

Court File No. CV-20-00642705-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

DANIEL CARCILLO and GARRETT TAYLOR

Plaintiffs

- and -

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE, CANADIAN HOCKEY LEAGUE, WESTERN HOCKEY LEAGUE, QUEBEC MAJOR JUNIOR HOCKEY LEAGUE, BARRIE COLTS JUNIOR HOCKEY LTD., GUELPH STORM LTD., HAMILTON BULLDOGS FOUNDATION INC., KINGSTON FRONTENACS HOCKEY LTD., KITCHENER RANGERS JR. A. HOCKEY CLUB, LONDON KNIGHTS HOCKEY INC., MISSISSAUGA STEELHEADS HOCKEY CLUB INC., 2325224 ONTARIO INC. o/a MISSISSAUGA STEELHEADS, NIAGARA ICEDOGS HOCKEY CLUB INC., NORTHBAY BATTALION HOCKEY CLUB LTD., OSHAWA GENERALS HOCKEY ACADEMY LTD., OTTAWA 67'S LIMITED PARTNERSHIP c.o.b. OTTAWA 67'S HOCKEY CLUB, THE OWEN SOUND ATTACK INC., PETERBOROUGH PETES LIMITED, 649643 ONTARIO INC. o/a 211 SSHC CANADA ULC o/a SARNIA STING HOCKEY CLUB, SOO GREYHOUNDS INC., SUDBURY WOLVES HOCKEY CLUB LTD., WINDSOR SPITFIRES INC., MCCRIMMON HOLDINGS, LTD., 32155 MANITOBA LTD., A PARTNERSHIP c.o.b. as BRANDON WHEAT KINGS, BRANDON WHEAT KINGS LIMITED PARTNERSHIP, CALGARY FLAMES LIMITED PARTNERSHIP, CALGARY SPORTS AND ENTERTAINMENT CORPORATION, EDMONTON MAJOR JUNIOR HOCKEY CORPORATION, KAMLOOPS BLAZERS HOCKEY CLUB, INC., KAMLOOPS BLAZERS HOLDINGS LTD., KELOWNA ROCKETS HOCKEY ENTERPRISES LTD., PRINCE ALBERT RAIDERS HOCKEY CLUB INC., EDGEPRO SPORTS & ENTERTAINMENT LTD., QUEEN CITY SPORTS & ENTERTAINMENT GROUP LTD., BRAKEN HOLDINGS LTD., REBELS SPORTS LTD., SASKATOON BLADES HOCKEY CLUB LTD., VANCOUVER JUNIOR HOCKEY LIMITED PARTNERSHIP and VANCOUVER JUNIOR HOCKEY PARTNERSHIP, LTD c.o.b. VANCOUVER GIANTS, WEST COAST HOCKEY LLP, WEST COAST HOCKEY ENTERPRISES LTD., o/a VICTORIA ROYALS, MEDICINE HAT TIGERS HOCKEY CLUB LTD., 1091956 ALTA LTD. o/a THE MEDICINE HAT TIGERS, SWIFT CURRENT TIER 1 FRANCHISE INC. and SWIFT CURRENT BRONCOS HOCKEY CLUB INC. o/a SWIFT CURRENT, ICE SPORTS & ENTERTAINMENT INC.

o/a WINNIPEG ICE, MOOSE JAW TIER 1 HOCKEY INC. D.B.A. MOOSE JAW and MOOSE JAW WARRIORS TIER 1 HOCKEY, INC. WARRIORS o/a MOOSE JAW WARRIORS, LETHBRIDGE HURRICANES HOCKEY CLUB, 649643 ONTARIO INC. c.o.b. as SARNIA STING, KITCHENER RANGER JR A HOCKEY CLUB and KITCHENER RANGERS JR "A" HOCKEY CLUB, LE TITAN ACADIE BATHURST (2013) INC., CLUB DE HOCKEY JUNIOR MAJEUR DE BAIE-COMEAU INC. o/a DRAKKAR BAIE-COMEAU, CLUB DE HOCKEY DRUMMOND INC. o/a VOLTIGEURS DRUMMONDVILLE, CAPE BRETON MAJOR JUNIOR HOCKEY CLUB LIMITED o/a SCREAMING EAGLES CAPE BRETON, LES OLYMPIQUES DE GATINEAU INC., HALIFAX MOOSEHEADS HOCKEY CLUB INC., CLUB HOCKEY LES REMPARTS DE QUEBEC INC., LE CLUB DE HOCKEY JUNIOR ARMADA INC., MONCTON WILDCATS HOCKEY CLUB LIMITED, LE CLUB DE HOCKEY L'OCEANIC DE RIMOUSKI INC., LES HUSKIES DE ROUYN-NORANDA INC., 8515182 CANADA INC. c.o.b. CHARLOTTETOWN ISLANDERS, LES TIGRES DE VICTORIAVILLE (1991) INC., SAINT JOHN MAJOR JUNIOR HOCKEY CLUB LIMITED, CLUB DE HOCKEY SHAWINIGAN INC. o/a CATARACTES SHAWINIGAN, CLUB DE HOCKEY JUNIOR MAJEUR VAL D'OR INC. o/a VAL D'OR FOREURS, 7759983 CANADA INC. c.o.b. AS CLUB DE HOCKEY LE PHOENIX, 9264-8849 QUEBEC INC. c.o.b. as GROUPE SAGS 7-96 AND LES SAGUENEENS, JAW HOCKEY ENTERPRISES LP c.o.b. ERIE OTTERS, IMS HOCKEY c.o.b. FLINT FIREBIRDS, SAGINAW HOCKEY CLUB, L.L.C., EHT, INC., ~~JOHN DOE CORP. A~~ o/a ~~EVERETT SILVERTIPS HOCKEY CLUB~~, WINTERHAWKS JUNIOR HOCKEY LLC, PORTLAND WINTER HAWKS INC., THUNDERBIRDS HOCKEY ENTERPRISES, L.L.C., ~~JOHN DOE CORP. B~~ o/a ~~SEATTLE THUNDERBIRDS~~, BRETT SPORTS & ENTERTAINMENT, INC., HAT TRICK, INC., ~~JOHN DOE CORP. C~~ o/a ~~SPOKANE CHIEFS~~, TRI-CITY AMERICANS HOCKEY LLC, and TOP SHELF ENTERTAINMENT, INC. and ~~JOHN DOE CORP. D~~ o/a ~~TRI CITY AMERICANS~~

Defendants

Proceeding under the *Class Proceedings Act, 1992*

AFFIDAVIT OF RON ROBISON
(Sworn October 29, 2021)

I, Ron Robison, of the City of Calgary, in the Province of Alberta, **MAKE OATH AND SAY:**

1. I am the Commissioner of the Western Hockey League (the **WHL**) and a Vice-President of the Canadian Hockey League (the **CHL**). I have held these positions since 2000. In my role as WHL Commissioner, I oversee all of the WHL's operations.
2. I held senior management positions with the Canadian Hockey Association and with Hockey Canada between 1981 and 1997, including as President of Hockey Canada between 1992 and 1994.
3. The plaintiffs have filed my affidavit from the *Berg* class action on this motion. I have reviewed that affidavit. The statements I make in that affidavit were true and correct when they were made, and I have no updates relevant to this case.
4. I know about the matters in this affidavit. If I have made statements of my information and belief, the source of the information and the fact of the belief are specified in this affidavit.

I. Overview

5. In this affidavit, I provide evidence on these matters:
 - (a) **Background on the WHL:** I provide background evidence on the WHL, including its structure and its constituent teams.
 - (b) **Roles and responsibilities of WHL Commissioner:** I outline my role and responsibilities as WHL Commissioner.

(c) ***The WHL's policies and programs on hazing:*** I describe the various policies and programs related to hazing currently in place in the WHL, as well as when they were implemented.

(d) ***Plaintiffs' certification record:*** I respond to relevant portions of the certification record filed by the representative plaintiffs, Daniel Carcillo and Garrett Taylor, in support of this motion, including factual information relating to the evidence of Mark Howery, who swore an affidavit in support of Mr. Carcillo's and Mr. Taylor's motion.

A. The Western Hockey League

6. The WHL is a major junior ice hockey league based in Western Canada and the Northwestern United States. It is a member of the CHL, along with the Ontario Hockey League (the **OHL**) and Québec Major Junior Hockey League (the **QMJHL**).

7. The WHL is a non profit corporation. Its teams and players are registered participants with Hockey Canada. Players in the WHL range from 16 to 20 years old.

8. The WHL was founded in 1966, when the seven Western Canadian teams in the Canadian Major Junior Hockey League united to form a new junior hockey league called the Western Canada Junior Hockey League. In 1968, it was renamed the Western Canada Hockey League. In 1978, it was renamed the Western Hockey League after Portland became the first U.S.-based team in 1976.

9. Over time, the WHL grew from its initial seven teams to a current roster of 22 teams since the 2010/2011 season: five in British Columbia, five in Alberta, five in Saskatchewan, two in Manitoba, one in Oregon and four in Washington (the **WHL Teams**). Four of the WHL Teams are community-owned (Swift Current Broncos, Prince Albert Raiders, Moose Jaw Warriors and Lethbridge Hurricanes), while the others are privately owned.

10. The WHL Teams are divided into two Conferences based on geography. The Western Conference includes teams based in British Columbia, Oregon and Washington. The Eastern Conference includes teams based in Alberta, Saskatchewan and Manitoba.

11. Within each Conference, the WHL Teams are split into two Divisions, also based on geography. In the Western Conference, the B.C. Division is made up of the Kamloops Blazers, Kelowna Rockets, Prince George Cougars, Vancouver Giants and Victoria Royals. The U.S. Division in the Western Conference is made up of the Portland Winterhawks, Everett Silvertips, Seattle Thunderbirds, Spokane Chiefs and Tri-City Americans.

12. In the Eastern Conference, the East Division is made up of the Winnipeg ICE, Brandon Wheat Kings, Moose Jaw Warriors, Prince Albert Raiders, Regina Pats and Saskatoon Blades. The Central Division of the Eastern Conference is made up of the Calgary Hitmen, Edmonton Oil Kings, Lethbridge Hurricanes, Medicine Hat Tigers, Red Deer Rebels and Swift Current Broncos.

13. The WHL Teams compete against other WHL Teams in their own Division and Conference. The regular season normally opens in late September to the end of March of the next year, and consists of 68 regular season games per WHL Team. One-half of the games are

played on “home ice” in an arena in the Team’s home area. The remainder are “away” games to which WHL Teams travel, generally by bus, as a group. The season ends with four rounds of playoffs among the top 16 WHL Teams (8 from each Conference) to determine a league champion. The championship WHL Team then competes in the Memorial Cup tournament, hosted by the CHL, against the OHL champion team, QMJHL champion team and a host team in a round-robin tournament to determine a national champion.

B. Roles and Responsibilities of the WHL Commissioner

14. The WHL’s Head Office is in Calgary, Alberta. The Head Office administers all functions related to the WHL’s operations. My role as WHL Commissioner is to provide direction for these operations, including for game supervision, scheduling, league meetings, player drafts, agreements and scholarships, player transactions, finance, marketing, media relations, communications and statistics/results.

15. Apart from my administrative roles, I am also involved in developing the WHL’s policies and programs related to player safety, on and off-ice. This is one of my key functions. I am also responsible for ensuring that the WHL Teams are implementing these rules and regulations appropriately. I am always available to the WHL Teams to discuss any disciplinary issues that arise or any safety concerns the WHL Teams have.

C. The WHL’s Policies and Programs Regarding Hazing

16. The WHL and WHL Teams take hazing seriously. Each WHL team is responsible for player safety on their team. As part of this responsibility, throughout the years, each team has developed policies, programs and rules related to player safety, including related to hazing.

17. Over time, the WHL has also implemented league-wide policies and programs aimed at educating players about the dangers of hazing, as well as how to identify, prevent and report acts of hazing, including bullying, harassment, discrimination and abuse. These policies and programs were introduced as a result of cultural changes in society and the leagues, as well as in response to particular incidents. As part of their responsibility and obligation to protect player safety, each WHL Team disseminates these policies and administering these programs to their respective players. Individual WHL Teams continue to develop their own policies, programs and rules based on the needs of their players and the philosophy of their management and coaches, but all WHL Teams are required to operate in accordance with our minimum standards and comply with our regulations. WHL Teams have full latitude to create their own team rules, as long as they are not outside the bounds of the league-wide policies. It is the individual WHL Teams, after all, that supervise the players day-to-day, so they are best suited to create and enforce rules about curfew, schedules and other practical aspects of player safety.

18. Given that implementation of player safety measures has always been the responsibility of the individual WHL Teams, and occurs at the team level, the player experience has and does differ between each of the WHL Teams. That has consistently been my experience throughout my 21 years with the WHL.

19. Both the WHL's and individual WHL Teams' hazing policies and programs have evolved over time. The WHL revisits its policies and programs before every season and revises them accordingly, with input from players, the WHL Teams' General Managers and coaching staff, and independent professionals. The WHL is continuously looking for ways to improve its

policies and programs, and by extension, the player experience. The WHL welcomes feedback from stakeholders on policy and program improvements that reflect evolving societal standards.

20. I acknowledge that, over my 21 years with the WHL, there have been problems related to hazing. In my experience, these problems have been rooted in the conduct of individual perpetrators and specific WHL Teams that have acted inappropriately and outside the bounds of the WHL's expectations and standards. I strongly condemn and disapprove of this behaviour. When problems arose, we took them seriously and addressed them, in part by implementing mandatory policies and programs at both the team and league level. Policies and programs must be practical to be effective, so they are constantly evolving to suit our players' needs.

21. There are currently four policies and six programs in place in the WHL related, directly or indirectly, to hazing. The WHL's current policies and programs related to hazing are explained below.

1. WHL Regulations

22. The WHL Regulations is a document provided to all players when they join a WHL Team and is made available to teams in both hard copy and electronically prior to the start of the season. The WHL Regulations incorporate these policies: (a) Personal Conduct Policy; (b) Abuse, Bullying, Harassment and Hazing Policy; (c) Racial/Derogatory Comments Policy; and (d) Social Media and Networking Policy. Attached as **Exhibit A** to this affidavit is a copy of the WHL's current Regulations.

23. The Personal Conduct Policy provides the standard of conduct for all WHL personnel, including players, coaches, management, team employees, owners, game officials and any other

individuals providing services to the WHL or the WHL Teams. Breaches of the Personal Conduct Policy may result in counseling, treatment or discipline, depending on the circumstances. The Personal Conduct Policy was implemented in 2013, before which the teams were responsible for managing the conduct of players in consultation with the WHL.

24. The Abuse, Bullying, Harassment and Hazing Policy prohibits any abuse or neglect, whether physical, emotional or sexual, of anyone directly or indirectly associated with the WHL or the WHL Teams. “Abuse” is defined as any form of physical, emotional or sexual mistreatment or lack of care which causes physical injury or emotional damage. Hazing is also prohibited. Any player, coach or Team official who has been party to, or knows about any degrading hazing or initiation rite (without reporting at the first reasonable opportunity), will be subject to an automatic suspension. The Abuse, Bullying, Harassment and Hazing Policy was implemented in 1998, before which the teams were responsible for managing the conduct of players in consultation with the WHL.

25. The WHL Regulations prohibit any racial comments or derogatory remarks by any player or Team official. Any player or Team official who makes a racial or derogatory comment will be subject to disciplinary action. The WHL Regulation concerning derogatory comments was added in the early 1990s.

26. The Social Media and Networking Policy prohibits, among other things: (a) negative or derogatory comments; (b) photographs, videos or comments promoting negative influences or criminal behaviour, including sexual exploitation; and (c) inappropriate, derogatory, racist or sexist comments. Breaches of the Social Media and Networking Policy will attract disciplinary

action at my discretion. The Social Media and Networking Policy was implemented in 2012, before which there was only a limited amount of social media activity in the WHL.

2. Players First Support Services Program

27. The Players First Support Services Program is the WHL's overarching program dedicated to player protection and safety. It consists of various mandatory programs which include, among others: (a) the Security Network; (b) the Mental Health Talk Today Program; (c) the Respect in Hockey Program; (d) the Respect in Sport Program; and (e) the Player Impact Program. The Players First Support Services Program is introduced to players when they join a WHL Team and educates players on how to utilize its constituent programs, including how to lodge complaints and how to access support resources. Attached as **Exhibit B** to this affidavit is a copy of the WHL's current Players First Support Services Program Overview.

3. Security Network and Club Liaison Officer Program

28. As part of the Players First Support Services Program, the WHL established a league-wide Security Network in 2015. The Security Network is headed by a Security Network Officer, former Calgary Police Superintendent Kevan Stuart. Under the Security Network, a Club Liaison Officer (a retired or active locally based police officer) is assigned annually to each Team by the Security Network Officer. The Security Network also operates a 1-800 number for confidential, anonymous complaints.

29. The Club Liaison Officers act as independent resources for players and deliver the Player Impact Program presentations, described below, at the start of the season. Their primary role is to serve as mentors for players and to provide a reporting mechanism for players to openly express

any concerns or complaints without fear or reprisal. When a complaint is made, the Club Liaison Officer will report it to the Security Network Officer, who investigates the allegations confidentially. The Security Network Officer also conducts periodic reviews of each Team to ensure they are in full compliance on operating standards and the player experience. Attached as **Exhibit C** to this affidavit is a copy of the WHL's current Security Network and Club Liaison Officer Program overview.

4. Talk Today Program

30. The WHL's Talk Today Program is a program run by the Canadian Mental Health Association (**CMHA**) to provide professional mental health support to players. The Talk Today Program was implemented in 2016. It is introduced to players as part of the Players First Support Services Program and trains players to recognize and report mental health issues both with themselves and their teammates. The Talk Today Program involves: (a) mandatory workshops on mental health and suicide awareness (SafeTALK and ASIST); (b) a dedicated CMHA Mental Health Coach for each Team to increase access to community mental health and addictions resources; (c) dedicated Mental Health Champions within each Team; (d) hosting a public Talk Today event in the community; (e) mandatory evaluation of the program at the end of each season; and (f) access to CMHA mental health support resources. Attached as **Exhibit D** to this affidavit is a copy of the WHL's current Talk Today Program Manual.

5. Respect in Hockey Program

31. The WHL's Respect in Hockey Program is a mandatory, year-round training program designed to educate Team personnel on abuse, diversity, inclusion, respect and trust. The

Respect in Hockey Program includes the Respect in Sport for Activity Leaders Program, a Respect Champions Team, and a series of workshops. The Respect in Hockey Program was implemented in its earliest form in 1998, and the mandatory seminar for all WHL players was run by the Canadian Red Cross up to 2018 when the Respect Education Program was discontinued. The Respect Education Red Cross curriculum has been transferred to the WHL and is now a part of the Respect in Hockey Program. Attached as **Exhibit E** to this affidavit is a copy of the WHL's current Respect in Hockey Program overview.

32. The Respect in Sport for Activity Leaders Program is an online training and certification program mandatory for all Team personnel, including players, management, coaches, staff and billets, which takes place during the fall of each season. Recertification must occur every four years. The Respect in Sport for Activity Leaders Program was implemented in 2011. The program focuses on preventing bullying, harassment, abuse and neglect, using positive power and emotions, and reporting bullying, harassment, abuse and neglect. The Respect in Sport and Activity Leaders Program is run by Respect Group Inc., a private organization in Canada committed to empowering people to recognize and prevent bullying, abuse, harassment and discrimination through interactive, online training courses. Attached as **Exhibit F** to this affidavit is a copy of the WHL's current Respect in Sport for Activity Leaders Curriculum.

33. As part of the Respect in Hockey Program, a Respect Champions Team is appointed to each Team, led by a Respect Team Champion who is a WHL alumni or independent professional. The Respect Champions Teams consist of 2-3 players, 1-2 coaches or management staff, and the Team's Club Liaison Officer, on a volunteer basis. Respect Champions Teams were introduced in the 2020-2021 season, and have continued virtually throughout the COVID-

19 pandemic. The Respect Champions Team delivers a series of workshops throughout the season to ensure the conversation surrounding abuse, diversity, inclusion, respect and trust continues year-round. The Respect in Hockey workshops include a review of the Respect Education curriculum and conversation of relevant topics such as mental health, diversity and inclusion.

6. Player Impact Program

34. The WHL Player Impact Program is a mandatory training and education program for all players that takes place at the start of each season. The Player Impact Program was created by the WHL along with the Calgary Police Service and other police authorities in the region. It was first implemented in 2015. The Player Impact Program is delivered by each Team's Club Liaison Officer and educates players on social risks including social media, consent, drugs, alcohol, gambling, diversity, and being a positive role model in the hockey community. The Player Impact Program features a series of videos and discussion topics to help players understand the impact their actions may have on their teammates and community, as well as their own futures. Attached as **Exhibit G** to this affidavit is a copy of the WHL's Player Impact Program overview.

D. My Response to Plaintiffs' Evidence

35. In this section, I provide facts relating to the evidence of Mark Howery in the plaintiffs' certification record.

36. In his affidavit, Mr. Howery makes allegations concerning his experiences playing for the Winnipeg Warriors during the 1983-1984 season. The Winnipeg Warriors no longer exist as a WHL Team. The Winnipeg ICE are the current Team in Winnipeg. The Winnipeg Warriors

transferred to Moose Jaw in 1985 and became the Moose Jaw Warriors. The Winnipeg Warriors were privately owned and were sold to a community-owned organization in Moose Jaw, so ownership of the Team was also transferred at that time. The owners of the Winnipeg Warriors are no longer involved in the WHL.

37. Mr. Howery makes allegations in his affidavit about the Warriors' Assistant Coach and Player Personnel Director, Graham James, and his billet, Edmund Oliverio. Mr. Howery states that he reported his concerns about Mr. Oliverio to the Warrior's General Manager, Tom Thompson. The WHL has no records relating to Mr. Howery's complaint about Mr. Oliverio.

38. Having spent over 40 years working for Hockey Canada and the WHL, I have dedicated my entire career to amateur hockey in Canada. I believe that the CHL, the WHL and the WHL Teams provide a very special hockey and life experience to promising young athletes. I believe that the WHL has been a leader in sport by continuously improving its policies and player education programs, and by extension, the player experience, since its inception over 50 years ago, and is fully committed to continuing to do so.

SWORN by Ron Robison of the City of Calgary, in the Province of Alberta, before me at the City of Toronto, in the Province of Ontario, on October 29, 2021 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Commissioner for Taking Affidavits
(or as may be)

DocuSigned by:

Ron Robison
BCC02F02ABD2D481
RON ROBISON

This is Exhibit A
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

Marshall Torgau

EB91330899384D9

A Commissioner for Taking Affidavits

WHL REGULATIONS AND POLICIES

1.0 PERSONAL CONDUCT POLICY

All persons associated with the Western Hockey League (WHL) are required to avoid conduct at any time – during hockey season or otherwise – that is detrimental to the integrity of the WHL. This requirement applies to all players, coaches, management and other team employees, owners, game officials and all others privileged to play, try out for, coach, work, provide services to or be associated with the WHL and its member Clubs.

A policy and rules promoting lawful, ethical and responsible conduct serve the interests of the WHL, its players and fans. Illegal, unethical or irresponsible conduct does more than simply tarnish the offender, his or her family and team; it may also damage the reputation of others involved in the game, and it undermines public respect and support for the WHL.

1.1 Standard of Conduct

While criminal activity is outside the scope of permissible conduct in our society and all persons who engage in criminal activity may be subject to criminal proceedings, the standard of conduct for persons associated with the WHL is considerably higher than simply complying with criminal law. Everyone associated with the WHL or its member clubs is expected to conduct himself or herself lawfully, ethically and responsibly, in a manner that promotes the values upon which the WHL was founded and based.

Individuals who fail to live up to this standard of conduct are considered to be in violation of the WHL Personal Conduct Policy and guilty of conduct detrimental to the integrity of WHL. They are subject to discipline, regardless of whether or not the conduct results in a criminal or quasi-criminal conviction. Discipline may be imposed by the WHL in any of the following circumstances:

- Criminal offences including, but not limited to, those involving the use or threat of violence; other forms of harassment or abuse; theft and other property crimes; sex offences; obstruction or resisting arrest; and disorderly conduct;
- Offences relating to steroids and prohibited substances or substance abuse; offences involving alcohol or drugs including, but not limited to, driving while impaired or under the influence or dangerous driving;
- Violent or threatening behavior, whether within or outside any team setting or any workplace, or conduct that poses danger to the safety or well-being of another person; or
- Other conduct that undermines or puts at risk the integrity and reputation of the WHL, WHL Clubs, or WHL players, coaches, employees, owners or game officials.

1.2 Evaluation, Counseling and Treatment

Apart from any disciplinary action, persons arrested, charged or in any other manner appearing to have engaged in conduct prohibited under this policy may be required to undergo a formal medical or other clinical evaluation at the cost of the individual and/or his or her family. Based on the results of the evaluation, the person may be required or encouraged to participate in an education program, counseling or other treatment deemed appropriate by a health professional, at the cost of the individual and/or his or her family. The evaluation and any resulting counseling or treatment are designed to provide assistance and are not to be considered discipline. However, failure to comply with this portion of the policy shall in itself constitute a separate and independent breach of this policy and basis for discipline.

1.3 Discipline

Upon learning of conduct that may be considered detrimental to the integrity of the WHL and that may give rise to discipline, the WHL may initiate a review, which may include interviews and information gathering from medical, law enforcement and other professionals. The WHL will advise the individual, and if that person is a minor, the individual's parent(s) or guardian, of the review and its outcome. A person whose conduct is being reviewed will have the opportunity, represented if they wish by counsel, parent, guardian or other representative, to address the conduct being reviewed. Upon conclusion of the review, the Commissioner of the WHL will have full authority to impose discipline as warranted.

2.0 ABUSE, BULLYING, HARRASSMENT AND HAZING POLICY

It is the policy of the Western Hockey League (WHL), as a member of Hockey Canada, that there shall be no abuse or neglect, whether physical, emotional or sexual, of any participant or anyone directly or indirectly associated with the operation of a Member Club or the League.

The WHL expects all of its Member Clubs and the League as a whole to take all reasonable steps to safeguard the welfare of our participants and anyone associated with a member Club or the League and protect them from any form of maltreatment.

For the purpose of this policy and for further clarity, abuse shall be defined as any form of physical, emotional, and / or sexual mistreatment or lack of care which causes physical injury or emotional damage to a player or any other individual associated with a Member Club or the League.

Hazing is a practice which is not tolerated by the WHL. Any player, coach or team official of a WHL Club who has been party to or has knowledge of any degrading hazing or initiation rite (without reporting at the first reasonable opportunity to the WHL Commissioner), shall be subject to an automatic suspension.

3.0 RACIAL / DEROGATORY COMMENTS

The WHL will not tolerate any racial comments and / or derogatory remarks by any player or Club official. Any racial or derogatory comment made by a player or Club official on or off the ice, will be subject to disciplinary action, provided that it was heard by one of the on or off-ice officials and the appropriate penalty was assessed, or the incident was reported.

4.0 SOCIAL MEDIA AND NETWORKING POLICY

4.1 Introduction

For the purpose of this Social Media and Networking Policy, the policy will encompass public communications through such internet mediums and websites as Twitter, Facebook, LinkedIn, Instagram, Tinder and any other social media network that allows users to communicate online.

The policy will be applicable to all members of the WHL Community at the Club and League levels including Governors, General Managers, Hockey Operations staff, Business Operations staff, Scouts, Medical personnel, on-ice and off-ice officials, billets, players and WHL Office staff.

The WHL recognizes and appreciates the value of social media and the importance of social networking to all of its stakeholders. The WHL also respects the right of all Clubs and League personnel to express their views publicly. At the same time we must be aware of the dangers social media and networking can present.

The purpose of this policy is to educate the WHL Community on the risks of social media and to ensure all Clubs and League personnel are aware that conduct deemed to be inappropriate may be subject to disciplinary action by the Club and The League.

4.2 Social Media Guidelines

- a.** the WHL holds the entire WHL Community who participates in social media and networking to the same standards as it does for all other forms of media including radio, television and print.
- b.** comments or remarks of an inappropriate nature which are detrimental to a Club or the League will not be tolerated and will be subject to disciplinary action.
- c.** it should be recognized that social media comments are on the record and you should conduct yourself in an appropriate and professional manner at all times.
- d.** refrain from divulging confidential information of a personal or team related nature. Only divulge information that is considered public.

- e. use your best judgment at all times - pause before posting. Ultimately, you are solely responsible for your comments and they are published for the public record.
- f. if requested to participate in an online network, as a direct result of your affiliation with or participation in the WHL, the WHL recommends that this request be declined.
- g. players or hockey operations staff are not permitted to participate in social media or networking two (2) hours prior to the start of a WHL game and at least one (1) hour following the completion of a WHL game.

4.3 Social Media Violations

The following are examples of conduct through social media and networking mediums are considered violations of the WHL Social Media and Networking Policy and may be subject to disciplinary action by the WHL, at the discretion of the WHL Commissioner.

- a. any statement deemed to be publicly critical of League officials or detrimental to the welfare of a member Club or the League.
- b. divulging confidential information that may include, but is not limited to the following: player injuries; trades or other player movement; game strategies; or any other matter of a sensitive nature to a member Club or the League.
- c. negative or derogatory comments about any of the WHL staff, programs, stakeholders, players or any member of a WHL Club.
- d. photographs, video or comments promoting negative influences or criminal behavior, including but not limited to: drug use, alcohol abuse, public intoxication, sexual exploitation, etc.
- e. online activity that contradicts the current policies of the WHL.
- f. inappropriate, derogatory, racist, or sexist comments in keeping with the WHL policies and regulations on these matters.

4.4 Summary

The WHL community, when using social media and networking mediums, should assume at all times they are representing the WHL and/or its member Clubs. All members of the WHL community should remember to use the same discretion with social media and networking as they do with other traditional forms of media. Should the identity or image of any member of the WHL Community be used in Social Media and Networking without authorization, please notify your WHL Club Management or the WHL Office immediately. Any use of a player or team member's image or likeness without the written consent of the WHL is strictly prohibited.

This is Exhibit B
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

EB91330899384D9...

A Commissioner for Taking Affidavits



WHL Players First Support Services

Mandatory League Programs

- **Respect in Hockey**
 - The new Respect in Hockey program will include an online presentation that is designed specifically to further educate WHL team personnel in the critical areas of abuse, diversity and inclusion and healthy relationships.
 - The Red Cross Respect Education Workshops which have been delivered by the Canadian Red Cross and have been mandatory for all WHL Players since 1998, will be incorporated into the new Respect in Hockey program.
 - Through consultation with the Canadian Red Cross, the new Respect in Hockey program will include an online seminar; video presentation, Team Workshops and a WHL Code of Conduct
- **CHL Respect in Sport:**
 - Respect in Sport is an online seminar which is mandatory for all WHL team personnel including players, management, coaches, trainers and billets and is incorporated in the Respect in Hockey Programming.
 - Respect in Sport online seminars were introduced in the 2011-12 season.
 - This risk management program is designed specifically to further educate all WHL Club personnel in the critical area of abuse and to identify those areas of responsibility in order to better support our young players.
- **Canadian Mental Health Talk Today Workshops:**
 - The Canadian Mental Health Association Talk Today Workshops were implemented, on a mandatory basis, with all WHL Clubs during the 2016-17 season.
 - The objective of the Talk Today Workshops is to provide a safe environment within each Club so that a player who may be experiencing a mental health issue will feel confident and comfortable speaking about his challenges with his teammates, coaches, training staff and others associated with the team.
 - The mandatory program for all WHL Clubs players and staff is 3 hours in duration and those participating are certified once the workshop is completed.



- **WHL Security Network:**

- The WHL introduced a league wide Security Network in 2014-15, consisting of 22 Club Liaison Officers representing each WHL Club.
- The WHL Security Network is headed by former Calgary Police Superintendent Kevan Stuart.
- The Club Liaison Officers assigned to each Club are either active or retired local Police Officers who work as mentors with the players on each WHL Club. The Club Liaison Officer ensures WHL Clubs continue to offer a positive environment for the players.
- The Club Liaison Officers are responsible to deliver the Player Impact Program presentation each season to players on their WHL Club.
- Should a player have a complaint, they are encouraged to contact their local Club Liaison Officer, or other channels that are available to them, including their Respect Team Leader, Education Advisor, Billet or any other team staff member.

- **WHL Player Impact Program:**

- The WHL Player Impact Program is a mandatory program for all WHL players and was implemented during the 2015-16 WHL season.
- Created by the Calgary Police Service and the WHL, the program is delivered by the WHL Club Liaison Officer.
- The Player Impact Program presentation educates WHL Players on social risks such as social media, consent, drugs, alcohol, gambling, diversity and being a good role model in the community.
- All presentation topics are covered in association with the law, ensuring players understand the risks and realities that exist in society today.

- **CHL Drug Education and Anti-Doping Program:**

- The CHL Drug Education and Anti-Doping Program which was introduced as a mandatory program in 2009, educates WHL players on the risks of being exposed to banned substances while participating in the WHL.
- All WHL players are required to complete the online course to educate them on banned substances and acceptable training substances.
- All WHL players are subject to random testing throughout the course of the WHL Season.



- **CHL Concussion Management Program:**

- The CHL Concussion Management Program includes player education on gaining greater awareness of signs and symptoms of concussions; greater personal responsibility; improved recognition of injury symptoms through evaluation; and a structured recovery process.
- The CHL Concussion Management Program was implemented to ensure all concussions are addressed and reported in a consistent manner in accordance with the League protocol.
- All WHL Players take part in standardized baseline concussion testing prior to competing in the WHL.
- The Concussion Management Program is an integral part of the WHL Player Safety Seven Point Plan designed to reduce injuries and provide a safe environment for players to develop in.

- **WHL Career Counselling Session**

- All WHL Clubs are required to conduct a Career Counselling Session each season for their players.
- The session is designed to ensure players understand post-secondary entrance requirements and application process.
- The session also assists players with life after hockey, providing them insights on professional hockey and Canadian University hockey programs.
- The session is conducted by the WHL Club Education Advisor. WHL Club Alumni also take part in the session providing advice on career options.

This is Exhibit C
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:
Marshall Torgon

EB913300099984D9...

A Commissioner for Taking Affidavits



WHL Security Network

- The WHL established a league-wide WHL Security Network in 2015. Former Calgary Police Superintendent Kevan Stuart is the new WHL Security Network Officer and is responsible for the WHL Security Network reporting directly to the WHL Commissioner.

Primary duties for the WHL Security Network Officer will be:

- To support the Club liaison officers and oversee league wide programs
- To investigate alleged violations by any Clubs, players or staff.
- To investigate the conduct of any individual or Club who may have acted in a manner detrimental to the WHL.
- To conduct reviews of WHL Clubs to ensure they are in full compliance regarding WHL operating standards and the player experience.

WHL Club Liaison Officer Program

- The WHL is committed to providing a safe and positive environment for all WHL players. As a result, the WHL introduced a league-wide security program.
- All WHL Clubs are required to have a Club Liaison associated with their Club operations.
- The Club Liaison Security Officer's primary role will be to serve as a mentor for all players on the team and to provide an outlet for players to openly express any concerns without fear of reprisal.
- Other responsibilities include:
 - Conducting the Player Impact Program seminars with all players on the risk of alcohol, drugs, sexual relations, gambling, social media and other societal issues
- The Club Liaison Officer will also serve as a mentor to assist players in developing strong core values and acting in a responsible manner at all times.
- Club Liaison Officers are not required to consult investigations. Should a criminal matter arise, it will be immediately turned over to the police of jurisdiction.
- Any form of abuse, whether physical, emotional or sexual in nature, by anyone associated directly or indirectly with a WHL Club, is not tolerated by the WHL.
- WHL expects all WHL Clubs will take the necessary steps to ensure the health and welfare of all WHL Players are protected and to provide a safe and positive environment at all times.

This is Exhibit D
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

Marshall Torgon

4FB913508993264D9

A Commissioner for Taking Affidavits



centre for
suicide prevention



Canadian Mental
Health Association
TALK TODAY

Team Up: preventing suicide in athletes

A new virtual presentation for players and teams participating in the Talk Today program.

Overview

- Virtual, over Zoom (live, synchronous)
- 2-2.5 hours
- Relevance to hockey world highlighted
- Revised Learning Objectives (Goals for Session) specific to hockey & sports contexts
- Focus is on empowering players to be a bridge to a trusted adult (players supporting players)
- Large group case study included (new case study depicting a hockey scenario on team bus that invites players to respond to how they would handle this situation on their particular team)

Learning Objectives “Goals for the Session”

At the end of the session, participants will be able to:

1. Appreciate the existence of suicide inside and outside the hockey world
2. Identify protective factors, risk factors and warning signs, including those specific to the hockey community
3. Get help for a teammate by connecting to a trusted adult

Team Up presentation outline

SECTION	KEY POINTS
Section 1	<ul style="list-style-type: none">• Welcome, housekeeping, ground rules• Goals for this session (learning objectives)• Why we're here – Terry Trafford story• Group reflection question (Mentimeter) – <i>what do people admire most about athletes?</i>• What are your communities? – <i>Group reflection questions around suicide</i>• What do you think? (stigma, myths & facts)• Reaching Out case study part 1
	<p>Break – Mentimeter question around asking teammate directly about suicide will put idea in their mind</p>
Section 2	<p>Reaching Out case study part 1 continued</p> <ul style="list-style-type: none">• Protective and risk factors, warning signs- <i>What did you see in video?</i>- <i>What others exist, specific to the hockey world?</i>
	<p>Reaching Out case study part 2</p> <ul style="list-style-type: none">• How can you talk to your teammate? (4 steps)• Connecting to a trusted adult for support
	<p>Break – Mentimeter question around high-performance athletes and mental health stigma</p>
Section 3	<ul style="list-style-type: none">• New case study - <i>Luis and Matt, age 16</i> - <i>Teammates travelling on bus together to an away game</i>• Group discussion questions: - <i>What would you do?</i> - <i>Who is your trusted adult in this case?</i> - <i>How would you connect to this adult?</i>• Helpers (available, able and willing to help)• Practice asking about suicide
Section 4	<ul style="list-style-type: none">• Resources• Closing and Questions



Program Manual



Canadian Mental
Health Association

TALK TODAY





Contents

- 3** **Introduction**
- 3** **Why *Talk Today*?**
- 4** **Mental Health / Suicide Prevention Workshops**
- 6** **CMHA Mental Health Coaches**
- 7** **Mental Health Champions**
- 8** ***Talk Today* Awareness Games**
- 10** **Evaluation**
- 11** **Summary**
- 12** **Contact**

Introduction

Thank you for participating in *Talk Today*, a program designed by the Canadian Mental Health Association (CMHA). *Talk Today* is one of the most comprehensive mental health/sport-related programs in Canada. Its aim is to promote the mental health of young athletes and to spread awareness about the benefits of positive mental health throughout communities across the country. Originally launched in 2014, interest in *Talk*

Today has grown steadily both within and outside the realm of sports.

CMHA has created this manual to help sports organizations and CMHA branches implement *Talk Today*. This manual contains useful information about the contents of the program as well as practical tips to help you deliver *Talk Today* successfully.

Why *Talk Today*?

In a given year, one in five people in Canada experiences a mental health problem or illness. There are no limitations to those who may be affected. Only one in three people who experience a mental health problem or illness — and as few as one in four children or youth — reports having sought and received services and treatment. Suicide, meanwhile, remains the second-leading cause of death of young people between the ages of 10 and 24.

High-performance athletes in their teenage and early adult years often face significant stress and life's challenges can seem immense. Not only are they facing the pressures of excelling and reaching the next level in their sport, but they're also doing so during critical educational and social periods in their lives. *Talk Today* was designed to provide support to these young people and to destigmatize the negative connotations associated with seeking help.

This guide will explain the key components of *Talk Today*:

1. Mental Health/Suicide Prevention Workshops:

At its core, *Talk Today* offers participants standardized, certified and evidence-based mental health and suicide-awareness workshops.

2. CMHA Mental Health Coaches:

A CMHA Mental Health Coach acts as a direct link to a team/organization participating in *Talk Today*. This relationship allows for greater knowledge of and access to community mental health and addictions resources.

3. Mental Health Champions:

Talk Today actively encourages at least one person, and hopefully more, within a participating sports organization to become a Mental Health Champion. This person is a positive force for mental health within their team/organization.

4. *Talk Today* events:

Elite athletes and sports organizations are positive role models within their communities and can help destigmatize mental health issues. Participating clubs and CMHA branches will host a *Talk Today* game-day event to raise awareness about mental health and suicide prevention.

5. Evaluation:

Players who receive training must complete mandatory evaluation forms provided by CMHA Mental Health Coaches. The feedback from the evaluation forms will be collected to help gauge the effectiveness of *Talk Today* and identify areas of improvement for the program.

1

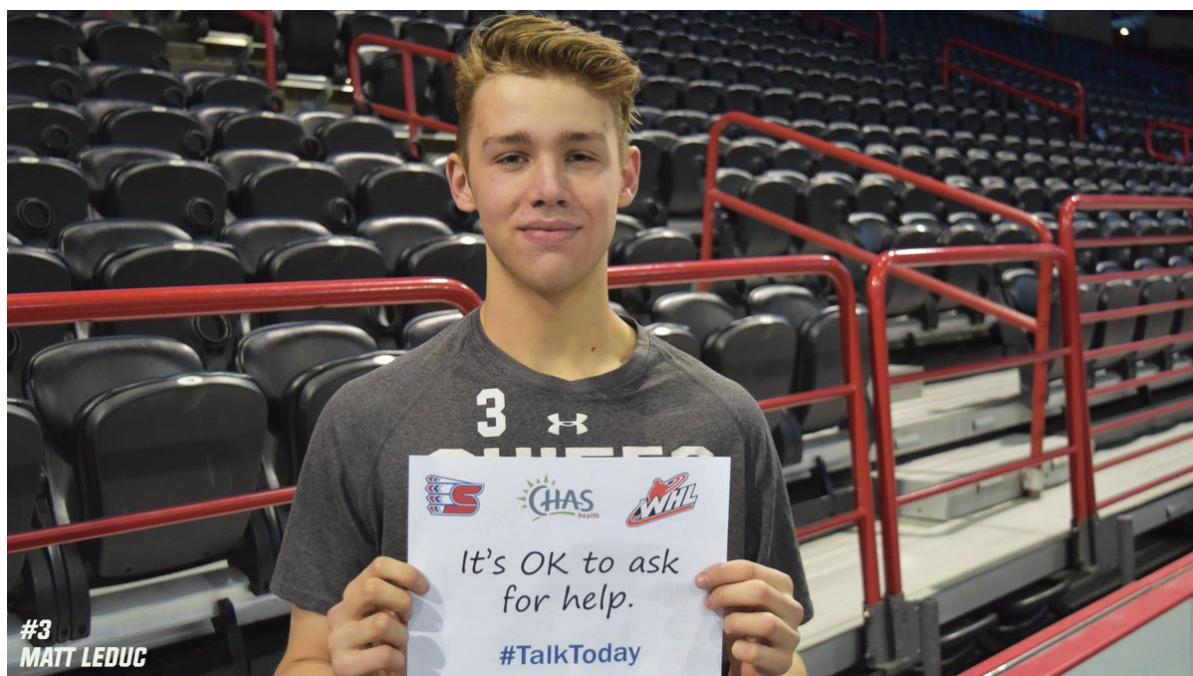
Mental Health / Suicide Prevention Workshops

Two accredited and evidence-based mental health and suicide awareness workshops are the foundation of *Talk Today*. The accredited training protocols have been developed by LivingWorks, a world leader in suicide intervention. The trainings are delivered by CMHA staff or other mental health professionals in partnership with CMHA. Like first aid or cardiopulmonary resuscitation (CPR) training, participants taking these mental health and suicide awareness workshops learn valuable life skills.

safeTALK (Suicide Alertness For Everyone) teaches individuals the importance of mental health and how to recognize persons with thoughts of suicide. safeTALK, three hours in duration, is training that prepares anyone older than 15 to identify persons with thoughts of suicide and connect them to suicide first aid resources. Most people with thoughts of suicide invite help to stay safe. Alert helpers know how to use these opportunities to support that desire for safety.

While available to anyone associated with the team such as coaches, trainers, parents and billet families, safeTALK training is mandatory for all athletes.

The current cost of safeTALK is \$35 per person and service providers bill the teams directly. CMHA is seeking sponsorship to offset these costs.





Tips

- Conduct safeTALK training early in a season so that team members can use what they've learned to support each other throughout the year.
- Elite sports clubs often have busy schedules. safeTALK should be provided at times convenient for the athletes (e.g. after practice; within a suitable location at the sports venue).
- The CMHA Mental Health Coach and the club Mental Health Champion should be present during the training session so athletes are familiar with these appropriate contacts.
- Offer safeTALK each year to ensure new and returning players have access to the training.
- Facilitate safeTALK training for other people associated with the team (e.g. coaches, trainers, billet families, parents, etc.).
- To help track the success of *Talk Today*, CMHA Mental Health Coaches use [this participation form](#) to monitor how many players, coaches, parents, etc., are taking safeTALK.

ASIST (Applied Suicide Intervention Skills Training)

teaches people older than 16 how to recognize individuals who are at risk and intervene to keep them safe. The ASIST workshop is for individuals who want to feel more comfortable, confident and competent in helping to prevent the immediate risk of suicide. More than one million caregivers worldwide have participated in this two-day, highly-interactive, practical, practice-oriented workshop. ASIST participants learn a model of care teaching them how to connect with a “person at risk” and how to develop a plan to keep them safe.

While available to anyone associated with the team, the recommendation is that at least one adult completes ASIST.

The current cost of ASIST is \$130 per person and service providers bill the teams directly. CMHA is seeking sponsorship to offset these costs.



Tips

- While open to anyone over 16, ensure at least one adult closely associated with a team receives ASIST.
- Offer ASIST each year to all adults associated with the team in order to create an expanded “suicide safer” community.
- The team’s Mental Health Champion is encouraged to take safeTALK and ASIST.
- Ensure players, team staff and others associated with the club know which adult has taken ASIST.
- To help track the success of *Talk Today*, CMHA Mental Health Coaches use [this participation form](#) to monitor how many players, coaches, parents, etc., are taking ASIST.

2

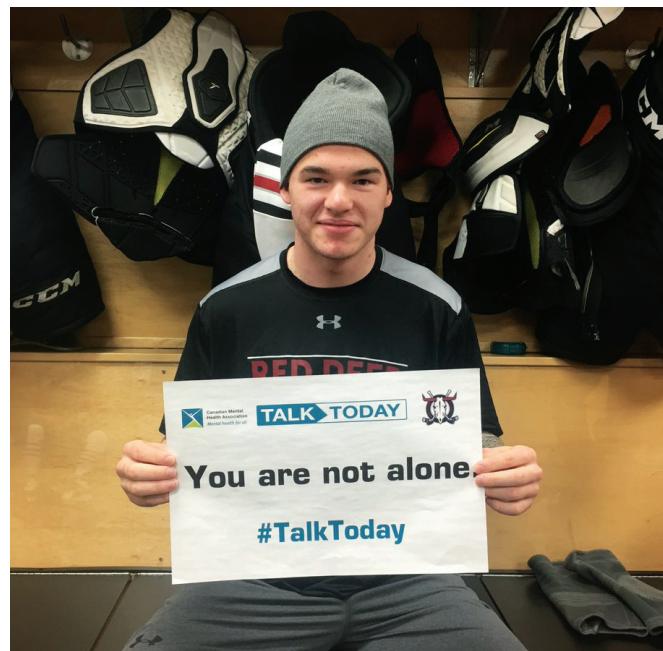
CMHA Mental Health Coaches

A key component of *Talk Today* is the relationship that develops between athletes/organizations and their local CMHA branch. A CMHA branch will designate a Mental Health Coach who will be connected to each team and be available as a main point of contact should a player or anyone associated with the team be in distress.

A CMHA Mental Health Coach is trained to provide resources and supports for the players as well as the people that surround the players. The Mental Health Coach provides referrals to local mental health, addictions and crisis services, as necessary.

Tips

- CMHA Mental Health Coaches are driving forces in *Talk Today*.
- CMHA Mental Health Coaches should maintain contact with the team/organization at intervals throughout the year (e.g. when scheduling safeTALK/ASIST training sessions; during breaks in the season; to help co-ordinate *Talk Today* game day events).
- CMHA Mental Health Coaches should be present at safeTALK and ASIST workshops to foster relationships with training participants.
- CMHA Mental Health Coaches should provide players a list of community resources that offer services during business hours and 24/7.



3

Mental Health Champions

Each club must appoint a Mental Health Champion, an adult associated with the team that has good rapport with the players and whom the players should feel comfortable going to if they need support. The club Mental Health Champion is also the team's connection to the CMHA Mental Health Coach. In this role, the Mental Health Champion can help co-ordinate training or relay information to others in the organization who can help with components of *Talk Today*.

We encourage training staff, physiotherapists, parents, billeting parents and others to consider the role of a club Mental Health Champion. The Champion can also work with local CMHA branches and act as an advocate on mental health issues within the community.

»»» Tips

- Mental Health Champions are a crucial contact point for CMHA Mental Health Coaches. The champion should be quickly accessible, especially during the first year of the program.
- Like CMHA Mental Health Coaches, Mental Health Champions should be well known to the team members and organization.
- A Mental Health Champion should be someone who has regular contact with the players. For example, a team physiotherapist or athletic trainer may be well suited for the role.
- A Mental Health Champion should be someone who has contact with team personnel (e.g. those responsible for game day events) who can support the program.
- There is no limit to the number of Mental Health Champions per team/organization. More is better.
- A coach or GM can play the role, but they may not have the time to be a Mental Health Champion.
- Players may not feel comfortable divulging mental health issues to an adult responsible for dictating playing time.

4

Talk Today Awareness Games

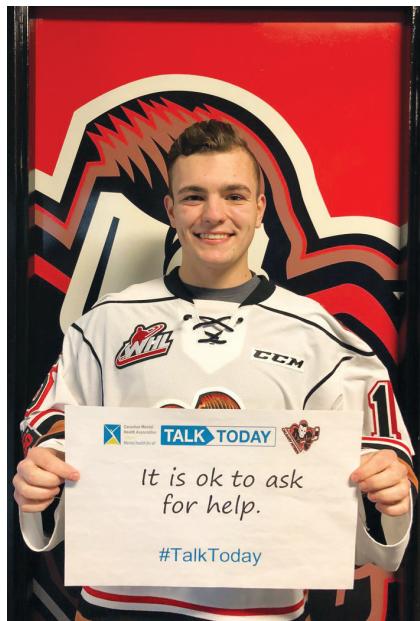
Teams/organizations will dedicate one home game to raise awareness about suicide prevention and promote mental health. Teams and their local CMHA branch will work together to coordinate these *Talk Today* events. CMHA staff, CMHA Mental Health Coaches, and Mental Health Champions and the players/individuals can all play a role in these events.

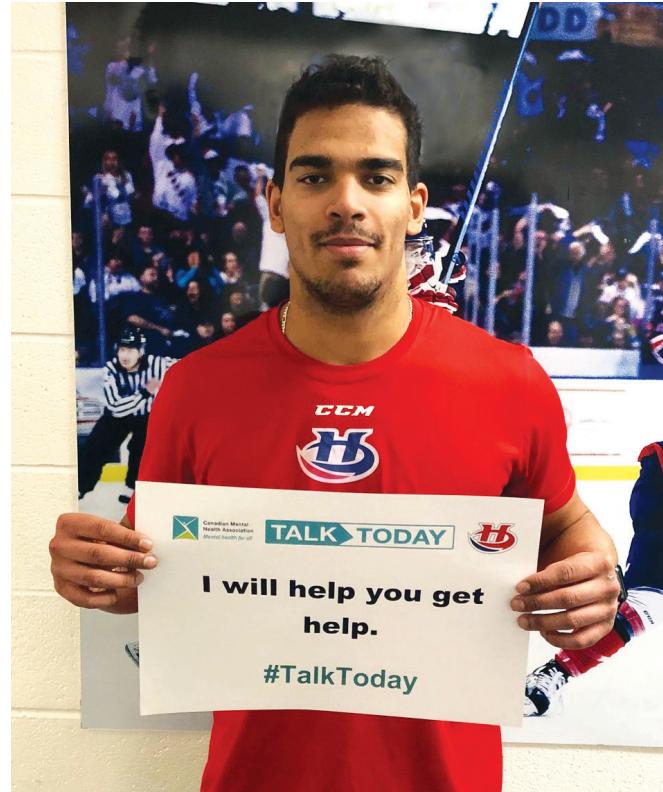
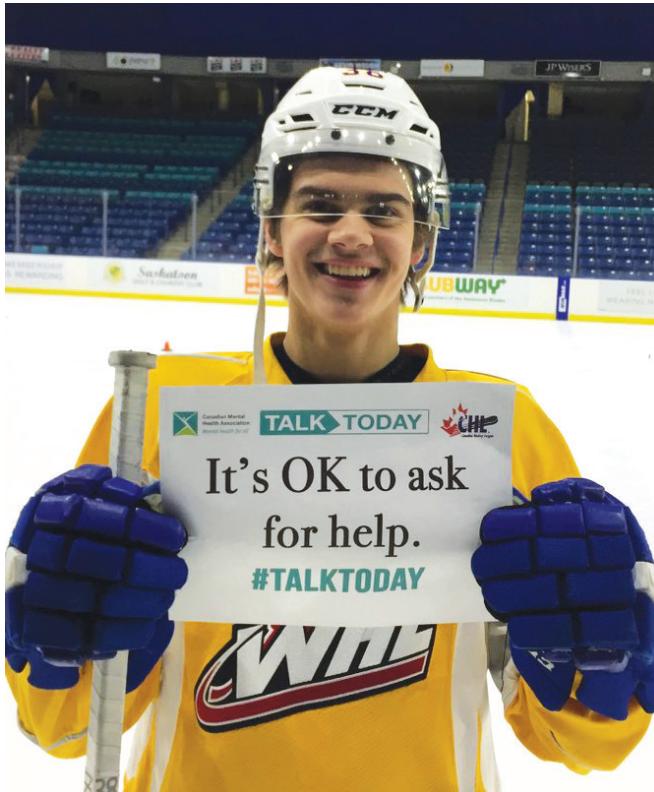
CMHA has created a Talk Today Game-Day Guide to help branches and teams carry out game-day events. The guide outlines requirements for each event, including:

- Hosting an information booth/kiosk staffed by the local CMHA branch staff
- Broadcasting video announcements on scoreboard screens.
- Broadcasting public address announcements.
- Incorporating *Talk Today* placards with support from the players.
- A ceremonial puck drop with CMHA staff.
- Using social and traditional media to promote the event.

Other suggested elements for the games include:

- Incorporating CMHA green. (See the colour palate in the Game-Day Guide).





➤➤➤ Tips

- CMHA has created a *Talk Today* Game-Day Guide which outlines requirements and tips for hosting game-day events.
- *Talk Today* game-day events should be held in February to maximize media and social media coverage.
- Many elite sports organizations have game-day operations staff to help conduct these types of events.
- CMHA Mental Health Coaches should reach out to teams/organization and start planning early in the season.
- Players, coaches or other individuals associated with the club/organizations may wish to participate (e.g. recording video messages; using social media; acting as media spokespeople).
- Use social media to promote the game-day events and during the events themselves, using the hashtag #TalkToday.

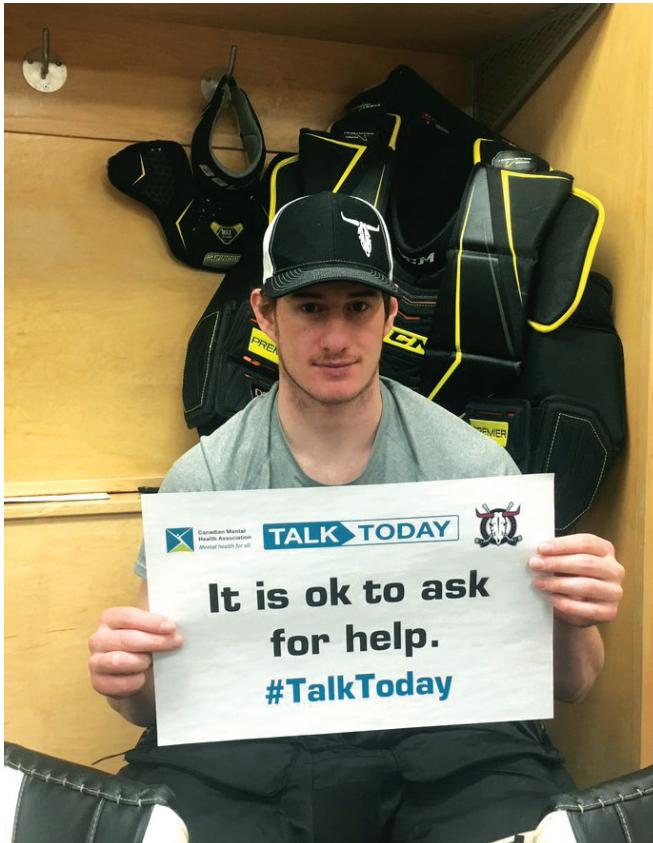
Evaluation

5

➤➤➤ Tips

- LivingWorks dictates that its surveys must be completed immediately after workshops.
- Individual CMHA branches and their corresponding clubs/organizations are responsible for ensuring surveys are completed.
- *Talk Today* surveys must be returned to the local CMHA branch.





Summary

Talk Today continues to make advancements in an effort to become the gold standard of mental health programs for sports in Canada.

In order to attain this goal, the following requirements are essential:

- Ensuring all athletes are safeTALK trained so they have the skills to identify when a peer, colleague, family member or teammate may be struggling.
- Having ASIST and safeTALK-trained adults available to players gives them an appropriate contact person to connect with in times of crisis.
- Engaging CMHA Mental Health Coaches and Mental Health Champions gives players access to a reliable person with which they can speak within their team environment.
- Hosting a game-day event in partnership with CMHA branches promotes suicide prevention and positive mental health.
- Receiving constructive feedback/evaluation from *Talk Today* workshop participants allows for future improvements to the program and insight into program effectiveness.

Following the program's structure as outlined in this manual helps ensure that *Talk Today* is delivered consistently across teams, organizations and leagues across Canada.

Contact

For more information, contact:

Alex Salomie

Communications Officer

Canadian Mental Health Association, Ontario

Tel: 416-977-5580 Ext. 4129 or Toll Free: 1-800-875-6213

asalomie@ontario.cmha.ca

Joe Kim

Director of Communications

Canadian Mental Health Association, Ontario

Tel: 416-977-5580 Ext. 4141 or Toll Free: 1-800-875-6213

jkim@ontario.cmha.ca



This is Exhibit E
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

EB91330899384D9...

A Commissioner for Taking Affidavits



A. WHL Respect in Hockey Program - 2020-21

1. WHL Respect in Sport Online Seminar

- The Respect in Sport Activity Leader Online Seminar is designed to provide all personnel involved in the WHL with a common understanding of language, terminology and inappropriate behavior to remove any uncertainty of what is respectful and what is not.
- Respect in Sport Activity Leader Online Seminar introduced in 2011, will now include players and officials as well as all WHL team personnel (management, coaches, trainers and billets)
- This risk management program is designed specifically to further educate WHL Club personnel in the critical area of abuse and to identify those areas of responsibility in order to better support our players. Recertification is required every four years.
- The Respect in the Workplace Online Seminar is also available for team personnel who have limited contact with players but is not mandatory.

Respect Online Seminar	Audience
<ul style="list-style-type: none"> • <u>Respect in Sport</u> - Activity Leader 	All Players, Coaches, Management, Officials, Parents, Billets <i>(Mandatory for personnel that have direct contact regularly with Players)</i>
<ul style="list-style-type: none"> • <u>Respect in the Workplace Seminar</u> 	All business staff and other members of the team <i>(Optional for personnel that have limited contact with Players)</i>

2. Respect in Hockey Workshops

- A 'Respect Champions Team' will be created for each WHL Club, which will be led by the Respect Team Champion, an Alumni or Professional in this area. The Respect Champions Team will also include 2-3 players; 1-2 coaching/management staff; Club Liaison/Security Officer.
- There will be three workshop sessions each season that act as a continuum of support to ensure the conversation continues throughout the season.
- Respect in Hockey Workshop # 1 (what was previously the Red Cross Respect Program) curriculum will now be delivered in a video format and will be held during the Orientation Sessions. Workshops # 2 & # 3 topics will be directed by the WHL Office to cover relevant topics such as Diversity and Inclusion, and an opportunity to reflect on the Respect in Sport programming.

3. WHL Code of Conduct

- Establishment of a WHL-wide Code of Conduct that will be adopted by all 60 CHL teams and League Offices.
- Once adopted, all WHL teams will be required to have all players, coaches, management and staff sign-off on the WHL Code of Conduct document to be posted in the team dressing room.
- Code of Conduct sign-off will be included in the WHL Respect Online Programming to be signed off on after completion of the online training.

This is Exhibit F
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

Marshall Torgon

EB9T33D899384D9...

A Commissioner for Taking Affidavits

Respect in Sport – Activity Leader Program Curriculum - July 2019

The *Respect in Sport – Activity Leader* program is the FOUNDATIONAL, on-line training tool for Canadian *Safe Sport*. It is designed to educate individuals, 13 years of age and up who are coaches, trainers, parents (with “duty of care” responsibility), referees/officials, athletes in a mentor/leadership position, etc. As a recommended program within the *Responsible Coaching Movement* (earning 3 NCCP PD credits) sport organizations have made the program a requirement and, most often, have instituted a recertification cycle. Respect Group, along with our curriculum partners, the Canadian Red Cross - RESPECT Education, fully update the content and delivery platform every 4 years. The new release, launching in July 2019, will include;

1. The True Sport Principles
2. Power and Leadership
3. Understanding How Youth Develop
4. Successfully Leading Today's Youth
5. Setting Realistic Expectations
6. Inclusive Leadership
7. Being a Mentor and Role Model
8. Understanding Emotions
9. NEW – Early Sport Specialization
10. Introduction to Maltreatment
11. A Leader's Legal and Moral “Duty of Care”
12. Bullying
13. Cyberbullying
14. Harassment
15. Discrimination
16. Transgender Awareness (LGBTQI2S)
17. NEW- Aboriginal Awareness in the Context of Sport
18. NEW – Gender Equity
19. Sexual Abuse
20. Grooming – Dr. Sarah MacDonald
21. Emotional Abuse – Dr. Gretchen Kerr
22. Physical Abuse
23. Hazing
24. Empowered Bystanders
25. Stepping Up and Stepping In
26. Reporting Maltreatment
27. Mental Health Outcomes of Maltreatment
28. NEW - Vicarious and Indirect Trauma
29. Concussion Awareness – Dr. Mark Aubry
30. Psychological Wellness
31. Taking Care of Yourself
32. The Rewards of Leading Youth
33. The Athlete Perspective; Sheldon Kennedy, Sophie Baron La Salle, Stephanie Dixon, Erica Wiebe
34. The Official/Referee Perspective; Sonia Denoncourt, Nicky Pearson

Respect et sport – Leader d'activité – nouveau curriculum - juillet 2019

Le programme Respect et Sport pour Leader d'activité, est l'outil de formation en ligne de base pour le Sport Sécuritaire canadien. Il a été développé pour éduquer tous les intervenants de 13 ans et plus -- entraîneurs, instructeurs, parents (responsables du «devoir de diligence»), arbitres / officiels, athlètes occupant un poste de mentor / leadership, etc. En tant que programme recommandé par le Mouvement d'entraînement responsable (offrant 3 points PP au PNCE), les organisations sportives ont fait de ce programme une exigence et ont même institué un cycle de re-certification. Respect Group, de concert avec nos partenaires du curriculum, la Croix-Rouge canadienne - Éducation RESPECT, met à jour intégralement le contenu et la plate-forme de diffusion tous les 4 ans. La nouvelle version, lancée en juillet 2019, comprendra:

1. Les principes de Sport Pur
2. Pouvoir et leadership
3. Comprendre le développement des jeunes
4. Diriger avec succès les jeunes d'aujourd'hui
5. Définir des attentes réalistes
6. Leadership inclusif
7. Être un mentor et un modèle
8. Comprendre les émotions
9. NOUVEAU - Spécialisation sportive précoce
10. Introduction à la maltraitance
11. «Devoir de diligence» juridique et moral d'un Leader
12. L'intimidation
13. La cyber intimidation
14. Le harcèlement
15. La discrimination
16. Sensibilisation à la réalité des transgenres (LGBTQI2S)
17. NOUVEAU - Sensibilisation aux Autochtones dans le contexte du sport
18. NOUVEAU - Équité entre les sexes
19. Violence sexuelle
20. Conditionnement - Dre Sarah MacDonald
21. Violence psychologique - Dr. Gretchen Kerr
22. Violence physique
23. Le bizutage
24. Témoins habilités
25. Réaliser et intervenir
26. Signalement de mauvais traitements
27. Résultats de la maltraitance sur la santé mentale
28. NOUVEAU - Traumatismes indirects
29. Sensibilisation aux commotions cérébrales - Dr. Mark Aubry
30. Bien-être psychologique
31. Prendre soin de soi
32. Les avantages de diriger les jeunes
33. La perspective de l'athlète; Sheldon Kennedy, Sophie Baron La Salle, Stephanie Dixon, Erica Wiebe
34. La perspective des arbitres et des officiels; Sonia Denoncourt, Nicky Pearson

Strategies for Dealing With BAHD

(Module 3, Section 3)

Verbal Communication

Do's

- Remain calm in control of your emotions. This may have a calming effect on the aggressor.
- Focus your attention on the other person so they know you're interested in what they're saying.
- Encourage the person to talk and try to stay open-minded and objective.
- Acknowledge the person's feelings, by saying something like, "I can see you're upset."
- Be aware of the words you're choosing and how you're saying them.
- Speak slowly, quietly, and confidently.
- Listen carefully without interrupting or offering advice or criticism.

Don'ts

- Don't glare or stare. This can be seen as a challenge.
- Try not to allow the other person's anger to become your anger.
- Don't use official language, complex terminology, or jargon.
- Avoid communicating a lot of technical or complicated information when emotions are high.
- And never tell the person to relax or calm down.

Strategies for Dealing With BAHD

(Module 3, Section 5)

Non-Verbal Communication and Behaviour

Do's

- Use calm body language: keep a relaxed posture with your hands unclenched and a neutral, attentive expression.
- Position yourself so that the exit is not blocked.
- Position yourself at a right angle rather than directly in front of the other person.
- Give the person enough physical space. Generally, 1 to 2 m.
- Get on the other person's physical level rather than standing over them.

Don'ts

- Don't take an aggressive or challenging pose, like:
 - standing directly opposite someone
 - putting your hands on your hips
 - pointing your finger
 - or waving or crossing your arms
- Don't make sudden movements which can be seen as threatening.
- And avoid physical violence or confrontation where possible. Walk away and get assistance from security or police.

Strategies for Dealing With BAHD

(Module 3, Section 5)

Responding to a Physical Attack

Do's

- Make a scene. Yell or scream as loudly as you can, even try shouting words like STOP, FIRE or HELP, and don't stop yelling
- Blow a whistle, activate your personal security alarm, push the building security alarm or, as a last resort, pull the fire alarm
- Give bystanders specific instructions to help you. Single someone out and send them for help: "You in the yellow shirt, call 911!"
- Run to the nearest safe place, a safe office or an open store.
- Call security or the police immediately after the incident.
- If the attack does not warrant calling the police, inform your supervisors or the authorities at your workplace.
- File an incident report. We've put one in the Handouts section to help you capture what happened.
- And, try to imagine yourself responding successfully to different types of attacks.

Don'ts

- If someone grabs your purse, briefcase or other belongings, don't resist. Throw the item several feet away from the thief and run in the opposite direction, yelling "help" or "fire".
- Don't chase someone trying to steal from or assault you. Ever.

Strategies for Dealing With BAHD

(Module 3, Section 5)

Here are some tips for dealing with an Aggressor if You Feel Safe

- Tell the aggressor that their behaviour is offensive, unwanted, and to stop.
- Document what happened to you. Remember to look for the incident report in the Handouts section of this program.
- Check organizational policies and procedures and know your rights.
- If the behaviour is repeated, report it to a trusted colleague, supervisor or HR, and if it contravenes the law, know you have the right to report it to the police, but do not discuss details with other uninvolved co-workers.
- Don't be afraid to ask for assistance and support from the organization.

Dealing with an Aggressor if You Feel Unsafe

- Avoid being alone with the aggressor and make sure you're safe.
- Get support and assistance right away and report the incident to a trusted colleague, supervisor, or Human Resources.
- Document what happened to you. Look for an incident report in the Handouts section.
- Only talk to those who can support you and keep the information confidential. Speaking with uninvolved parties may add unwanted and unwelcomed dynamics that could further jeopardize the situation.
- Know your organization's policies and procedures and know your rights.

Tools for Success

Tools for Success: Dealing with Bullying and Harassment in the Workplace

(Module 2, Section 3)

Speak Up:

Firmly state that this behaviour isn't acceptable and ask the aggressor to stop. If you need support, ask a supervisor, union representative, or co-worker, if appropriate, to be with you when you approach the person.

Take Note:

Keep a record of events. It's not just how the situation unfolds but how often it happens and the pattern of the behaviour that can reveal the bullying or harassment. So, keep track of as many details as possible: Date and time, A thorough description of what happened, Names of everyone involved, Names of witnesses, And the outcome of the event.

Save Copies:

Keep copies of any letters, memos, e-mails, texts or other communications you've received from the aggressor or anyone with knowledge of what's going on.

Report:

Formally report the bullying or harassment to your supervisor or manager, or to the person identified in your workplace policy.

Don't Retaliate:

Stay calm at all times. If you lash out or retaliate in any way you may end up looking like the perpetrator and will most certainly cause confusion for those responsible for evaluating and responding to the situation.

Stay Safe:

Never put yourself in a situation where you feel unsafe. If you feel like your safety's at risk keep your office door open, stay in view of other co-workers or customers, ask a co-worker to walk you to your car, and report the behaviour immediately.

Tools for Success: Dealing with Discrimination

(Module 2, Section 7)

Take Note:

Keep a daily journal or record of the events. It's not just how the situation unfolds but how often it reoccurs and the pattern of the behaviour that can reveal the discrimination, so keep track of as many details as possible: Date and time, thorough details of what happened, names of everyone involved, names of witnesses, and the outcome of the event.

Save Copies:

Keep copies of any letters, memos, e-mails, texts or other communications you've received from the aggressor or anyone with knowledge of what's going on.

Save Objects:

Keep any objects or photos which were posted, left for you, or given to you that you believe are discriminating or harassing.

Report:

Tell your manager, supervisor, or employer that you feel you're being discriminated against. It's likely that acts of discrimination or harassment are going unrecognized or unpunished because the victim doesn't make it clear that the conduct is unacceptable and unwelcome. It's your responsibility to make sure your personal rights are protected.

Be Assertive:

Let your employer know that you take the matter seriously. Ask that a written report be made when you report an incident of discrimination or harassment. Ask that an investigation be conducted, and that disciplinary or corrective action be taken against the offenders.

What To Expect When You Report

(Module 2, Section 3)

Write an Incident Report:

One of the key things you did during the situation was record and document everything you heard, saw, read, or received. These notes and the details in them may not be formal, but they may be influential in validating a formal complaint or identifying a pattern of BAHD behaviour. Remember, there's an incident report in the Handouts section to help you compile the information you've gathered. It may contain more information than you need, but it will help you focus your notes and provide all the information you've gathered in a cohesive way.

Submit Your Report:

After writing up clear, concise, and detailed notes, file your Incident Report according to your workplace policies and procedures. This may mean reporting to a line manager, supervisor or HR personnel. Confidentiality is critical for everyone involved, so don't talk about the report outside of the confidential boundaries such as the reporting line, employee assistance programs, or counsellors.

Understand the Process:

Every organization will have an individual process for addressing BAHD in the workplace: it could include disciplinary action, mediation, or an appeal process. You should be able to find these processes in your organization's Policies and Procedures—which may be available through the Handouts section of this program or by requesting them from your organization.

Trust the Process:

Once your report has been filed, don't be concerned if your organization doesn't keep you informed of the investigation. Their responsibility for confidentiality will often mean they can't discuss ongoing details. Trust that for almost all cases of inappropriate behaviour, organizational policies or government legislation exist that hold aggressors accountable. Sometimes, aggressors simply need to be made aware of their behaviours, and in some cases, an apology may be the answer. In more serious cases, aggressors may be formally disciplined. And in the most severe cases, demotion, suspension, or even termination of employment may be the result. However, if you believe the report isn't being handled in a timely manner, you have the right to escalate your concern through the existing internal chain of command, or if required, to the Human Rights Commission.

Understand the Effects of BAHD:

If you're a target, a witness, or if someone discloses to you about BAHD behaviour, remember to help yourself as well as the person being victimized. Experiencing and witnessing behaviours of this sort may have long-term, emotionally significant consequences for everyone involved. When you're a bystander, it's important to assist the victim, but it's equally important to seek help for yourself if needed. Seek support from trusted family members, friends or colleagues, or, if required, request third-party assistance from your organization or employee assistance program. Just remember, the confidentiality of everyone involved must be maintained.

This is Exhibit G
referred to in the Affidavit of Ron Robison,
sworn before me this 29th day of October, 2021

DocuSigned by:

EB913308999304D9...

A Commissioner for Taking Affidavits



WHL Player Impact Program

The Western Hockey League Player Impact Program is a comprehensive training and education program for all WHL Players. This program was created by the WHL, Calgary Flames and the Calgary Police Service to educate our players on the potential risks they may face while playing in the Western Hockey League.

The WHL Player Impact Program covers topics such as responsible social media use, relationships and consent, drugs and alcohol, gambling, diversity issues and their role as positive role models. The curriculum was developed with input from all three of the partner organizations to make sure it is relevant to the challenges that WHL players face as they prepare for professional hockey or post-secondary studies.

The WHL Player Impact Program will be delivered by the WHL Security Network Club Liaison Officers assigned to all 22 WHL member Clubs. The WHL Liaison Officer will present to their Club at a coordinated time throughout the WHL season. The presentation is approximately 2-3 hours in length. The program presentation will feature a series of videos and discussion points to assist players in understanding the impact their actions may have on their teammates and community as well as their own personal careers.



WHL: Player Impact Program

2020/2021 Season

Author: Kerri Firza, Business Strategist

Cst. Steve R. Kelly

Prepared for: Kevan Stuart

WHL

Publication date: 2021/02/16

Summary

The Western Hockey League (WHL) in partnership with the Calgary Police Service (CPS) created the Player Impact Program to address current events and emergent social topics. Having the team connect with protective factors in their community, such as the Club Liaison Officer (CLO), will encourage healthy, well-rounded, and respectable players. The Player Impact Program will be presented by the CLO at the beginning of each season. 2020-2021 is unique given the restrictions of the global COVID-19 pandemic, therefore, this document will serve as a structure for a conversational presentation that highlights online presence, character and Equity, Diversity and Inclusion (E, D, I). The original version from 2018 can still be presented, time permitting.

Subjects/Keywords:

Police, Western Hockey League, Player Impact Program, Club Liaison Officer

Disclaimer

This document and its contents are for internal use only and are not to be distributed outside of the Western Hockey League. Any form of copying, reproduction, modification, dissemination, disclosure or publication of this material is strictly prohibited and against WHL policy.

Table of Contents

Introduction of Club Liaison Officer	1
Online Presence	2
Character Building/Reputation Management.....	3
Equity, Diversity and Inclusion.....	4

Club Liaison Officer Introduction

As a Club Liaison Officer (CLO) it is important to build positive relationships with the players, provide advice when asked, and celebrate their successes, on and off the ice. You are modelling behaviors that you want them to emulate. Your words and actions speak volumes. Your role as a police officer cannot be discounted, and the respect for the authority you represent should always be maintained during your interactions. Amid the pandemic, there was an unfortunate encounter at a local community rink in Calgary, Alberta, where a junior player confronted police and challenged their authority to enforce the Public Health Act. This resulted in negative press for the law enforcement agency and for the individual. This could be an opportunity for you to discuss with the team that your role of as an officer, to uphold the law, is integral to your professionalism and duty. If you spend a significant amount of time with the team, the lines can be blurred between mentor and friend. Do a periodic check in to ensure that you are doing the best for the team and supporting them appropriately.

Your objectivity as a facilitator is important, as you navigate the content, which includes some complexity around explaining equity, diversity and inclusion. Explore your own personal biases, and do not let them enter the discussion. Having meaningful discussions with the players and finding those teachable moments will be your task.

Online Presence

In all the previous Player Impact Program presentations, there has been a section that deals with online presence. In a digital age, even more so with the social distancing restrictions, it is important to impress upon the players the repercussions of chatting or tweeting inappropriate language or sentiments. What they post, can have immediate consequences or long term, which can have effects on future playing opportunities or employment.

1. Ensure that the players have read and understood the WHL Social Media Policy. Print it out and highlight significant points and discuss with the group. Ask them which social media sites they interact on, and how do they maintain professionalism as a junior player. Security over their name should also be discussed, and to ensure that others are not impersonating them online.
2. Ask the team for any recent examples where people have put something online that impacted their lives. They will likely mention:
 - Don Cherry ('You people') Explore why there was such a backlash to a comment that seemed so trivial. Be aware that this was linked to his comments about immigrants and people not buying poppies. While there is some disagreement about his intent, the impact was what mattered. You can have a discussion if they think it is right/wrong but challenge them in their thinking. Remember, maintain objectivity.
 - Mitchell Miller: Accused of bullying at his previous junior high school and his draft was rescinded and he was also removed from playing at his university. While this one wasn't specifically online, it should be noted that bullying online has the same consequences, and can readily be dug up on the internet
 - Bill Peters: accused of using racial slurs directed at player Akim Aliu, years before. He was fired as head coach of the Calgary Flames when the story broke. Explain that we are all accountable for our language and behaviors.
3. Challenge them to think about the interactions they have online with their teammates, and with people outside of the organization. Would they be comfortable sharing the content publicly?
4. Dating in the digital world has also introduced new complexities to the interactions, as the conversations are/can be saved and shared. Do not share explicit photos of yourself or a significant other, as this can lead to criminal charges. Break ups can also be messy, but do not lower your level to argue or insult an ex-partner online or in person. Your digital footprint can be brought back and shed a very negative light on you.
5. Explain how you can support them if they have questions, or inquiries about situations that are occurring online.

Character Building/Reputation Management

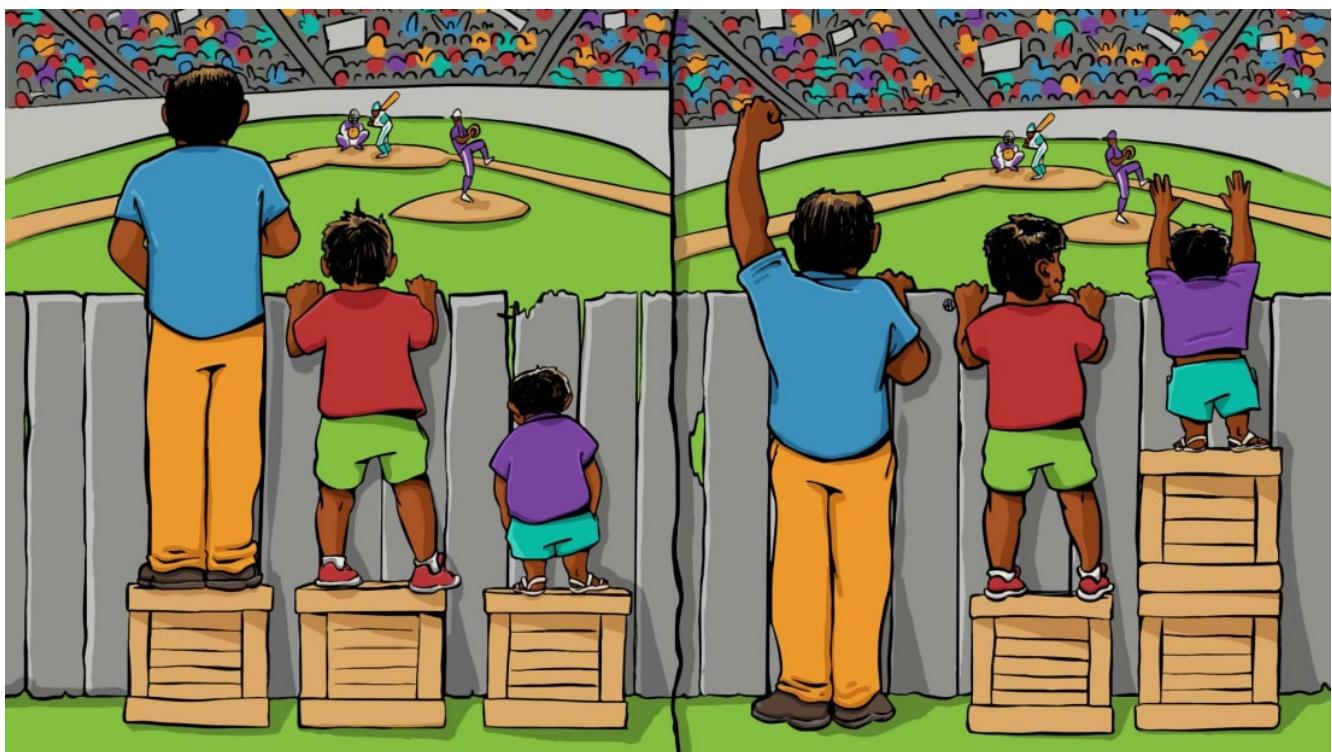
Building on the topic of online presence, you can weave in how their interactions (in person/online) can build up or tear down their reputation.

1. Discuss with the team how they conduct themselves in person and online. Do these interactions differ and how? Are they conducting themselves appropriately in-person and online?
2. This is your opportunity to discuss the similarities to your profession as a police officer. Your actions are scrutinized, and you can be on camera anytime. Talk about how this can impact not only your reputation, but that of the organization. Do you have an appropriate example to relate to this in your career? Just like the players, whether on or off the ice, they need to be aware of how their actions reflect on themselves and the WHL.
3. Ask for an example of someone who they aspire to be like. This can be a professional hockey player, actor, elected official or family member. What are the attributes that this person possesses, and how can the players follow their example? Tell them who you look up to and why.

Equity, Diversity and Inclusion (E,D,I)

This is a very relevant topic in North America currently. Racial tensions in the United States have ignited conversations that on the surface, seem very contentious. It is not as simple to say that their country has different issues compared to Canada, as this is only partly true. To fully grasp the premise of E, D, I, one may need to do a bit of extra reading (for example: *Is Everyone Really Equal?* By Ozlem Sensoy and Robin Di Angelo). Complex concepts like white privilege, systemic racism and social justice is being thrown around, which tends to incite criticism and comments that are counterproductive. You are not expected to be the expert in this area. You may have a variety of players from different races, religions, countries, and the fact remains that ensuring equal access to a safe and understanding environment is the goal.

The overrepresentation of Indigenous persons in the criminal justice system may be a point of discussion, where you can speak to the Canadian context. You should be well-versed in variables that impact criminality (poverty, fetal alcohol, drug use/abuse, sexual violence). This is not to say that all Indigenous people who have experienced adverse childhood experiences (ACEs) will be involved in crime, however, there is a higher probability that they will. It is not about equality, but **equity**. The analogy of equality vs. equity is represented below:



Equality is where every gets the same treatment, regardless of need. Equity ensures that people have what they need based on their circumstances. As an officer of the law, you may say that laws that are broken are not inherently racist, but there is an element where individuals historically are victimized by the laws that are meant to protect them. For example, writing tickets to homeless individuals consistently. Does this fix the underlying issues?

You can discuss the death of George Floyd as the catalyst for current interest in racial tension. Guide the discussion thoughtfully.

Everyone has had their own lived experience and perceptions. Your role as a Club Liaison Officer is to provide advice to players who come to you, and relevant resources. For example, the Hockey Diversity Alliance

(<https://hockeydiversityalliance.org/>) Familiarize yourself with the professional players involved in this initiative and what they aim to do. Celebrate **diversity** and learn from each other.

Inclusion is as simple as the word. No one should be excluded because of who they are, or where they come from. The team needs to be cohesive in order to be successful. If you recognize a player who is struggling to be accepted, you can support them and encourage other players to step up and involve them.

You will need to be prepared for this section of the Player Impact Program. Know what your biases are, acknowledge them, and put them aside. This is an opportunity to demonstrate to the team that you have knowledge of the subject of E, D, I, and support all players on the team whilst recognize that society is changing for the better.

DANIEL CARCILLO et al.
Plaintiffs

-and-

ONTARIO MAJOR JUNIOR HOCKEY LEAGUE et al.
Defendants
Court File No. CV-20-00642705-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF RON ROBISON

BENNETT JONES LLP
3400 One First Canadian Place
P.O. Box 130
Toronto, ON M5X 1A4

Michael A. Eizenga (#31470T)
Email: eizengam@bennettjones.com

Ranjan K. Agarwal (#49488H)
Email: agarwalr@bennettjones.com

Ashley Paterson (#61973B)
Email: patersona@bennettjones.com

Telephone: 416.863.1200

Lawyers for the defendants