



POLICY REGARDING ABUSE-FREE SPORT REGISTRY

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1 BACKGROUND

Abuse-Free Sport is the program created by the Sport Dispute Resolution Centre of Canada ("**SDRCC**") according to the mandate it received from the Government of Canada, for preventing and addressing maltreatment in sport (the "**Mandate**"). This mandate is in addition to the SDRCC's existing mandate pursuant to the *Physical Activity and Sport Act* of "provid[ing] to the sport community a) a national alternative dispute resolution service for sport disputes; and b) expertise and assistance regarding alternative dispute resolution."

For its part, the objective of the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* (the "**UCCMS**") is to advance "a respectful sport culture that delivers quality, inclusive, welcoming and safe sport experiences" and, more specifically, to protect individuals participating in sport in Canada.

A critical component of the enforcement of the UCCMS is the publication of the information of Participants (as defined under the UCCMS) whose eligibility to participate in sport has in some way been restricted due to a violation of the terms of the UCCMS. Participants have consented to this through a consent form.

As per section 8.1 of the UCCMS:

"In order to uphold the purpose and principles of the UCCMS, a searchable database or registry of Respondents whose eligibility to participate in sport has in some way been restricted shall be maintained and shall be publicly available, subject to applicable laws.

The database or registry shall include sufficient information to provide context to the applicable sanction pursuant to the provisions contained in the UCCMS. Adopting Organizations are responsible to collaborate with one or more organizations maintaining such a registry."

The publication of the Registry mainly aims to reduce risks to safety of Participants in sport and to address the prevention, deterrence, condemnation, and denunciation of maltreatment and its reoccurrence.

2 PURPOSE

The purpose of this Policy is to outline the principles, procedures, and related considerations regarding the Abuse-Free Sport Registry (the “**Registry**”).

The Registry is a searchable database of Participants whose eligibility to participate in sport has in some way been restricted due to provisional measures and/or sanctions imposed, for purposes of carrying out the objectives of the UCCMS, the *Physical Activity and Sport Act*, Abuse-Free Sport and the Mandate, in accordance with applicable laws (the “**Objectives**”). Provisional measures and sanctions are applied as part of or as a result of the Abuse-Free Sport Complaint Management Process (the “**Complaint Management Process**”).

The Registry is necessary to meet the Objectives, including advancing a respectful sport culture that delivers quality, inclusive, accessible, welcoming and safe sport experiences.

To further these Objectives, relevant information contained on the Registry may be publicly searchable and/or may be accessed by Adopting Organizations and/or the OSIC.

3 SCOPE OF APPLICATION

This Policy is intended for Participants and Adopting Organizations as defined under the UCCMS, as well as to any person consulting the Registry.

4 DIFFERENCE BETWEEN SANCTIONS AND PROVISIONAL MEASURES

Sanctions are imposed at the end of the Complaint Management Process by the Director of Sanctions and Outcomes (“**DSO**”) upon finding that a violation of the UCCMS did occur. The Complainant or Respondent may challenge the decision regarding the violation or the sanction before the Safeguarding Tribunal within 21 days, in accordance with the *Canadian Sport Dispute Resolution Code*.

The Safeguarding Tribunal’s decision in regards to sanctions may be appealed before the Appeal Tribunal.

The Safeguarding Tribunal and the Appeal Tribunal are divisions of the Dispute Resolution Secretariat of the SDRCC and subject to the applicable provisions of the *Canadian Sport Dispute Resolution Code*.

Provisional measures are restrictions or limitations placed upon a Respondent alleged to have violated the UCCMS in order to protect sport participants from potential harm while the Complaint process is ongoing. Provisional measure(s) are not sanctions and may take various forms. **They may be issued by the DSO prior to any investigation being conducted or any decision being rendered about what occurred, and are based on unproven allegations.** The Respondent may challenge a provisional measure before the Safeguarding Tribunal within 21 days. The Safeguarding Tribunal's decision on provisional measure may not be appealed.

For a complete overview of the Complaint Management Process, consult this webpage: <https://sportintegritycommissioner.ca/process/overview>.

5 INFORMATION TO BE DISCLOSED ON THE REGISTRY

Information on a Respondent, as defined under the UCCMS, is disclosed on the Registry for provisional measures and Sanctions which restrict a Respondent's eligibility to participate in sport in some way while they are in effect. While **other types of sanctions and provisional measures may apply or exist (for example, education and training), they are not included on the Registry.**

a) Sanctions

Sanctions in effect that are included in the Registry are the following:

- Suspension
- Eligibility restrictions
- Permanent ineligibility
- Probation when it includes eligibility restrictions
- Other discretionary sanctions that restrict eligibility to participate in sports.

The Registry may include the following information about a Respondent subject to the above-mentioned sanctions into effect:

- a) full name;
- b) city and province/territory of residence;
- c) Adopting Organization affiliation;
- d) category of alleged violation(s) of the UCCMS;
- e) nature of violation of the UCCMS pursuant to a decision under Abuse-Free Sport;
- f) sanction imposed and description of the imposed sport participation restriction or sanction conditions;
- g) date of issuance of sanction and period in effect.

b) Provisional Measures

Categories of provisional measures that are included on the Registry are the following:

- Suspension
- Eligibility Restriction(s)
- Eligibility Conditions(s) that restrict a Respondent's eligibility to participate in sports
- Prohibition(s) or Variation(s) on Contact, Lodging, Travel, Communications, Activities, and/or Authority, except where the prohibition or variation applies only in relation to specific identified individuals
- Monitoring that restricts a Respondent's eligibility to participate in sports independently
- Other provisional measure(s) that restrict eligibility to participate in sports

The Registry may include the following information about the Respondent subject to the above provisional measures into effect:

- a) full name;
- b) city and province/territory of residence;
- c) Adopting Organization affiliation;
- d) category of alleged violation(s) of the UCCMS;
- e) Provisional measures imposed;
- f) date of issuance of provisional measures.

5.1 Duration of the disclosure and removal of the information

The information in relation to a sanction or provisional measure is included in the Registry as soon as the sanction or provisional measure is issued by the DSO, regardless of being subject to a potential challenge, being challenged or being appealed (in the case of sanction). The entry of the Registry specifies whether the sanction or provisional measure may be subject to a potential challenge, whether it is final, being challenged before the Safeguarding Tribunal or under appeal.

The information will remain available for as long as the sanction or provisional measure remains in effect.

6 MINORS AND OTHER VULNERABLE PERSONS

For minors or other vulnerable persons who may be subject to provisional measures and/or sanctions, the disclosure of their information on the Registry will be considered on a case-by-case basis by the OSIC, taking into account the sensitivity of personal information and the need to carry out the objective of the UCCMS, in accordance with applicable Policies and Procedures.

Concerning the disclosure on the Registry, particular consideration will also be given by the OSIC to foster the protection of the identity of individuals directly impacted by the UCCMS violation or other relevant third parties (such as those who experienced the behaviour directly), in accordance with applicable Policies and Procedures.

7 PRIVACY IMPACT ASSESSMENT

A privacy impact assessment (“PIA”) has been carried out in regards to the Registry to account for the following considerations:

- Openness
- Accountability
- Limited and direct collection
- Limiting use and disclosure
- Duration of disclosure
- Retention of data and disposal
- Consent
- Accuracy
- Individual access
- Technical, operational and physical safeguards
- Purpose identification

Please find a summary of the PIA [here](#).

8 RELEVANT RESOURCES

[UCCMS](#)

[OSIC Confidentiality Policy](#)

[OSIC and SDRCC Protection of Privacy Policy](#)

[Other OSIC policies](#)

[2023 Canadian Sport Dispute Resolution Code](#)

9 QUESTIONS

If you have any questions regarding the collection, use or disclosure of your information as described in this Policy, the consent form, in relation to the UCCMS, Abuse-Free Sport, or the Policies and Procedures, you may contact the Office of the Sport Integrity Commissioner (“**OSIC**”) at info@osic-bcis.ca.

Regarding the possibility to file a complaint in relation with the processing of personal information, to access this information or to correct it (subject to the applicable Abuse-Free Sport processes),

you may refer to the SDRCC Protection of Privacy Policy available in the Policies and Procedures section here: <https://sportintegritycommissioner.ca/policies>.

Given the nature of the information to be included in the Registry, Participants may not seek the modification of the information contained in the Registry upon simple request when this information is in relation to the sanction or a provisional measure. However, if they wish to challenge the provisional measures or sanctions imposed by the DSO, Participants may do so before the Safeguarding Tribunal within the prescribed time limits. Decisions of the Safeguarding Tribunal on sanctions may also be subject to a review by the Appeal Tribunal, in accordance with the [*Canadian Sport Dispute Resolution Code*](#).

10 REVIEW

This Policy may be amended and updated from time to time by Abuse-Free Sport.

This Policy shall be applied and interpreted by the OSIC in its reasonable discretion.