved, I think that when you're going through the investigation process and you have

had trauma, there's an understanding that the brain experiences something very different. The responses you may have may be different in that process, as well. Having an antagonistic approach where you're against the organization and feel that you're having to prove yourself to the organization with your complaint is difficult. It makes you feel as if you're up against this wall of lawyers and risk managers, and you have no chance.

In order to obtain evidence appropriately, there must be trust. There must be safety. There has to be a level of respect and understanding, as well.

From an evidence contamination point, having the investigators going back and forth with information—like, she said that he said this; he said this or he said that—and going back throughout the process, if that case is eventually sent to a criminal investigation or if it should go to a criminal investigation, the evidence is already there. It's already been contaminated and handed over, so the defence already has a pathway.

• (1135)

[*Translation*]

Mr. Sébastien Lemire: That's not to mention all the psychological pressure on your shoulders.

Ms. Favro, I'd like to hear your comments as well.

[*English*]

Ms. Kelly Favro: Yes, absolutely.

There's a real issue with the current system for survivors and victims coming forward where safety is non-negotiable. Most of us fear that seeking police or third party involvement can expose us and our families to retaliation, violence or other personal consequences for speaking out. The current system is really difficult to navigate with any sort of dignity. It's super retraumatizing, as well.

Historically and currently, there's a really bad track record of convicting those accused of sexual offences, despite statistics showing how common sexual offences are. When you have no trust in the system, it's really hard for people to come forward and put their trust in somebody else.

The accused also seems to have a lot more rights in any sort of legal process. Victim complainants are not provided with any sort of legal guidance or advice with respect to our rights, our options and where our participation level could be. We're not represented. We're technically no more than a witness to our crimes.

It's incredibly hard for those facing systemic barriers as well, such as those who are criminalized due to their race or religion, who don't speak English as a first language, who live with the threat of intimate partner violence or who live in poverty. There are a lot of key factors for why folks aren't coming forward.

We need to ensure that safe environments are established so that when somebody comes forward, they feel as if they're believed. They feel that they don't have to explain themselves 900 times to 900 different people. Folks need to have a choice and control in what happens with their name and their story.

[Translation]

Mr. Sébastien Lemire: There's also the fact that people who aren't lawyers find themselves before an army of lawyers who are there to defend the integrity of the machine and the brand.

In closing, I would like to point out that, following the testimony, Minister St-Onge stated that she wanted to find answers to the NDA process, which is a major attack on victims, to whom I once again offer my co-operation.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you very much. You're right on six minutes.

We'll move to the New Democratic Party.

Mr. Julian, you have six minutes.

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

I thank our witnesses for coming forward and for their courage as we struggle with ending the crisis that we're seeing in Canadian sports.

I'll start with you, Ms. Gaertner.

I was stunned, listening to your testimony, that your identity was not protected and you were forced to confront your abuser—the perpetrator. In what kind of dysfunctional, dystopian system, is a victim forced to confront their abuser?

Subsequent to that, of course, we know that with non-disclosure agreements, after victims are exposed they are then muzzled.

I wanted you to share with us, if you can, what kind of impact this ITP process has had on your mental health.

I have a second question.

For the last year, we've been meeting and I think there's been a consensus on the committee around pushing Hockey Canada. There have been mass resignations. They are supposedly rebuilding.

Do you have any more confidence in the organization now than you might have had previously?

• (1140)

Ms. Jessica Gaertner: I'll start with your last question. Yes and no. I don't know enough about the people who are currently involved, but I know that they're not listening. I know they are not reaching out and speaking to people like me to understand what has happened and what they need to do to improve, and there are a lot of lovely words they're saying, but I haven't seen any action yet.

One of my other concerns is that in B.C. we have the BC Hockey League, which is now moving away from Hockey Canada into an unsanctioned sport in itself with no policies, no processes, no safe sport guidance, and that continues the harm.

From a mental health standpoint, I first initiated a complaint process in October 2021. We're now in June 2023. It took a year for anything to be done with my complaint in October of last year. I have been through the investigation process for about six months. My mental health has significantly declined. I barely left the house when the complaint was first emailed to the respondent with my name. I managed to convince them to at least use my maiden name, so that it wasn't easy to identify my husband in this process. That was a battle. There was no confidentiality clause in there. I had to ask for it to be included. It was terrible.

Mr. Peter Julian: Thank you for sharing. I know this is very painful. I appreciate your sharing this with us. It's very important.

Ms. Worley, you spoke very eloquently about the blind trust in sports federations where they're basically given, carte blanche, a blank cheque. This has been a systemic problem. Sports federations haven't been overseen by the federal government at all, and that obviously needs to change.

How do we stop that protection, that blind trust in sports federations that basically allows them to do whatever the hell they want?

Ms. Kristen Worley: I think the issue we have is what we call the “autonomy of sport”, this autonomous system that allows them to work outside the civil system of law and civil society. That is really a systemic model that was been incurred by our integrating the Olympic movement into the design of our Canadian sport system.

What's happened is that that model of the court of arbitration, that system, that practice of mediation and arbitral law in a country designed around a sovereign foundation to it, to which that's being mitigated or modelled here in Canada as a very similar parallel.... Our Canadian sport system is a mini model of the Olympic system internationally. What happens is that that behaviour is a continuous system allowing the organizations to be able to work within this autonomy so that they don't have the oversight.

What I was able to do through my process... because they tried for nine years to be able to oppress me personally to limit that knowledge.... That came down not just from the national level, but from Sport Canada, through the World Anti-Doping Agency, through the UCI right up to the push.... It was the IOC driving it into Canada. It wasn't Canada driving it out to into the international sport system and integrating with the IOC about it. It was foreign interference coming in from the IOC. I feared because of what I knew and what happened to me and the world finding out about it.

The autonomous system is designed specifically to limit that liability and that brand impact to the IOC and to the Olympic movement.

Mr. Peter Julian: Thank you very much for that. I have a question for Ms. Favro.

You also spoke eloquently to the point that when we're talking about abusers, it's not the first time of abuse; it's the first time reported. To what extent has the use of NDAs protected sports organizations and perpetrators rather than providing support to the victims?

Ms. Kelly Favro: When you silence somebody, you can't warn anybody—

[Translation]

Mr. Sébastien Lemire: Excuse me, Mr. Chair. Could Ms. Favro raise her mike a bit so the interpreters can hear her better?

• (1145)

[English]

The Vice-Chair (Mr. Kevin Waugh): That's good. You've got about 45 seconds.

Ms. Kelly Favro: Thank you.

The protection that is offered by an NDA and a publication ban sometimes helps people come forward, such as the woman from the 2018 world junior's case. It gives them a sense of confidence that they can continue their life in sport, or just life in general, without repercussions or being singled out or set aside. On the flip side, publication ban laws and NDAs really don't allow someone to come forward to an organization and say, "I was abused by that person." I mean, it protects the accused a lot more. It would be great to see safe sport provide a legal adviser to these victims. Then they could seek advice on how to navigate making a complaint, under solicitor-client privilege, when it comes down to having to get around these non-disclosure agreements. However, the key thing that most people want to do is just warn people that someone else is out there, that someone else is hurting.

I think it's fair to say that, for most of us who have been sexually assaulted or assaulted by a person in trust, we are not their first victims, and we're certainly not their last. So, yes—

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Favro. We must move on.

We'll go to the second round, where we'll do five minutes for the Liberals and the Conservatives, and two and half for the Bloc and the NDP. Then we'll wrap it up as we prepare for Swimming Canada.

We'll start the second round with Mr. Martel for five minutes, please.

[Translation]

Mr. Richard Martel (Chicoutimi—Le Fjord, CPC): Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today.

The testimony is very distressing. We always wonder how it's possible that the abuses are repeated so often. This surprises a lot of people, but a number of witnesses have been telling us the same thing for several years because nothing has been done.

Ms. Gaertner, the fund set up by Hockey Canada to reach out-of-court settlements with victims doesn't surprise you, does it?

[English]

Ms. Jessica Gaertner: Not at all. Again, we go back to their trying to distance themselves from liability. How do you do that? You make sure that you have funds available to pay off whatever needs to happen. For me, though, it wasn't necessarily just that there was a slush fund that was set aside. It was just the pattern of silencing and how they felt that paying somebody off and going through this process and not dealing with the actual perpetrators.... We don't know the names of the perpetrators of that case yet or of any of the other cases before that.

So, it's the silencing that all of that caused that is very harmful because we don't know if any of those people have caused others harm, too.

[Translation]

Mr. Richard Martel: Ms. Gaertner, why are coaches or abusers protected? Is there a shortage of coaches? Are reputations being protected?

Today, I find it hard to believe that no one is reprimanded and that people who commit these acts are being protected. Why is that? Is there no communication between the top and the bottom of the hierarchy? What is this cover-up? What's the purpose of that?

In hockey, when a coach loses 10 games, he's fired because he's not doing the job expected of him. However, there are other areas where coaches aren't doing the job they're expected to do, and yet they keep their jobs. Why is that? What are your thoughts on that?

[English]

Ms. Jessica Gaertner: I think there's also, I mentioned, "unqualified right" to participate in sport. It's across the board. It's not just coaches. It's officials. It's staff. It's physiotherapists. It's anyone who is involved in the process. They almost treat it as if there is that right that they should be able to participate. Again, they go into the pseudo-court mechanism where they believe that they must have fairness and must be able to allow these people to continue. Quite frankly, if it's a coach who is winning or if it's a player who is the star player, why wouldn't they protect them? They want them to succeed. They want their team to win. They want what's best for the glory, right? That's what they're there for at the end of the day.

• (1150)

[Translation]

Mr. Richard Martel: Ms. Khoury, do you think the program announced by the Minister could improve the situation?

I see you smiling. Is what she announced going to get us anywhere?

Ms. Rebecca Khoury: Thank you for the question.

For the past four or five years, we've rushed things in order to come up with solutions, we've rushed to organize a meeting, we've brought together everyone in sport, we ask ourselves questions, then we draw up a list, and we say that we have the matter in hand. However, no one talks to one another, and the organizations that are set up to find solutions aren't the right ones. They aren't the right people around the table, they aren't asking the right questions, and they don't have the right skills. So we're not getting to the right solution.

So basically, no, I don't think it's going to do much. Why? Because, in its current form, the Office of the Sport Integrity Commissioner is doing more harm than good. It's poorly set up, poorly thought out and poorly implemented. It creates more problems than it solves. We need to stop all this and think, so when we take action, the measures will be put in place properly—

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Ms. Khoury, I'm sorry. I have to cut you off. We're at the five-minute mark.

We have to go to the Liberals with Lisa Hefpner for five minutes.

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

I want to clarify, for the record, what Minister St-Onge said about non-disclosure agreements. Three weeks ago she said, as part of her announcement, that non-disclosure agreements cannot be used for the purpose of silencing victims, and funding from Sport Canada would depend on respect for that criterion. I just wanted to be clear with everyone that I think we're all on the same page when it comes to non-disclosure agreements and silencing victims. I don't think anyone thinks that is appropriate or good in this day and age.

Ms. Favro, I'd like to turn to you. You had some interesting ideas. We've been talking about this idea of a registry, and how it would work. It's difficult to envision how it would work, because how do you bring in people who haven't had complaints brought against them again? How do we prevent people who've had valid complaints against them from moving to other jurisdictions or other countries? You also talked about the difference between having provincial jurisdiction and federal access to those same lists.

Would you talk to us a bit more about how you envision a registry like that actually functioning?

Ms. Kelly Favro: I have ideas, but I think that most would definitely be above my pay grade.

First and foremost, you need a safe environment to be established for someone to come forward when speaking out. In terms of a database, or a registry that can be shared nationwide, there's software out there that would allow us to communicate—with me in B.C. and you guys in Ottawa. I'm confident there would be something that could be easily built by a tech company out there to make this database.

What I'd like to see within the database is that no matter how small the complaints, no matter how minor the complaints, they all need to be taken very seriously. If a person goes to apply for another role within safe sport, it should be as easy as calling somebody for references asking, "Hey, do you know Joe? Do you have any-

thing about Joe?" If the response is, "Yes, he's great on the ice, but he has this one little mark against him", that should be a red flag for anybody.

There needs to be this sort of open communication between sports organizations and personnel. It's a reflection of what you deem as acceptable as an organization should you choose to bring people on, knowing that they have a mark on their file.

Ms. Lisa Hefpner: Would you have any other recommendations that you would like to see come out of this committee study that would help inform a national inquiry?

● (1155)

Ms. Kelly Favro: I'd like to see the process for victims coming forward be a bit easier. I'd like for folks to recognize that it is not easy speaking about these topics. I'm in a very fortunate position, as my particular assault took place eight years ago. I'm comfortable speaking about it, but, certainly, in the first six months, I was not comfortable speaking about it.

Everybody who comes forward needs to feel safe, encouraged and, most importantly, believed. I don't feel as though there's a lot of trauma-informed services or support for the victims who are coming forward with stories of abuse, be they current or historical. I believe the third party investigators are out protecting the best interests of the organization, and they just see another person in front of them complaining, and no one is taking it seriously.

Ms. Lisa Hefpner: Thank you.

You're talking again about the third party, not if we had a national inquiry. Those are separate.

I'd like to turn to some other witnesses who we have today.

Ms. Gaertner, are there any recommendations in particular? We don't have a whole lot of time, but do you have something as a recommendation for a national inquiry that would help inform us?

Ms. Jessica Gaertner: Again, as I've said, I've seen quite a few coaches, officials and players who just get moved around to different jurisdictions. We need to ensure that there is a database and a process, something as simple as a reference check.

We also need something that puts the children, the players and athletes first, and not the organizations. That is what we're seeing across the board. We're putting the organizations first and giving them far more rights than the children and the athletes.

The Vice-Chair (Mr. Kevin Waugh): Thank you very much. We've reached the five-minute mark.

We'll go to Mr. Lemire for two and a half minutes for the Bloc.

[*Translation*]

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

I will conclude this part by stressing the importance of an independent public inquiry. In particular, I want to emphasize that victims should be given the option of testifying or not, anonymously or publicly. Essentially, it should be their choice.

Ms. Worley, thank you for being with us.

I'd like to talk about the problem of foreign interference in the Canadian sport system. This is a major concern, as you've clearly illustrated.

We see that the Olympic movement, which includes the International Olympic Committee and the Canadian Olympic Committee, plays a role in promoting the autonomy of sport. However, there are schemes that often protect human rights violations. Organizations often fail to assume their responsibilities.

In Canada, you're a survivor, and you've been smart enough to act and stay strong. So you're a great ally for us and a great help. I can see how immense your accomplishments are. You can be proud to stand up and speak out against unsafe practices for all athletes. To me, given everything you've been through, you're a hero and, obviously, a role model.

If we were to remember just one of your accomplishments, it would be the fact that an athlete cannot escape the obligation to appeal to the Court of Arbitration for Sport and, therefore, be able to fight her legal battle before a court in her own country. Human rights tribunals are the only tribunals competent to examine situations of abuse and mistreatment.

You are here to clarify certain concepts, namely, liability and brand protection. Could you clarify those concepts for us in the context of autonomy in sport and foreign interference?

[English]

Ms. Kristen Worley: Thank you, Mr. Lemire. Thank you for your very kind comments. I really appreciate them very much.

It has been a long journey, over two decades, to where I'm sitting here today. It does bring me a little bit of closure on the journey I've had. I've worked in this space for a very long time. I've had to go the road on my own because of the experience I've had. The problems that we're seeing are being elevated through this committee review of what's been going on systemically for decades.

It really comes down to the issue around foreign interference. It really is the biggest issue. Really, a lot of the issues that we're seeing here today and we're talking about are things that have occurred because of it, when we talk about the autonomous system and the idea of the Olympic movement as being the foundation of the Canadian sport system.

The human responses that we're seeing and the impact on the thousands of traumatized athletes that we're seeing, many of whom have been witnesses here over the last year, reflect the problem. We now need to be talking about the issues of how we got here.

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

I have to move on. It's a two-and-a-half-minute hard stop.

We're going to go to the NDP now for two and a half minutes.

Bonita Zarrillo is joining us.

Welcome. You have two and a half minutes.

• (1200)

Ms. Bonita Zarrillo (Port Moody—Coquitlam, NDP): Thank you, Chair.

I'm going to start with a question for Rebecca Khoury, who is on-line.

This is just about what sort of supports are needed. I have even heard some testimony on the legal costs of being able to do this. I wonder if you wouldn't mind just sharing what kind of victim support you feel is needed. You could include some of that legal support, because sometimes money talks.

Ms. Rebecca Khoury: Money always talks. Money is one of the biggest reasons we're in this complete nightmare.

Absolutely, I think that people need to be able to be supported and find a safe space. That means that there be someone who accompanies them, like a survivor advocate, and somebody like a legal representative. Those are the basics. After that, it's how they can be connected to other survivors in order to be able to get through these complaints much more easily. Now we're focusing just on the people who come forward and put in a complaint. It's a combination of pieces.

What we see at the The Spirit of Trust and the work that we've started to do is that you accompany people, you listen to them, believe them and give them resources. They do need to have a survivor advocate with them and legal representation in order to be very clear on what the paths they have in front of them are. They need somebody who understands jurisdiction and process and someone who will speak trauma-informed talk and will be able to support them.

Does that answer your question?

Ms. Bonita Zarrillo: It does.

I want to go back to having that legal support. Who pays for that?

Ms. Rebecca Khoury: The concept and the idea at The Spirit of Trust are that we want to develop a legal fund. We want to have the opportunity to be able to connect these survivors not only with the advocate, but also with the legal piece.

That's our wish. That's the wish list. The wish list is that this organization we're putting together stands independently from the system and has this array of support, and that's taken care of within the organization itself, so that the individual—

The Vice-Chair (Mr. Kevin Waugh): Rebecca, I have to move on, but before we do, could you table a briefing that recaps your organization, The Spirit of Trust? You have some goals that you've set out for safe sport. Could I ask you, on behalf of all committee members here, to table that for us to have a comprehensive look at?

I want to thank you, Jessica, Kelly and Kristen very much.

Yes, Ms. Zarrillo, go ahead.

Ms. Bonita Zarrillo: Mr. Chair, could I also request from My Voice, My Choice a similar report, if they have one?

The Vice-Chair (Mr. Kevin Waugh): Yes, we could request one from Kelly and Jessica.

Thank you.

That will do for our first hour of safe sport. We're going to move into the second hour in a moment with Swimming Canada.

Thank you very much. We'll have a short recess and then we'll come right back.

• (1200) _____ (Pause) _____

• (1205)

The Vice-Chair (Mr. Kevin Waugh): I call the meeting back to order.

Welcome to the second hour.

We have just one guest for the second hour. From Swimming Canada, we welcome Suzanne Paulins.

Before we get into that, I would like to set aside maybe 10 minutes at about 12:50 to look at some committee business that we have here today, if that's okay with everyone. It will be a short 10 minutes.

I think, Ms. Paulins, you don't mind if we go into committee business at about 12:50. It still gives you a good 50 minutes to talk about Swimming Canada and your role.

You have five minutes to address this committee on safe sport. The floor is yours.

Ms. Suzanne Paulins (Acting Chief Executive Officer, Swimming Canada): Thank you, Mr. Chair, for the invitation to appear today before this Standing Committee on Canadian Heritage and its study of safe sport in Canada.

As an introduction, my name is Suzanne Paulins. I'm the acting chief executive officer for Swimming Canada. I joined Swimming Canada six years ago as the senior manager, domestic operations, and then moved to the director of sport development role in October 2020. In March 2021, I took on additional responsibilities as director of operations and sport development, which I held until last week, when I stepped into the acting CEO role due to the personal medical leave of CEO Ahmed El-Awadi.

Prior to joining Swimming Canada in a staff position, I'd been involved in the sport of swimming since 1974. I swam competitively with my hometown club for approximately eight years. When my time as an athlete ended, my involvement in the sport of swimming did not. In 1987, I was a summer student intern with the provincial section, and then in 2000, when my then seven-year-old began competitive swimming with our local club, followed by her two brothers, I became involved in the sport again.

As my three swimmers developed within the sport, so did I. I was on our club board for 18 years, serving eight years as president. I was on the provincial section board for eight years and also became heavily involved in officiating swimming competitions, first locally, then moving to provincial and national competitions and, finally, receiving an appointment to the international FINA federation list as a referee in 2017.

The sport of swimming is a passion and has been for my entire life. My children are my "why". My purpose from the beginning has been to ensure that we create and maintain an environment where everyone can enjoy the sport that means so much to me. My children, now adults, are all still involved in the sport, with one still competing and the other two working as coaches within a varsity environment.

I have seen and experienced the evolution of safe sport from the club level through to the provincial level and now at the national level. Many of the stories we've heard from athletes across the country from a variety of sports have been heartbreaking. We all have an obligation to do better: to work to create safe and inclusive environments where every participant at every level feels that they can participate in sports safely.

Swimming Canada has worked and will continue to work on creating and maintaining a safe and inclusive environment. Swimming Canada introduced safe sport initiatives in 2016, with the hiring of a safe sport coordinator and the introduction of our safe sport framework, which included the pillars of education, prevention and response, and the development of policies and procedures to support the framework. An independent third party was also introduced to manage safe sport complaints. Last month, Swimming Canada hired a director of people and culture, strengthening our commitment to people and culture in our sport.

Over the past six to seven years since the introduction of the framework, we have continued to try to build awareness in working with the provincial sections. Each provincial section is also building their safe sport framework.

We continue to learn and we continue to grow. We currently have a campaign via Twitter called "Safe Sport Monday", where over the course of eight weeks we are raising awareness and educating our community on what safe sport is and sharing different aspects of safe sport, including open and observable environments, "See Something? Say Something", and mental health.

Swimming Canada understands the need to hear the athlete's voice. Several members of the board were athletes, one as recently as six to seven years ago on the national team. We are also current rewriting our bylaws to formally include a retired athlete on the board, beginning in September. We have an active athletes council, one that includes current and former Olympic and Paralympic team athletes. Over the past several years, we have several examples of athlete well-being prioritized ahead of results.

Sport is an important fabric in the life of Canadians. Parents, athletes, coaches, officials, administrators, provincial sport bodies, national sport bodies and all partners have a part to play in making sport a safe place. Much has been done, and there is still much work ahead. Education and awareness across all levels are crucially important, as is a coordinated approach across all levels and through a central point of leadership.

To go back to my why, at its simplest, it is and was my kids, but it is more than that: It is the people, every person in our sport—all sports—and creating the environment where each and every one can enjoy a safe and inclusive experience.

• (1210)

Thank you, Mr. Chair.

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

We'll go around. The first round is six minutes.

I'm going to take the six minutes, if you don't mind, for the Conservative Party. I was just notified early this morning that I would be in this chair, but I have many questions for you.

Listening to your brief for five minutes, many families are like you and are waking up 3:30 or four in the morning to go to the pool. Mine was like that for several years.

With a year and a half out from the Paralympics and the Olympics in Paris, Ahmed El-Awadi had left the organization. Canada is, as you know, a powerhouse in swimming, so this is a red flag whether you like it or not. I know you've moved into that position after 45 years around the pool and the board table.

Can you reassure Canadians that Swimming Canada is ready for the Olympics? Certainly the qualifying times to qualify for Paris are coming up very shortly. Can you give us something in-depth on why Ahmed El-Awadi did leave at a time when usually you're preparing for your Olympic team?

Ms. Suzanne Paulins: Thank you, Mr. Chair.

Thank you for the question.

Mr. El-Awadi is taking personal medical leave. It was for personal health reasons, and I think as an organization, both from the board and from the staff perspective, we fully support his well-being and the need for him to take the time he needed to be well. First and foremost, it is really important to understand that his health was number one.

Insofar as the preparation, I think one of the reasons I was appointed by the board into the acting role was to maintain that continuity. Being with the organization, and on the leadership team over the last several years, that was a conscious decision to protect and to ensure that the continuity of the organization was maintained in these last 14 to 16 months in preparation for the Olympics and the Paralympics. It was a conscious decision, and all of our decisions are around protecting and engaging our athletes, our coaches and our staff in the next 16 months.

The Vice-Chair (Mr. Kevin Waugh): We have 50,000 swimmers in this country—350 clubs. You mentioned a national league, or talking to the provincial bodies. How, when we talk about OSIC and the safety of swimmers in this country....? We can talk about it at the national level—you're trying to give it the provincial level—but my concern is with the clubs. Many are not associated as much with provincial bodies and, thus, don't follow any of the safe-sport rules.

As you know, volunteers are hard to come by at any swim meet, and there are a number of small swimming clubs. How are we going to work this in with OSIC where it's top down and there are many small clubs? I look at my city, and the Saskatoon Lasers are a very small club. I'm not sure they have the capability to do safe sport.

• (1215)

Ms. Suzanne Paulins: Thank you for the question, Mr. Chair.

It is a concern from the club level up for certain. When you consider that clubs are run by volunteer boards, you see that they are parents who are working full-time in other jobs and have invested themselves in their children's sport to be a member of a board or to be supportive of the club.

In the provincial sections, all clubs need to comply with their provincial sport body insofar as the policies and the procedures that are in place at the provincial level are concerned. There are also national policies and procedures that each club must follow.

It is hard to reach down. It is hard to get all of the information to the club level. I think that is where the coordinated approach is going to be so important. There are different levels at play. Understanding and ensuring that the little club in Saskatoon, or wherever across the country, has the resources and that it understands where it can go to get the resources from the provincial level is really important.

The Vice-Chair (Mr. Kevin Waugh): I have two minutes left.

I talked to my son this morning. He swam for 14 years and he coached for five. It's one of the best sports in the world, he says, but it's not without its faults. Swimmers and coaches need protection and consistency across Canada.

He swam for 14 years and then coached right after that. Right away, private spaces was the main topic—going from a competitive swimmer to a coach. You're in a room with a swimmer now. As a coach...whoa, right? As you know, parents wear out coaches. I don't care what club in this country it is: parents wear out coaches. Coaches don't last. They get eaten up.

What are your thoughts on that?

Ms. Suzanne Paulins: I think part of the safe sport campaign we have right now is trying to educate and bring awareness. The open and observable environments are something Swimming Canada has built on from the "rule of two" that was introduced. Having open and observable environments means really creating those environments that are open, observable and interruptible for athletes, for coaches and for officials to protect anyone who is vulnerable. Open and observable environments are what we see as the way we see forward.

The Vice-Chair (Mr. Kevin Waugh): With the change in coaches, my son went from 60 kilometres to 100 kilometres of swimming a week, and my son watched as several coaches "abused" women swimmers on the butterfly, because—guess what—they have problems with their shoulders. What can be done to improve that? All coaches want to get swimmers to the university level because it makes them look better.

Can you give us a quick answer, please?

Ms. Suzanne Paulins: I can certainly. Thank you for the question, Mr. Chair.

We're currently in the midst of a project, with regard to our national coach certification program, to update all of our levels of certification and our educational content and material. I think ensuring that we are constantly doing those updates and upgrades to the content for our coaches' education is one way to address that.

The Vice-Chair (Mr. Kevin Waugh): My time is up.

We go to the Liberals.

Mr. Housefather, you're waiting patiently. Go ahead.

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

I was fascinated by your questions, as I always am.

I'm going to start by disclosing my interest. I am a competitive swimmer. I have been since I was seven years old. I am a master swimmer now and affiliated with Swimming Canada. I was at swimming practice this morning, so, clearly, I have a particular interest in Swimming Canada.

I would note that it is somewhat odd that we have Swimming Canada here as opposed to Water Polo Canada or Artistic Swimming Canada, which represent the two sports in the water that we've actually had recent allegations about. When Ahmed was before the women's committee, all of the questions he got were about when he was at Water Polo Canada and the claims that had recently been made.

My questions are going to go in a bit of a different direction. They will be for Suzanne, who I know from Brantford and Western. My first question is about the allegations that have arisen out of the recent meet in Hungary after which Mary-Sophie Harvey was found in the streets. I know there was an investigation by FINA and by Swimming Canada. Has anything come out of that?

• (1220)

Ms. Suzanne Paulins: Thank you for the question.

Investigations were held both by FINA, which is now known as World Aquatics, and internally by Swimming Canada. Reports were made and Mary-Sophie, at the time, as you all know, was quite open and upfront and shared publicly her experience. She did that for herself and I think it was, for her, a way of moving through the process and sharing her experience, which is so important for anyone to do when they've had an experience such as that.

At this time, I have no further update with regard to an investigation except to say that one was completed and documents were filed, and there has been further outcome from that beyond what is publicly known.

Mr. Anthony Housefather: Another question I have is on something I think we're both aware of from the time when we were competitive swimmers. I remember up until the time I started at college and even at college how a coach would take our body fat measurements on the deck, pinching people in front of everybody, and would make comments about people's weight, particularly to the women. There were, as Kevin mentioned, a lot of people with tendonitis and other swimming-related injuries, and we were basically encouraged to swim through the pain, which, as we know today is

not the ideal way to keep people motivated to stay in the sport for the long term.

I'm wondering about the guidance Swimming Canada now gives in terms of training for coaches, not only certification but also ongoing training. How has that changed and what is Swimming Canada doing to make sure coaches have a better philosophy towards swimmers as we understand things today?

Ms. Suzanne Paulins: Thank you, Mr. Chair, and thank you for the question.

I didn't have that experience as a swimmer, thankfully. I can say that it wasn't my experience when I came up, so it's not something I'm familiar with. I'm thankful for that.

Now, coaches' education and ongoing professional development are crucially important. For our teams, from our high-performance centres to when we take a national team away, there are sets of protocols when it comes to that type of process with regard to calipers and weighing swimmers. That's voluntary. Someone can opt in. They don't need to be part of it if they choose not to be.

It can be used in a scientific way. When it's used in that way, there can be benefit to it. Again, it needs to be optional.

We also work really closely with a great group of integrated sports specialists through the CSI network, both in Ontario as well as Vancouver, as well as through the INS in Quebec. We're working with support specialists where this is their specialty. They're able to provide our coaches with very accurate, up-to-date information. Then we're able to share that beyond that network, down further to our coaches through different collaborations. We also work with the Canadian Swimming Coaches Association in developing, supporting and partnering with them on different educational professional development.

Mr. Anthony Housefather: I have a last question, Mr. Chair, if I have any time left.

The Vice-Chair (Mr. Kevin Waugh): Yes, you have one minute.

Mr. Anthony Housefather: Thank you.

Number one, are there any open allegations that Swimming Canada is currently investigating?

Number two, are there any NDAs in place for former settlements at Swimming Canada, which would prevent anyone from disclosing what happened to them?

Finally, I'm sure you heard some of the testimony about what happened in hockey and soccer and about the fact that coaches were dismissed because of the complaints of sexual abuse and then they were allowed to go into another province and coach.

Is there any list at Swimming Canada that would be available to every club in the country to know what coaches have been banned or suspended for these types of allegations?

Ms. Suzanne Paulins: Thank you for the questions, Mr. Chair.

I'll do my best to answer that.

With regard to current allegations, historical cases are currently being worked through the process according to our policies and procedures, with independent discipline panels in place.

Since the introduction of OSIC, which Swimming Canada became a signatory to on January 12, Swimming Canada has itself referred three reports directly to the OSIC office—two in April and one last week. Based on the quarterly report that we received from OSIC as of March 31, one complaint was received by OSIC and closed by the OSIC office in that quarter ending March 31.

● (1225)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Housefather and thank you for that, Ms. Paulins.

We'll move now to the Bloc for six minutes and Mr. Lemire.

[*Translation*]

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

I'm inspired by your testimony, Ms. Paulins, so let me mention some other good things that are happening in sport.

Through sport, our children can have fantastic experiences. I'd like to take a few seconds to congratulate my son Léon, who had a competition in Mont Tremblant on the weekend and set a national standard and a club record. Sports federations and sports clubs really contribute to the development of the athletes and human beings they are. I'd like to thank my son's coaches, especially Marco and Kim, from the Rouyn-Noranda Dauphins swim club, CADAC. We're very proud of this success.

I think that, as part of a study on sport, we also need to talk about the good things that come out of it.

Ms. Paulins, I'd like to come back to the experience of the witnesses we heard from this morning, particularly on the issue of autonomy.

In your case, at Swimming Canada, the notion of autonomy refers to the ability of the national sport organization, as well as the body that represents it internationally, to make decisions independently of any political, economic or external influence. This ensures that athletes can compete on a level playing field without undue influence from foreign interests or external pressure, which is obviously desirable in the very spirit of sport.

Are you able to hold a swimming event that takes into account all of these aspects of human rights recognized by Canadian courts?

In that sense, on what scientific evidence is needed to base the most recent eligibility policy for swimming athletes, which will establish the definition of gender set by the Fédération internationale de natation? For example, how is the issue of transgender people integrated into sports such as swimming?

[*English*]

Ms. Suzanne Paulins: I believe the question was with regard to how Swimming Canada is approaching inclusivity and transgender swimmers at this time. As a member of World Aquatics, Swimming Canada is bound by the World Aquatics policies and procedures, as they relate to international competition. When we send a team to

the Olympics, or the world championships, we will follow the rules of the policies that have been set for us by World Aquatics.

Domestically, Swimming Canada has had in our rule books, and as part of our policies and procedures for several years, the ability for athletes, swimmers, coaches and officials, to register in the gender with which they identify. Swimmers may register as they choose. In this past year, we added an additional option of gender identification.

In our sport, swimmers must choose either male or female in order to compete, but we've added an additional layer of optional information where we're capturing if they are cisgender, transgender, or non-binary. We've added that as an element to add a level of inclusivity. Our swimmers must compete as male or female. That is the way our sport is currently set up, but we added that additional element to allow for gender identification.

For our domestic swim meet competitions, swimmers may swim in the category with which they identify. That is how we've approached it at this time.

[*Translation*]

Mr. Sébastien Lemire: Thank you very much. What you're saying is interesting, given Ms. Worley's experience and the way in which certain elements, scientific or not, have played out in a very arbitrary manner. I think you've raised some interesting points that reflect the evolution of sport.

I'd also like to talk about the role of independent third parties.

First, which firm represents Swimming Canada?

● (1230)

[*English*]

Ms. Suzanne Paulins: Our third party is Lise Mclean from Wisser Workplaces. She has been our independent third party for approximately five years.

[*Translation*]

Mr. Sébastien Lemire: Has your organization ensured the quality of services? Can you tell us if complaints are handled in a way that takes into account the trauma experienced by an athlete, for example, if I go back to the previous testimony? Do you make sure you provide a safe and caring environment for athletes who come forward?

[*English*]

Ms. Suzanne Paulins: Our third party is independent. Complaints will go directly to her. As the next step, she will then triage these, and make recommendations based on our policies and procedures. That could go to a mediation. It could go to a disciplinary panel. It could be a referral back to the provincial section, depending on the jurisdiction of the complaint. In some cases, it could just be providing advice and guidance.

We're constantly learning, but our independent process has worked. OSIC has added a new level to that, a new level of independence for the national level complaints that we are receiving and have seen.

[Translation]

Mr. Sébastien Lemire: Thank you. My time is already up.

[English]

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

We'll move to Ms. Zarrillo from the NDP for six minutes.

Ms. Bonita Zarrillo: Thank you so much, and thank you so much for coming here, and sharing your expertise on this.

We had some testimony earlier about getting ready for the Olympics. I know there is a program in Canada called Own the Podium. When the Minister of Sport was here a few meetings ago, I asked her specifically what the definition of excellence in sport was now. What are we striving for here, when we put kids in sport?

My question is really about the compatibility of a safe sport and a mission like Own the Podium. Are they compatible? That's my first question.

Ms. Suzanne Paulins: I think they are compatible. I don't think they're mutually exclusive. On excellence, as we've seen with Own the Podium, yes, there are results, but there's the other side of it. I know Own the Podium is introducing an integrated wellness plan, where it's looking at more than just the medal count. There are other aspects of the sport that are important, and it's looking to the national sport organizations to be able to deliver on those aspects. It's looking at putting the athlete at the centre of a decision that isn't only about performance. Is it important? Absolutely, but is it the only thing? No.

Ms. Bonita Zarrillo: Thank you for that.

Just thinking a little bit out loud, I think that Own the Podium has over 25 people named on their leadership team.

What is connection between Swimming Canada and Own the Podium?

Is there any coordination, communication, financial support?

What is the connection?

Ms. Suzanne Paulins: I'll answer in my limited ability given that I'm one week into the CEO role. I may not have all of the nuances, but there are frequent touchpoints and communication between Own the Podium and Swimming Canada. There are presentations that must be completed by our high-performance team with Own the Podium semi-annually, where we're reporting on our activities and what we are doing, including from the performance side, but also on the mental health and athlete wellness side of things.

There are finances. I don't have those in front of me to be able to answer that.

Ms. Bonita Zarrillo: I will continue on the finance theme.

Back in October 2022, the Minister of Sport put forward, it looks like, \$7.5 million in funding for Swimming Canada for 2022-23, including \$40,000 for safety in sport.

I'm just wondering if any of that \$40,000 has been spent and if you could share with us how some of that \$7.5 million is being spent.

Ms. Suzanne Paulins: I don't have all of the specifics on the \$7.5 million. A lot is reference funding for our high-performance athletes in their preparation for the Olympics and Paralympics. There will be their travel to competition to cover. There will be the coaching salaries. Our high performance centres are wrapped up in part of that.

From a safe sport perspective, that \$40,000 is used to help to support our safe sport coordinator, our safe sport independent officer, as well as the different activities that we are doing, like our safe sport campaign now and also our work with the provinces.

• (1235)

Ms. Bonita Zarrillo: I'm going to wrap up with a final question that might be a little related to this.

You opened by saying that you've got a vision or a mission, from education to response. This is a new area. I wonder if you could just share with this committee what falls into the response category and what things you think have changed over the years that would make the response portion so important

I think one of the things that we've heard around this committee is that there doesn't seem to be action when there are complaints, that when athletes come forward with abuses and issues, there hasn't been an adequate response.

What's falling into that category?

What is the thought behind that?

Ms. Suzanne Paulins: I think from a Swimming Canada perspective our response has been our independent third party and the accountability and tracking we have put towards that independent third party. I think there's education and awareness as well of what our process is, what the complaint process is, from a national perspective, and then jurisdictionally what could it look like provincially as well as then from a club perspective.

Ms. Bonita Zarrillo: Thank you.

When you were answering I was thinking also about reports on a gender split and across the gender spectrum.

Does Swimming Canada collect that information by gender on the gender spectrum and by type of complaint?

Is that information collected that way and could you share it?

Ms. Suzanne Paulins: To my knowledge, we are not collecting it in a gender-based way, no. Collecting complaints based on gender is not something we have looked at.

Ms. Bonita Zarrillo: Okay.

Sport, especially young sport, over-indexes for girls when swimming first starts. Does that remain as you get into more competitive sport?

Ms. Suzanne Paulins: I think we're quite evenly split in swimming. There might be a 60% to 40% split. I just don't have the numbers to be able to say accurately what our split is in gender terms with our athletes at this time.

The Vice-Chair (Mr. Kevin Waugh): Okay.

Thank you for that.

We would like to do some committee business. It shouldn't take long.

What is the wish of the committee? Should we do it in public or in camera?

Yes, Mr. Bittle.

Mr. Chris Bittle (St. Catharines, Lib.): I think as a matter of timing, it may take too long to switch us all over to a separate meeting. If it's quick, it can be in public. We're fine with that.

The Vice-Chair (Mr. Kevin Waugh): In public is fine, yes. Good.

In the second round seeing that we're short on time, I'm going to award each party two and half minutes.

Ms. Thomas, we'll start with you for two and half minutes. You're down from five; I've cut your turn in half arbitrarily.

Mrs. Rachael Thomas (Lethbridge, CPC): Ms. Paulins, earlier in January, you had an interview with CBC, and in that interview were some comments with regard to OSIC. You commented on the fact that it would help a very small number of athletes. You expressed some concern with regard to the program.

Simultaneously, of course, the organization that you represent signed off on OSIC in January 2023, and there's a statement on the website that speaks of it as something positive. There seems to be simultaneously some concern with regard to OSIC and whether or not it will get the job done, but also, I would imagine, probably some pressure both publicly and based on funding to sign off on it.

I'm wondering what those concerns are and how you align them with the fact that it's been signed off on.

Ms. Suzanne Paulins: I think the OSIC office is a step. It's a part of our process; it's part of our tool kit. It is geared toward, from a Swimming Canada perspective, our participants who are at the national level, whom we've identified at the national level. It's a small percentage of our overall membership, so when we look at what is needed from a provincial and a club perspective, there's more there that is needed, and it's how we do that. How do we support the club in their safe sport complaints they may have and navigating that when they are volunteer boards with no time? They're certainly not independent, because they're all parents of the swimmers who are in the pool. I think that's where the gap potentially lies. How do we get down to that level and ensure that coordinated approach?

• (1240)

Mrs. Rachael Thomas: It's really getting down to that grass-roots level, particularly within provincial bodies or local swim bodies. I've got it.

I'm curious, and this question is a follow-up to my colleague Mr. Housefather. One question he put forward to you in the limited time was about non-disclosure agreements. Has Swimming Canada ever required their athletes to sign a non-disclosure agreement? Has that ever been a requirement?

Ms. Suzanne Paulins: I am not aware that there has been a requirement for swimmers to sign a non-disclosure agreement. There have been examples out of a disciplinary process where all parties with legal representation have agreed to confidentiality, but I'm not aware that there's a broad-stroke NDA in place.

The Vice-Chair (Mr. Kevin Waugh): Thank you. That's two and a half minutes.

We'll move to the Liberals and Mr. Bittle.

Go ahead, Chris.

Mr. Chris Bittle: Thank you so much, and I'll pick up from there.

You said that you are not aware. Would you be willing to go back to your board and debate whether there are any NDAs and that athletes be released from them?

Ms. Suzanne Paulins: I can certainly take that back and find out. Again, based upon the complaints that I'm aware of, there are no NDAs that have come from Swimming Canada. They have come as a result of a process, the disciplinary process where legal counsel have agreed to it from a complaint and a respondent perspective, but I'm happy to take that away.

Mr. Chris Bittle: I hope you have that discussion, because even with that legal representation, as we've heard in our committee, that may be the only way to get a settlement, but then people feel trapped afterwards, and it may cause continued trauma.

Another one of Mr. Housefather's questions—we're stealing his thunder, so maybe I should have given him the two minutes—is whether you have a list of coaches who have faced discipline by Swimming Canada.

Ms. Suzanne Paulins: There are coaches who have received indefinite suspensions and, in order to return to the sport, they would have to reapply for membership. There are coaches in swimming's past who have had indefinite, permanent sanctions and have been severed from the sport, yes.

Mr. Chris Bittle: Would that then apply to provincial or local club level, or is it just at the national level?

Ms. Suzanne Paulins: It applies across the board, yes. It is across all levels.

Mr. Chris Bittle: I think I only have 30 seconds. I'll just say—

The Vice-Chair (Mr. Kevin Waugh): You have 38 seconds.

Mr. Chris Bittle: Thank you very much. I appreciate the accuracy.

I do want to thank you for your time, and I hope that your organization continues to be proactive. This isn't an organization that is in a similar boat to some of the others we've met with, so I do want to say thank you and good luck in your role.

Thank you.

Ms. Suzanne Paulins: Thank you very much.

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

We will move to the Bloc for two and a half minutes.

Mr. Lemire.

[*Translation*]

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

I'll continue with the processes.

Do you know if your independent third party has the reflex to forward files to the police?

[*English*]

Ms. Suzanne Paulins: Thank you for the question, Mr. Chair.

That is built into our policies. Should there be something that is a criminal complaint, it is sent to the police right away.

[*Translation*]

Mr. Sébastien Lemire: How do you inform Sport Canada?

[*English*]

Ms. Suzanne Paulins: I believe you're asking how we inform Sport Canada.

We would inform Sport Canada of any major risk, which would include a criminal complaint with regard to a coach suspension.

[*Translation*]

Mr. Sébastien Lemire: With regard to your responsibilities as a national sport organization, have you inquired about the role that Ahmed El-Awadi may have played in his employment at Water Polo Canada?

[*English*]

Ms. Suzanne Paulins: I believe that was a question with regard to Mr. El-Awadi and his time at Water Polo Canada.

I have no information with regard to Mr. El-Awadi's time at Water Polo Canada.

• (1245)

[*Translation*]

Mr. Sébastien Lemire: Obviously, your organization could have suffered the consequences of his testimony before the Standing Committee on the Status of Women, where he was questioned about the role he played at Water Polo Canada and his responsibility in appointing the national team coach.

Would you agree that hiring someone to coach the national team shouldn't take into account their internal reports, which may not have been entirely diligent? Have you reviewed your hiring practices? Have you also checked employment histories?

[*English*]

Ms. Suzanne Paulins: I believe that the question was about our hiring practices. Yes, we do full background checks as well as reference checks in our hiring practices today.

[*Translation*]

Mr. Sébastien Lemire: Thank you.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): We will go for the final two and a half minutes to the NDP.

Ms. Zarrillo, please.

Ms. Bonita Zarrillo: Thank you, Mr. Chair.

I have a motion for the committee:

That the Standing Committee on Canadian Heritage invite Mary-Sophie Harvey to appear, if she chooses, in committee in the coming weeks, as early as June 12.

Can I continue with my questions?

The Vice-Chair (Mr. Kevin Waugh): Yes, you can continue.

Ms. Bonita Zarrillo: Thank you so much.

The Vice-Chair (Mr. Kevin Waugh): You have two minutes left.

Ms. Bonita Zarrillo: Thank you.

I am interested in the preparation for the Olympics and in ensuring that the Olympians are protected on the international stage when they are travelling internationally.

I'm wondering if any work has begun or whether it's already completed on how to protect our athletes as they travel and compete on the international stages.

Ms. Suzanne Paulins: Thank you for the question, Mr. Chair.

Swimming Canada is constantly looking at our procedures with regard to international travel. We have several teams travelling this summer to Fukuoka, Japan, as well as to Israel later in the summer—a junior team. Our para team will be in Great Britain.

We're constantly forward looking to those sites and how we create procedures that will protect the swimmers in that environment.

As an example, with the competition coming up in Israel and the uncertainty of the climate and the travel, we're in constant contact with World Aquatics and looking for their safety plans, their plans that are in place for the sport to compete there and to compete there safely.

Ms. Bonita Zarrillo: Thank you.

I'll follow up with a question on gender and the spectrum of gender.

Are there different protocols when athletes go out to international competition in regard to their gender and safety?

Ms. Suzanne Paulins: Mr. Chair, I'm sorry, but I'm not sure that I understand the question.

Ms. Bonita Zarrillo: If Swimming Canada is preparing to take athletes overseas for competition, there must be protocols in place to keep the athletes safe. Is there a different protocol for men, women, trans or non-binary athletes?

Ms. Suzanne Paulins: Mr. Chair, not that I'm explicitly aware of at this time.

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

Good luck to you.

Swimming, of course, is the marquee sport in any summer Olympics. That's not taking away from the athletics people. There's athletics also, and track and field, but with swimming, we've done so well there.

Good luck to you and good luck to your organization.

Thank you for coming here and sharing the stories of safe sport with Swimming Canada.

Thank you.

Ms. Suzanne Paulins: Thank you, Mr. Chair.

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

We're going to do some public business, if you don't mind. We don't need to go in camera. We have at least 10 minutes and we could go overtime, if you wish. There are a couple of things I'd like to bring up.

I was here last Thursday when Mr. Julian brought up June 9—which is this Friday—as an extra meeting. There was some confusion around the table on whether it was in fact adopted.

Mr. Bittle, I just spoke to you. There was some confusion about adding an additional meeting that the previous chair, Ms. Fry, brought forward last Thursday.

Go ahead.

Mr. Chris Bittle: Thanks so much, Mr. Chair.

My understanding—I could be wrong—was that it was in case it was needed. That's especially with relation to Judge Aquilina, who I believe has requested to come on the 19th.

We're content to give that meeting up. My understanding, in conversation with our whip's office, is that there are other committees that could use it more than us. We still have enough time with the rest of the meetings to conclude our study.

• (1250)

The Vice-Chair (Mr. Kevin Waugh): Are there any other thoughts on this?

Mrs. Thomas, do you need a clarification or is it a no?

Mrs. Rachael Thomas: It's a no on this matter.

It seems like maybe there are two things going on here. I do want to clarify.

The Vice-Chair (Mr. Kevin Waugh): It's on the Friday meeting.

Mrs. Rachael Thomas: That's all?

The Vice-Chair (Mr. Kevin Waugh): Is it off? When I left here last Thursday, I wasn't sure myself.

Now, in talking...there is no need for the additional meeting on Friday, June 9. We would have this meeting—which is concluding shortly—and Thursday's meeting from 3:30 to 5:30, but no June 9 meeting.

Mrs. Rachael Thomas: That is my understanding.

The Vice-Chair (Mr. Kevin Waugh): Okay.

The other one I want to address....

Yes, go ahead, Ms. Zarrillo.

Ms. Bonita Zarrillo: Are we still talking about the Friday, June 9?

I believe that is a meeting we need to have. I think MP Julian was quite adamant that he wanted to have that meeting on the Friday.

This is an important topic. We've seen from Swimming Canada today that they're not necessarily looking at this work through a gender lens. I think there's still a lot of work to do. I know MP Julian is interested in getting that done quickly.

The Vice-Chair (Mr. Kevin Waugh): Mr. Bittle, were you going to...? I'm just looking at your facial expression.

Mr. Chris Bittle: Maybe it's best to go to a vote in order to speed things up. We're now in public and we can't talk about what happened in camera. Maybe it's just best to go to a vote.

I thought it was "if needed." I think everything can fit into the other meetings that we have scheduled, especially since we're adding an additional hour on the 19th.

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

I'll ask the clerk to take the vote—yes or no—for an additional meeting on Friday, June 9.

The Clerk of the Committee (Geneviève Desjardins): It's up to the committee if they want to do it on division or by a show of hands.

Mr. Chris Bittle: Are we voting yes in favour of a Friday or are we voting to eliminate the meeting?

The Vice-Chair (Mr. Kevin Waugh): I would say that yes, we're voting in favour of the Friday, June 9 meeting, as Mr. Julian requested last Thursday.

Mr. Chris Bittle: Can we say it's defeated on division, with no meeting on Friday?

The Vice-Chair (Mr. Kevin Waugh): We're fine with that. Is everybody fine around the table?

So there will be no meeting then on Friday, June 9. We'll be back here on Thursday, from 3:30 to 5:30.

Yes, Mr. Lemire.

[*Translation*]

Mr. Sébastien Lemire: Personally, I would have voted in favour of this motion. I don't know how my Conservative colleagues would have voted. I just want to make sure that the motion would have been defeated for real.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Well, we can call for the vote if you wish. We're here and we have six or seven minutes.

Go ahead, Madam Clerk, if you don't mind. Call for the vote.

(Motion negatived: nays 8; yeas 2 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. Kevin Waugh): We will not meet as a committee on Friday, June 9.

The other one is that everyone on the committee got a note today about Judge Aquilina. She is available to come, but only on Monday, June 19. Last Thursday, we set aside...that we would give Gabrielle the instructions for safe sport so she can work over the summer on a report.

Are you willing to bring Judge Aquilina for one hour on the 19th, which is the Monday?

Are there any comments from the committee on that?

Mrs. Thomas.

Mrs. Rachael Thomas: I have a point of clarification. She would be coming for the first half of that meeting, and then the second half of that meeting would be to give some instructions with regard to drafting the report. Is that correct?

The Vice-Chair (Mr. Kevin Waugh): That's correct.

Mrs. Rachael Thomas: Okay.

The Vice-Chair (Mr. Kevin Waugh): Is everyone fine with that?

That will set you up, Clerk, to invite Judge Aquilina for the first hour on Monday, June 19, from 11 to noon. In the second hour, we'll talk about the drafting instructions for the analysts.

Are there any other questions?

Go ahead, Ms. Thomas.

• (1255)

Mrs. Rachael Thomas: Is that topic wrapped up?

The Vice-Chair (Mr. Kevin Waugh): That topic is gone.

Mrs. Rachael Thomas: I do have a motion that I attempted to move the other day, but I was filibustered by the party opposite. I'll bring that back to the table now.

That motion had to do with the changes that have been made to the Canadian passport. As is known, Canadians weren't consulted on that decision, and my hope would be that the committee could look at this more closely.

My motion reads as follows:

That the committee immediately undertake a study regarding the recently announced changes to the Canadian passport; in particular the decision by the gov-

ernment to remove images that reflected Canadian culture and history; that the Minister of Heritage be invited to appear as part of this study; that this study consist of three meetings; that witness lists be due within five days of the adoption of this motion; and that the committee report its findings and recommendations to the House.

I think it should be noted again that the changes made to the passport were done without any public consultation whatsoever. Things like Quebec City were removed from the passport, and also Terry Fox, who was diagnosed with cancer and then, determined to take on the battle, ran more than halfway across our country—with one leg, I should add—in wanting to draw attention to cancer and cancer research. Of course, his legacy lives on.

Vimy Ridge has been removed from our passport, which, of course, is of our dear veterans, who fought a fierce battle. They made history, which is something that our country traditionally has been very proud of. We wear a poppy every November, and the reason we do so is in honour of those who have fought, those who have fallen and the loved ones, of course, who have been left behind. Why we would remove this image from our passport is beyond me. I know that many veterans are hurt by this decision and have some significant questions that they would like to ask with regard to it.

Another notable change to the passport would be that the first member of Parliament who was female, Nellie McClung, was also removed. Again, for a feminist government to make that decision seems quite rich. Also, I think there's something there to be said with regard to our history and the celebration of such an achievement and such an incredible woman. Again, this was done without consultation and, really, without any due reason.

Ultimately, it comes down to our history and whether or not it is going to be preserved; I believe a choice was made by this government to begin erasing it. That's a sad day, and many Canadians are quite discouraged by this decision, if not outright angry and altogether frustrated.

Because folks might be curious, I should add what those historic pieces were replaced with. They were replaced with a man raking leaves. They were replaced with a boy jumping into a lake. They were replaced with a squirrel eating a nut. These are the types of images that have replaced the historic moments of history in our country, the cities of tremendous value and the people of remarkable character who have fought good fights.

With that, given that there has been such substantial change made to such an integral document within our country and that is held dearly by the citizens of this nation, I would ask that we study it at committee.

Mr. Chris Bittle: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): I have Mr. Bittle with a point of order.

Mr. Chris Bittle: I have a question about this being within the jurisdiction of the committee.

Passports are under Citizenship and Immigration. The items that we discuss, heritage and sport, do not venture into this. I know there's a similar motion before the immigration committee. It's within their realm of debate. I don't believe it's within our realm of debate. That it's not a receivable motion is ultimately my objection.

The Vice-Chair (Mr. Kevin Waugh): I'm going to ask the clerk.

Geneviève?

She actually needs a few minutes to look at the mandate properly, so we'll suspend for a couple of minutes.

We have until 1:15, everyone, so it's not a hard stop at 1:00, but it is a hard stop at 1:15. We have some time, and we'll just ask Geneviève about what Chris was talking about.

• (1255)

(Pause)

• (1305)

The Vice-Chair (Mr. Kevin Waugh): Okay, we're back.

Under "Citizenship and Immigration Canada", it states here, "In July 2013, responsibility for certain areas of Passport Canada's activities were transferred from the Department of Foreign Affairs and International Trade to Immigration, Refugees and Citizenship Canada. The committee has been empowered to undertake studies on these matters since that date."

The other issue that we could have is the mandate; that's the mandate from immigration.

If I had anything to say—I'm sitting in the chair—unfortunately, I would rule that it would fall under immigration.

Yes, Mrs. Thomas.

Mrs. Rachael Thomas: I'm hoping that this doesn't have to be an official challenge.

The Vice-Chair (Mr. Kevin Waugh): It can be. I'm up for it.

Mrs. Rachael Thomas: The motion that has been moved is with regard to a decision to remove historical pieces from the passport, which has everything to do with heritage. This is not about the procedure of its production, which, of course, was passed on to IRCC. This has to do with its content, which is the history of our nation, which has been largely erased.

The Vice-Chair (Mr. Kevin Waugh): Give me 20 seconds. We're just bringing up the page for Canadian Heritage.

You are correct. The Department of Canadian Heritage could study historical significance, so I'll give you that.

I'm looking for a ruling from around the table.

Ms. Zarrillo.

Ms. Bonita Zarrillo: Thank you, Mr. Chair.

I think many Canadians share equal disappointment about losing some of those historic figures on the passport.

Certainly, in my community, in Coquitlam.... It is where Terry Fox trained, where he lived in the community of Port Coquitlam. I know that his family has asked—

The Vice-Chair (Mr. Kevin Waugh): I'm going to rule because we looked at the symbols here. It will be admissible.

Ms. Bonita Zarrillo: —for his name not to be politicized. I just put that comment on the table because, obviously, Terry Fox and his family deserve a lot of respect.

At the same time, Minister Gould was at the HUMA committee just last week, where she talked about how this is a security project along with IRCC. I do think this is important, that they could potentially do some study on it, but that it should go to IRCC. Although there may be a heritage component to this, it's national security at the forefront on the passports.

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

Mr. Martel.

[*Translation*]

Mr. Richard Martel: This is an interesting topic. The image of the Château Frontenac in the Quebec City skyline was also removed. It would be good to know why it's no longer in the passport. We need more information on that.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Okay.

Mrs. Thomas, I would rule your motion here admissible, only because of the symbols.

Is there anything else you would like to add to this, then?

• (1310)

Mrs. Rachael Thomas: Just that we return to the proper speaking list.

The Vice-Chair (Mr. Kevin Waugh): Okay, if I go to the proper speaking list, I only have one speaker left.

Mr. Shields.

Mr. Martin Shields: Thank you, Mr. Chair.

The historical aspect is worth discussing. The passport is a document that the vast majority of Canadians carry. It is something that is important to Canadians, as it's a form of citizenship. Many in this room have been at citizenship ceremonies where people have to put up their hand to swear allegiance to being a Canadian citizen. That's been lessened significantly, which I have a problem with. A legal document of citizenship is a critical document about our country, about our history.

If anybody ever asks me a question, I'm going to be dragging up history in whatever I talk about.

It does represent, as a legal document, a significant part about what we are in this country, so to have a discussion about why it was changed and the rationale....

I have a number of maple leaf ties. I love maple leaves and their beautiful colours. They're fantastic. I have no objection to maple leaves at all, but the historical aspect of this particular document, as I said, carries a sign of our citizenship that we travel with, and it is really important and something worth considering, so the rationale for changing it and the rationale for knowing why it's being recognized in the work that's in it now, other than the legal aspect of it that you must have in a critical security document.... I totally understand that. It's critical security. The Canadian passport is one of the most valued in the world, one of the ones that are blackmailed and copied, because it is such a recognized document out there as part of an important nationality.

I believe we should take a look at this and understand why these changes are being made and why what was there is important to our heritage.

Thank you, Mr. Chair.

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

Are there any other comments on this?

I guess I'll call for the vote. Nobody else has challenged me. There is no further debate on this.

Madam Clerk, could you call for the vote on the motion by Ms. Thomas?

Mrs. Rachael Thomas: I would ask that the motion be read into the record and that the vote be recorded.

The Clerk: The motion that we are voting on is as follows:

That the committee immediately undertake a study regarding the recently announced changes to the Canadian passport; in particular the decision by the government to remove images that reflected Canadian culture and history; that the Minister of Heritage be invited to appear as part of this study; that this study consist of 3 meetings; that witness lists be due with 5 days of the adoption of this motion; and that the committee report its findings and recommendations to the House.

(Motion negated: nays 7; yeas 3)

The Vice-Chair (Mr. Kevin Waugh): The motion is defeated, and we're at 1:15.

Go ahead, Mr. Bittle.

Mr. Chris Bittle: Since Marilyn isn't here, I move that we adjourn.

Ms. Bonita Zarrillo: I just want to get a quick vote on asking Mary-Sophie Harvey to committee before June 12.

The Vice-Chair (Mr. Kevin Waugh): I can't. It's 1:15, and it's the hard stop by the staff. We've exceeded our time by 15 minutes.

Thank you, Mr. Bittle.

The committee is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>