

MALTREATMENT / DISCRIMINATION

INVESTIGATIONS

PROCEDURES & GUIDELINES

January 2022

MALTREATMENT INVESTIGATIONS

GENERAL INFORMATION

As outlined in Hockey Manitoba's *'Maltreatment, Bullying & Harassment'* policy, participants in Hockey Manitoba sanctioned programming should have the reasonable expectation that they will be in an environment that is accessible, inclusive and is free from all forms of Maltreatment, Bullying and Harassment.

Maltreatment (on-ice infractions, allegations arising from game play, and allegations from outside of game play), is considered one of the most serious violations that a team official or player can commit. All infractions and allegations/ complaints are required to be reported to the Hockey Manitoba Appeals Committee and required to have an investigation initiated to determine any necessary disciplinary action.

ALLEGATIONS THAT MAY BE INVESTIGATED BY A MEMBER ORGANIZATION OR LEAGUE:

Member: Allegations involving individuals of the same Team.

Member: Allegations involving individuals from different Teams within the same Member organization.

Member: social media related conduct of an individual from the organization that could be deemed to be detrimental to the game of hockey and the organization.

League: Allegations involving individuals from multiple Teams that play in the same League (provided the actions occurred during a League game).

ON-ICE INFRACTIONS (11.4 Discrimination – Gross Misconduct)

A. Reporting Process

1. The official(s) will ensure that the infraction is properly reported to the official scorekeeper and recorded on the game sheet.
2. Immediately following the conclusion of a game, the official(s) will complete a detailed 'incident report' by way of the provided Game Incident Report form (some divisions of hockey will use an online report).
3. Copies of the official game sheet and all incident reports will be provided to each respective team prior to them leaving the facility (the game sheet will clearly outline that a 11.4 Gross Misconduct for Discrimination has been assessed to a specific participant).
4. Each team must submit the game sheet (and all other necessary incident reports) to their respective League (and Hockey Manitoba Maltreatment and Discrimination Committee) to notify them of the infraction(s).
5. An official 'Notice of Suspension' will be issued by the League (and Hockey Manitoba Maltreatment and Discrimination Committee) to the individual that committed the infraction, as well as the Team and the Member organization.

B. Investigations

1. Investigations for Allegations that arise from a game (on-Ice) will be led by the respective League or the Maltreatment and Discrimination Committee (or designate).
2. Upon receiving a report of an infraction, the registration of the Player/ Team Official will be verified and an official file for the investigation of the infraction will be opened.
3. A review of the game sheet and incident reports will be completed to determine if any additional information is required. If needed, additional statements and applicable evidence will be solicited from the alleged victim(s), offender(s) and/or any relevant witnesses.
4. To be included in the investigation, all submissions must be received by the Hockey Manitoba Maltreatment and Discrimination Committee at least 48 hours prior to the date of the formal review/ hearing.
5. Based on the severity of the infraction, it will be determined whether a Hearing (conference call/ video call, or in-person) will be required or if a decision can be rendered after a review of the submitted information.

MALTREATMENT INVESTIGATIONS

6. Process for Review:

- i. The respective League will provide all relevant information (game sheet, incident reports, statements, accounts of the issue, videos, etc.) for the Maltreatment and Discrimination Committee (or designate) to review.
- ii. Within 48 hours of receiving the information, a list of additional information being requested to complete the review will be provided.
- iii. The respective League or the Maltreatment and Discrimination Committee (or designate). Will review the relevant documents and consider all available options that would provide a decision on the dispute being presented.

7. Process for Hearings:

- a. A conference/video call hearing will be held within 10 days of the infraction being received by the respective League or Maltreatment and Discrimination Committee
 - b. All written submission(s) will be used as a statement of the facts they have presented.
 - c. Relevant witnesses (such as the official(s), team officials or players, etc.) can be invited in the hearing process, witnesses will be asked to submit statements in writing.
 - b. Hockey Manitoba will circulate the relevant materials and documentation being reviewed as part of the investigation.
- .

ALLEGATIONS (In Game/ On-Ice)

- A. Reporting Process**
1. When an allegation is reported to an official(s) during the game (or immediately following the completion of a game), the official(s) will ensure the allegation is properly reported to the official scorekeeper and/ or recorded on the game sheet. The official(s) will report the allegation to the coaches of both teams, informing them that the allegation will be documented.
 2. Copies of the official game sheet and all incident reports will be provided to each respective team (the game sheet will clearly outline that an allegation of Maltreatment/ Discrimination has been reported against a specific participant).
 3. Each team must submit the game sheet (and all other necessary incident reports) to their respective League (or Hockey Manitoba designate) to notify them of the allegation.
 4. The League (or Hockey Manitoba designate) will immediately forward the game sheet (showing the report of the allegation) to the Hockey Manitoba Maltreatment and Discrimination Committee for tracking purposes.

MALTREATMENT INVESTIGATIONS

B. Investigations

1. Investigations for Allegations that arise from a game (on-Ice) will be led by the respective League or the Maltreatment and Discrimination Committee (or designate).
2. Upon receiving a report of an allegation, the registration of the Player/ Team Official will be verified and an official file for the investigation of the allegation will be opened.
3. The alleged offender(s) will be informed of the allegation and statements and applicable evidence will be solicited from the alleged victim(s), offender(s) and/or any relevant witnesses.
4. Based on the severity of the infraction, it will be determined whether a Hearing (conference call/ video call, or in-person) will be required or if a decision can be rendered after a review of the submitted information.
5. Process for Review:
 - i. Within 48 hours of receiving the file, a list of additional information being required to complete the review will be identified and requested.
 - ii. The League or Maltreatment and Discrimination Committee (or designate) will review the relevant documents and consider all available options that would provide a decision on the dispute being presented.
- 6
 - iii. Relevant materials and documentation being reviewed as part of the investigation will be circulated to all participating parties.
 - iv. The League or Division of Hockey Chair (or designate) will introduce the allegation and the issue being addressed.
 - v. The League or Division of Hockey Chair (or designate) will list all relevant documentation that has been submitted and circulated to the parties.
 - vi. The hearing will provide an opportunity to review all statements of the facts.

7. Process for Review:

- i. The respective League will provide all relevant information (game sheet, incident reports, statements, accounts of the issue, videos, etc.) for the Maltreatment and Discrimination Committee (or designate) to review.
- ii. Within 48 hours of receiving the information, a list of additional information being requested to complete the review will be provided.
- iii. The respective League or the Maltreatment and Discrimination Committee (or designate). Will review the relevant documents and consider all available options that would provide a decision on the dispute being presented.

8. Process for Hearings:

- a. A conference/video call hearing will be held within 10 days of the infraction being received by the respective League or Maltreatment and Discrimination Committee
 - b. All written submission(s) will be used as a statement of the facts they have presented.
 - c. Relevant witnesses (such as the official(s), team officials or players, etc.) can be invited in the hearing process, witnesses will be asked to submit statements in writing.
 - b. Hockey Manitoba will circulate the relevant materials and documentation being reviewed as part of the investigation.
- .

ALLEGATIONS (OUTSIDE OF GAMEPLAY)

A. Reporting Process 1. When an allegation of Maltreatment occurring outside of game play is reported to a member organization or League, the organization will immediately notify Hockey Manitoba Maltreatment and Discrimination Committee of the allegation for tracking purposes.

MALTREATMENT INVESTIGATIONS

2. When an allegation of Maltreatment occurring outside of game play is reported to Hockey Manitoba, the Member organization(s) and League(s) will be informed of the allegation immediately and Hockey Manitoba will determine if an investigation needs to be completed by the Maltreatment and Discrimination Committee, organization or League.

B. Investigations

1. Investigations for Allegations that arise outside of game play will be led by the respective Member organization or League and must be managed in a manner consistent with Hockey Manitoba's Conduct Management Guide and Maltreatment, Abuse & Harassment Policy.

Game and Conduct Management and Hockey Manitoba's Conduct Management Guide

2. Upon receiving a report of an allegation, the registration of the Player/ Team Official will be verified and an official file for the investigation of the allegation will be opened.

3. The investigation shall be conducted thoroughly and independently by a party(ies) that is neutral, unbiased, and free of conflict related to the allegation and those involved in the allegation.

4. The alleged offender(s) will be informed of the allegation and statements and applicable evidence will be solicited from the alleged victim(s), offender(s) and/or any relevant witnesses.

5. Based on the severity of the infraction, it will be determined whether a Hearing (conference call/ video call, or in-person) will be required or if a decision can be rendered after a review of the submitted information.

6. Process for Review:

i. Within 48 hours of receiving the file, a list of additional information being required to complete the review will be identified and requested.

ii. The Member organization or League will review the relevant documents and consider all available options that would provide a decision on the dispute being presented.

7. Process for Hearings: i. A conference call, video call, or in-person hearing may be held within 10 days of the allegation being reported.

vi. Relevant witnesses (such as team officials or players, etc.) will be asked to submit statements in writing.

vii. Relevant materials and documentation being reviewed as part of the investigation will be circulated to all participating parties.

viii. The Member organization or League will introduce the allegation and the issue being addressed.

ix. The Member organization or League will list all relevant documentation that has been submitted and circulated to the parties.

x. The hearing will provide an opportunity to present statements of the facts.

MALTREATMENT INVESTIGATIONS

DECISION-MAKING

After the investigation is complete, the adjudicating organization will render a decision outlining any potential disciplinary actions to be taken.

Once a Hearing is conducted, the decision must be issued within seven (7) business days of the Hearing. The decision will:

- Outline the **BACKGROUND** information that is relevant to the investigation.
Identify the **JURISDICTION** that is provided to the Maltreatment-Discrimination Committee within the decision-making process.
- State the relevant **EVIDENCE** that has been presented during the investigation and hearing processes.
- Identify any **FINDINGS** that the Maltreatment Officers have considered as part of the decision-making process.
- Clearly state the **DECISION** that is being made and any rationale for it.

Within any decision the adjudicators may decide to issue suspensions and/ or alternative discipline measures such as:

- Educational and/or sensitivity training.
- Completion of courses/ clinics (i.e. – coach, official, RIS, etc.).
- Submission of a written apology.
- Mandatory completion of Volunteer work.
- Etc.

A formal decision letter will be issued, by the adjudicating organization, to the participant that committed a Maltreatment violation. The decision will be circulated by email and will be copied to the other relevant parties (the Team, the Member organization, the League, and/ or Hockey Manitoba).

Tracking:

In a further effort to eradicate discrimination of all forms from the game, Hockey Canada and its 13 Members also approved a new national reporting system for incidents of discriminatory taunts, insults or intimidation, both on the ice and outside of game play. The new rule and reporting system includes, but is not limited to, discrimination based on race, ethnic origin, skin colour, religion, age, sexual orientation, gender identity and disability.

The national reporting system will allow Hockey Canada and its 13 Members to have a better understanding of where maltreatment incidents occur and their frequency and will allow the organization to take progressive steps to eliminating incidents through action and education. A number of tools and resources will also be provided to Hockey Canada's 13 Members and local hockey associations across the country to help educate participants on maltreatment, including a Rule 11 officiating module and coaching resource document.

Hockey Manitoba

Maltreatment and Discrimination Committee

kgladden@hockeymanitoba.ca