

Policy Statement

1. This Policy sets out the principles and practices of Hockey Northwestern Ontario (HNO) with regard to abusive and/or improper behaviour towards participants.
2. HNO is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices.

Mission

3. The mission of HNO is to ensure its participants are provided meaningful opportunities and enjoyable experiences in a safe, sportsmanlike environment. This includes, among other things, a shared responsibility with parents to nurture the physical and emotional well being of all participants. The HNO's primary interest is the well being of its participants.

Application and Scope

4. This policy applies to all categories of Members in the HNO, as well as to all individuals participating in activities of or employed by the HNO, including, but not limited to players, parents, Officers, Convenors, Committee Members, team managers, trainers, administrators and employees.
5. This policy applies to incidents, which may occur during the course of all HNO business, activities and events, including but not limited to competitions, team practices, training camps, exhibitions, meetings and travel associated with these activities.

Recognition and Prevention of Abuse

6. This section sets out the principles and practices of HNO regarding Abuse.

Relationship To Harassment

7. Some behaviours, which are defined as abuse when directed towards a child or youth may constitute harassment when directed towards a peer or when perpetrated between adults. The HNO's Harassment and Abuse Policy covers such behaviours. Together, the following sections address the entire spectrum of abusive and harassing behaviours.

Statement of Purpose

8. The HNO is part of the sporting community in Northwestern Ontario that is committed to seeking better ways to keep our youth safe. Protecting participants from all forms of abuse and neglect, whether emotional, physical or sexual, is an important element of safety. HNO considers any form of abuse or neglect to be unacceptable and will do all it can to prevent this intolerable social problem. To this end, HNO will promote awareness of all forms of abuse and neglect by providing educational materials and programs for participants, parents, volunteers and staff members. Through the use of these strategies, we will send a clear message to all potential abusers and sexual predators that hockey participants are not easy targets. HNO is committed to the highest possible standards of care for its participants.

Abuse Policy

9. It is the policy of HNO that there shall be no abuse and neglect, whether physical, emotional or sexual of any participants in any of its programs. HNO expects every parent, volunteer and staff member to take all reasonable steps to safeguard the welfare of its participants and protect them from any form of maltreatment.

Definitions

10. Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. In Ontario a child is defined as “any person under 18 years of age”. Ontario also uses regulations, which modify this definition.

- a. Emotional Abuse- Emotional abuse is a chronic attack on a child’s self- esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child’s needs.
- b. Physical Abuse- Physical abuse is when a person in a position of power or trust purposefully injures or threatens to injure a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.
- c. Neglect-Neglect is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diet, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. This may occur in hockey when injuries are not adequately treated or players are made to play with injuries, equipment is inadequate or unsafe, no one intervenes when team members are persistently harassing another player or road trips are not properly supervised
- d. Sexual Abuse- Sexual abuse is when a young person is used by an older child, adolescent or adult for his or her own sexual stimulation or gratification.

- i. Contact

1. touched or fondled in sexual areas
2. forced to touch another person’s sexual areas
3. kissed or held in a sexual manner
4. forced to perform oral sex
5. vaginal or anal intercourse
6. sexually oriented hazing

- ii. Non-Contact

1. obscene remarks on phone/computer or in notes
2. voyeurism
3. shown pornography
4. forced to watch sexual acts
5. sexually intrusive questions and comment

6. forced to pose for sexual photographs or videos
7. forced to self-masturbate or forced to watch others masturbate

Abuse and Neglect of Minors

11. When any person in authority has a reasonable belief that in the course of HNO business, activities or events a minor is being abused or neglected, he or she shall report this belief to Ontario child protection authorities or Police and shall advise HNO Executive Director of having made this report.
12. HNO shall take no further action until such time as the authorities have concluded their investigation.
13. The matter shall then be dealt with as a disciplinary matter pursuant to this policy, and the report of the investigation carried out by authorities may be used as evidence under these proceedings.

Recognition and Prevention of Harassment

14. This section sets out the principles and practices of HNO regarding harassment.

Relationship To Recognition And Prevention Of Abuse

15. Some behaviours, which might be described as harassment when directed towards an adult may constitute abuse when directed towards a child or youth by any person with power or authority over the person harassed. HNO's Harassment and Abuse Policy covers such behaviour. The Policy addresses the entire spectrum of abusive and harassing behaviours.

Statement Of Purpose

16. HNO is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination which is prohibited by human rights legislation in Canada. In its most extreme forms, harassment can be an offence under Canada's Criminal Code. HNO supports the right of all its Members, whether athletes, volunteer or employees to participate in all HNO activities free from any form of harassment.
17. Further, the HNO emphasizes the importance of eliminating harassment in hockey as a key element in ensuring the safety of your participants. A sports environment which actively discourages harassment and builds relationships based on trust and mutual respect, is an environment which discourages the abuse of children and youth, and encourages the overall development of the individual.
18. In order to further these aims, the HNO will make every reasonable effort to promote awareness of the problem of harassment among all its Members, and to respond swiftly and effectively to complaints or disclosures of harassment.

Harassment Policy

19. It is the policy of HNO that harassment in all its forms will not be tolerated during the course of any HNO activity or program. Accordingly, all personnel (staff, volunteers, team or on-ice officials) and partners (parents, guardians) are responsible for making every reasonable effort to uphold the commitment. Specifically, this includes refraining from harassing behaviour, responding promptly and informally to minor incidents of harassment and following local or national policy guidelines for reporting or responding to more serious complaints of harassment. Players and other participants are expected to refrain from harassing behaviour and are encouraged to report incidents of harassment.

Definition

20. Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions. Any of the different forms of harassment may be based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (player to player of the same age group; parent to Official; coach to coach) or between someone in a position of power or authority and an adult in a subordinate position (coach to player; sports administrator to employee).

21. The following is a non-exhaustive list of examples of harassment:

- a. unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation, etc.
- b. condescending, patronizing, threatening or punishing actions which undermine self-esteem
- c. practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety
- d. any form of hazing
- e. unwanted or unnecessary physical contact including touching, patting, pinching
- f. unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation, or which might on reasonable grounds, be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or advancement
- g. sexual assault or physical assault

22. It is important to note that the behaviours described in item e to g, when directed towards a child or youth, constitute abuse under child protection legislation. This may also be true of other behaviours, for example, certain hazing practices. In such cases, the duty to report provisions of the Policy come into effect.

Responses And Remedies

- 23. Harassment of all kinds has been tolerated for too long in hockey, being tacitly accepted as a part of the culture of the game and used by individuals who would not condone such conduct out of the hockey environment. It is the position of the HNO that harassment can be tolerated no longer. Harassment is unacceptable and harmful. The HNO recognizes the serious negative impact of all types of harassment on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.
- 24. At the same time HNO recognizes that not all incidents of harassment are equally serious in their consequences. Harassment covers a wide spectrum of behaviours and the response to harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment must be fair to all parties, allowing adequate opportunity for the presentation of a defence to the charges.
- 25. Minor incidents of harassment (inappropriate jokes) should be corrected promptly and informally, taking a constructive approach and with the aim of bringing about a change in negative attitudes and behaviour.
- 26. If confronting the Harasser is not possible, or if after confronting the Harasser the harassment continues, the matter should be reported through the HNO Complaint Intake Form.
- 27. More serious incidents (a course of repeated taunting; any form of sexual or physical assault) should be dealt with according to the relevant Association, HNO or National policy guidelines. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be no tolerance of reprisals taken against any party to a complaint. The names of parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purposes of investigation or taking disciplinary measures.
- 28. Anyone making a complaint which is found to be clearly unfounded, false, malicious or frivolous, will be subject to discipline.

Difference Between Abuse and Harassment

	ABUSE	HARASSMENT
Types	emotional; physical; sexual; lack of care	emotional; physical; sexual; may be motivated by racial or other forms of prejudice
Victim	any person under the age of majority as determined by Provincial and Territorial Child Protection Acts; may be male or female	person of any age; may be male or female

Offender	any person who has power or authority over victim and/or breeches trust; may be male or female	may be peer or person with power or authority over victim; may be male or female
Investigation	external to organization; referred to child welfare or police	most often internal unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow Up Actions	determined by Provincial or Territorial Child Protection Acts and Criminal Code; civil suits may also occur	determined by organization's harassment policies, Criminal Code, labour tribunals, civil actions and/or Provincial Human Rights Tribunals; may be used concurrently or alone
Philosophy	the victim is not to blame; offenders are responsible for their behaviour	the victim is not to blame; offenders are responsible for their behaviour

Recognition and Prevention of Bullying

29. Bullying is defined as intentionally hurting someone in order to insult, humiliate, degrade or exclude him or her. Basically, it is "mean" behavior.
30. Bullying is:
- a. hurting behaviours based on oppression and "meanness"
 - b. based on power differentials
 - c. intentionally harmful
 - d. intense and long in duration
 - e. repeated over time (generally)
 - f. oppressive – isolates victims
 - g. caused by many factors and behavioural challenges
31. Hurtful actions may be:
- a. Physical – i.e.: hitting, kicking, grabbing, shoving, spitting on, beating others up, damaging or stealing another person's property
 - b. Verbal – i.e.: name-calling, humiliating, degrading behaviour, hurtful teasing, threatening someone (this may happen in notes or in person, over the phone or by the use of email, cell phones, text, internet, websites or any other electronic communication.)
 - c. Relational – i.e.: making others look foolish, excluding peers, spreading gossip or rumours (this may happen in person, over the phone or by the use of email, cell phones, text, internet, websites or any other electronic communication.)

Procedures

32. Harassment, Bullying and Abuse of any form is not prohibited under this policy, HNO's Codes of Conduct and HNO's Discipline and Complaints Policy.

33. Harassment, Bullying and Abuse may be reported by the person subjected to the Harassment, Bullying and Abuse or by any other individual or group of individuals.
34. Complaints of Harassment, Bullying and Abuse will be dealt with under the provisions and procedures of HNO's Discipline and Complaints Policy, HNO's Dispute Resolution Policy and HNO's Appeal Policy.

Confidentiality

35. HNO recognizes the possible sensitive and serious nature of a complaint and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, the HNO will do so. This shall not preclude publication of the final outcome of any matter, where a sanction imposed under this policy includes publication.

References

HNO Codes of Conduct

HNO Discipline and Complaints Policy

HNO Dispute Resolution Policy

HNO Appeal Policy

Approved by the Board of Directors: March 17,2018

Replaces: May 7,2011

Reviewed: Biennial