

Sault Accessible Sports Inc. Harassment and Abuse Policies

Notwithstanding this policy, there may be an occasion in which a volunteer or participant is a victim of assault. The following guidelines are intended to address such incidents and recommend appropriate responses.

A. Definition of assault according to the Criminal Code of Canada

1. A person commits an assault when
 - a. without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
 - b. he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose;
 - c. or while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

Application

2. This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

Consent

3. For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of
 - a. the application of force to the complainant or to a person other than the complainant;
 - b. threats or fear of the application of force to the complainant or to a person other than the complainant;
 - c. fraud; or
 - d. the exercise of authority.

Accused's belief as to consent

4. Where an accused alleges that he believed that the complainant consented to the conduct that is the subject-matter of the charge, a judge, if satisfied that there is sufficient evidence and that, if believed by the jury, the evidence would constitute a defense, shall instruct the jury, when reviewing all the evidence relating to the determination of the honesty of the accused's belief, to consider the presence or absence of reasonable grounds for that belief.

Sault Accessible Sports Inc Bullying and Harassment Policy

This Policy sets out the principles and practices of Sault Accessible Sports Inc regarding bullying and harassment.

Some behaviours which are defined as harassment or bullying, when the behaviour breaches human rights or appropriate relationship/conduct boundaries, can also constitute abuse, when a child, youth's or vulnerable person's protection is at risk.

Statement of Purpose

Sault Accessible Sports Inc is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices and bullying.

Harassment is a form of discrimination which is prohibited by human rights legislation in Canada.

Bullying involves a person expressing their power through the humiliation of another person. Bullying may be a form of harassment but also has some of its own defining characteristics. The sport setting is one setting in which bullying occurs. In some cases coaches and players use bullying tactics deliberately to motivate performance and to weaken opponents.

Sault Accessible Sports Inc supports the right of all its members, whether athletes, volunteers or employees, to participate in all Sault Accessible Sports Inc activities free from any form of harassment and bullying. Further, Sault Accessible Sports Inc emphasizes the importance of eliminating harassment and bullying in sporting activities as a key element in ensuring the safety of all participants and volunteers. A sports environment which actively discourages harassment and bullying and builds relationships based on trust and mutual respect is an environment which discourages the abuse of children, youth and vulnerable persons and encourages the overall development of the individual.

In order to further these objectives, Sault Accessible Sports Inc will make every reasonable effort to promote awareness of the problem of harassment and bullying among all its members, and to respond quickly and effectively to complaints or disclosures of harassment or bullying.

Policy

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

Definition of Harassment

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 must be based on the

grounds prohibited in human rights legislation, such as race, ethnicity, colour, religion, age, sex, marital status, family status, disability, pardoned conviction and sexual orientation.

Harassment may occur among anyone between peers (e.g.: 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 (e.g.: coach to player, sports administrator to employee).

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

1. Unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation etc.
2. Condescending, patronizing, threatening or punishing actions which undermine self-esteem
3. Practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety
4. Degrading or inappropriate hazing rituals
5. Unwanted or unnecessary physical contact including touching, patting, pinching
6. Unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause
5. offence or humiliation, or which might on reasonable grounds be perceived as placing a condition of a
6. sexual nature on employment or on any opportunity for training or advancement
7. Sexual assault or physical assault

It is important to note that the behaviours described in items 5 to 7, 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.

Definition of Bullying

Bullying involves a person expressing their power through the humiliation of another person. Bullying occurs between people at any age and is not addressed under human rights legislation. It is inappropriate behaviours that are typically cruel, demeaning and hostile toward the bullying targets (most commonly occurs between children under the age of twelve but may also constitute behaviours between youth or between adults. Bullying is similar to harassment but the behaviours are not addressed under human rights laws. Bullies are typically cruel, demeaning and hostile towards the targets of their bullying.).

The actual issue of bullying is not addressed by the law, except when the behaviour does become a criminal issue – e.g. extortion, physical assault etc... Bullying can be broken down into four types:

- Physical (hit or kick victims; take/damage personal property)
- Verbal (name calling; insults; constant teasing)
- Relational (try to cut off victims from social connection by convincing peers to exclude or reject a certain person)
- Cyber bullying

The following is a non exhaustive list of tactics used by bullies to control their targets:

1. Unwarranted yelling and screaming directed at the target
2. Continually criticizing the target's abilities
3. Blaming the target of the bullying for mistakes
4. Making unreasonable demands related to performance
5. Repeated insults or put downs of the target

6. Repeated threats to remove or restrict opportunities or privileges
7. Denying or discounting the targets accomplishment
8. Threats of and actual physical violence

Responses and Remedies

It is the position of Sault Accessible Sports Inc that harassment and bullying cannot and should not be tolerated in any environment. Both harassment and bullying are unacceptable and harmful. Sault Accessible Sports Inc recognizes the serious negative impact of all types of harassment and bullying on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.

At the same time, Sault Accessible Sports Inc recognizes that not all incidents of harassment and bullying are equally serious in their consequences. Both harassment and bullying cover a wide spectrum of behaviours, and the response to both 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 or bullying must be fair to all parties, allowing adequate opportunity for the presentation of a response to the allegations.

Minor incidents of harassment or bullying should be corrected promptly and informally, taking a constructive approach and with the goal of bringing about a change in negative attitudes and behaviour. More serious incidents should be dealt with according to the relevant association. 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.

Anyone making a complaint which is found to be clearly unfounded, false, malicious or frivolous may be subject to discipline.