



# FAQ

## Policy Regarding the Protection of Integrity

### Q1: Concerning written complaints, have you thought that it could discourage people from denouncing these inappropriate behaviours?

A1: Yes, and that is why Sport'Aide offers to support victims who want to file a complaint in order to facilitate its deposition.

### Q2: What powers does the committee have to question the perpetrator of the verbal violence or other non-criminal act? For example, a parent repeatedly addresses referees or a player with violent words.

A2: When the alleged perpetrator is a member of the Federation, the individual is mandatorily subject to the rules described in the Policy. The individual will have to appear before the committee, be questioned, present their case and comply with the decision or recommendation made by the committee.

If the perpetrator is not a member, the committee has no power over that person. In this case, refer to section 18 which states:

18. Sif the alleged perpetrator of abuse, harassment, negligence or violence other than of a sexual nature is not a member of the Federation (or the organization), the Complaints Officer then determines what administrative measure, if any, can be taken by the Federation (or the organization) and informs the complainant and the alleged victim accordingly.

### Q3: Are the victim and the complainant allowed to have a lawyer present?

A3: The parties can be represented. If the victim, the complainant or alleged perpetrator have a lawyer present, the lawyer cannot intervene before the committee in their client's name, nor question the parties or witnesses.

### Q4: Can a video be presented as evidence?

A4: Yes

### Q5: Under the policy, can you make a parent appear before the integrity committee?

A5: If the parent is a member of the federation, the parent must appear before the integrity committee.

### Q6: For a complaint involving a major act of violence, is any action taken to ensure that the victim is protected once the notice is given?

A6: Refer to sections 16, 17 and 18:

16. At the time he receives a complaint of abuse, harassment, negligence or violence, other than of a sexual nature, if the Complaints Officer has reasonable grounds to believe that the alleged victim's safety is compromised by the alleged perpetrator of abuse, harassment, negligence or violence, other than of a sexual nature, *he may recommend an, as an administrative measure, the exclusion of the alleged perpetrator from all programs activities (federated) of the Federation (or the organization), for an indefinite period as member of the Federation (or the organization) for all levels and until the Protection of Integrity Committee has reached a decision following a hearing of the complaint. The member concerned is informed of the decision by email or registered mail as soon as possible.*

The nature of the facts, their seriousness, the probative value of the allegations or the person concerned are being considered by the Officer in his analysis. The Officer may also contact the DYP if the complaint involves an alleged minor victim.

17. The Complaints Officer must report to the DYP any complaint of violence or physical abuse that he has deemed admissible and has upheld, if the alleged victim is a minor and if the Officer has reasonable grounds to believe that the alleged victim's safety is compromised.

18. If the alleged perpetrator of abuse, harassment, negligence or violence, other than of a sexual nature is not a member of the Federation (or the organization) the Complaints Officer then determines what administrative measure, if any, can be taken by the Federation (or the organization) and informs the complainant and the alleged victim accordingly.



# FAQ

## Politique, règles et procédures en matière de protection de l'intégrité

### Q7: If a complaint is made by a member of a local association directly to the complaints officer, will this association be informed?

A7: Under the terms of the Policy, the association is informed once the committee recommendation has been rendered and ratified by the federation.

However, for complaints of sexual or very violent nature, the exclusion of the alleged perpetrator is made by the Complaints Officer, who advises the federation and all levels concerned just before contacting the alleged perpetrator.

### Q8: For the prescribed deadlines, (notice 20 days before the hearing, 20 days to render the decision and 10 days of acceptance of the Federation's decision) is there a follow up or instructions that will be given to the petitioner and the alleged perpetrator?

A8: The Complaints Officer has the role of supporting complainants by guiding them through the complaint handling process. Sport'Aide is also there to offer support to victims and/or alleged perpetrators as needed.

### Q9: Can complaints be made anonymously?

A9: The complaint can be sent anonymously to the Complaints Officer. But to expose their situation to the integrity committee if required by the situation, the complainant cannot remain anonymous. In fact, under the principles of natural justice, which ensures that the alleged perpetrator is entitled to a full and complete defense, the alleged perpetrator must know the identity of the complainant.

### Q10: What is the deadline for filing a complaint?

A10: For gestures of a sexual nature, there is no deadline for filing a complaint. For gestures other than of a sexual nature, the Policy provides for a period of 120 days following the event to file a complaint. However, the Complaints Officer has the power to accept complaints outside of this period, if justified by the circumstances.

### Q11: Can complaints of abuse, harassment, violence or negligence first be heard by the disciplinary committee of the local authority, then the regional authority and finally, on appeal if necessary, before the integrity committee?

A11: No. Any complaint of abuse, harassment, violence or negligence MUST be handled through the procedure provided in the Policy with regard to the protection of integrity, and NOT by the disciplinary committees.

As provided in section C, the Policy "takes priority over any other policies, rules and procedures which may be in force at the Federation or at any of its members (local or regional) and binds all member of the Federation".

### Q12: Where a person has received suspension (from showing up at the arena, on the field, at the gymnasium, etc.) until the end of the season, and the individual still repeatedly shows up with no respect for the sanction imposed on them, what recourse does the association have and/or what are the consequences for the individual?

A12: As specified in section J of the Policy, "All members of the Federation must respect and implement, if necessary, the appropriate measures to enforce the decisions of the Complaints Officer and the protection of the Integrity Committee. It is up to the Complaints Officer to make the necessary checks with the members to ensure compliance with decisions made under this Policy.

Any member who fails to comply with the decisions made and to put in place the necessary measures is subject to disciplinary and administrative measures. In these circumstances, the Complaints Officer sends a copy of this complaint to the Protection of the Integrity Committee so that it can hold a hearing in accordance with the procedures provided in this Policy, with the necessary adjustments, for a decision to be made to sanction the member's wrongful behaviour.



# FAQ

Politique, règles et procédures en matière de protection de l'intégrité

**Q13: Following a legitimate complaint, does the guilty party receive a legal sanction? Of so, what is the sanction? If not, what happens next?**

A13: Here, we are not talking about a legal sanction. If the integrity committee concludes that there was indeed a wrongful behaviour, the committee renders its decision and recommends the sanction that it deems appropriate in the circumstances. This recommendation is then sent to the federation, which **MUST** ratify it and return it to the committee so that it sends to the parties (complainant or victim, and alleged perpetrator). If, following the hearing of the parties, the committee concludes that alleged perpetrator did not behave wrongfully, it will inform the the federation in writing. The federation will ratify this decision, return it to the committee, to send to the parties.

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**Q14: How to avoid or handle cases of major violence?**

A14: For major violence situations, the Policy provides that the Complaints Officer is obligated to refer reports of any acts involving a minor victim to the DYP and the police. For major violence situations involving an adult, the Policy provides that the Complaint Officer can contact the policy directly.

**Q15: What happens if another complaint is filed against an alleged perpetrator during the period set out by another complainant before decision on the first complaint is known?**

A15: Each complaint must be treated separately. Nevertheless, the integrity committee could take into account events which could constitute a relapse (or a complaint involving similar acts) in order to issue its recommendations in consequence.

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**Q16: Can an individual subject to a complaint in one federation have their file transferred to another federation that the individual belongs to?**

A16: No. This information is part of an individual's personal information and cannot be communicated to anyone without the individual's agreement.

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**Q17: After an assessment where a Complaints Officer determines that it is an internal governance file and not a case of abuse, harassment, violence or negligence, what is the procedure to return the complaint to the appropriate stakeholder?**

A17: The Complaints Officer will see to explaining the situation to the complainant and will "support" the complainant by making the necessary contacts with the appropriate persons who will take over the file.