

This policy is based on the principles and practices of most minor sports associations with regard to harassing and abusive behaviour towards participants.

MISSION STATEMENT WITH RESPECT TO HARASSMENT AND ABUSE

It is the mission of the Cold Lake Minor Soccer Association (CLMSA) to ensure its participants are provided meaningful opportunities and enjoyable experiences in a safe, sportsmanlike environment. This includes, amongst other things, a shared responsibility with parents to nurture the physical and emotional well being of all participants. The CLMSA is primarily interested in the well being of it's participants and to this end, will have "**zero tolerance**" of harassment and abuse.

A. RECOGNITION AND PREVENTION OF ABUSE

Statement of Purpose

The CLMSA is part of the sporting community that is committed to promoting and establishing better ways to keep our youth safe. Of primary importance is the protection of participants from all forms of abuse and neglect, whether emotional, physical or sexual. The CLMSA considers any form of abuse or neglect to be intolerable and has a zero tolerance policy of this social problem. To this end, the CLMSA will actively promote awareness of all forms of abuse and neglect by providing educational materials and programs for participants, parents, volunteers and executive members. In addition, the CLMSA will adopt policies and procedures aimed at the prevention, intervention and elimination of abusive and neglectful behaviour. Through the use of these strategies, we will reinforce the message that minor sports participants will not be easy targets for potential abusers and sexual predators. To this end, the CLMSA is committed to the highest possible standard of care for its participants.

Policy

It is a policy of the CLMSA that there shall be no abuse or neglect, whether emotional, physical or sexual of any participant or by any participant in any of its programs or activities. The CLMSA expects every parent, volunteer and executive member to take all reasonable steps to safeguard the welfare of its participants and protect them from any form of maltreatment.

Definitions

Child Abuse

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care, which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. In the Province of Alberta, a "child" is any person under the age of 18 years.

Emotional Abuse

Emotional abuse is a chronic attack on a child's self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust, including other participants, volunteers, staff and parents. Emotional abuse includes but is not limited to: name-calling, threatening, ridiculing, berating belittling, intimidating, isolating, hazing and ignoring the child's needs.

Physical Abuse

Physical abuse is when a person purposefully injures or threatens to injure a child. This includes but is not limited to forms of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise which causes injury to a child or is used as a form of punishment.

Neglect

Neglect is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. This may occur, for example, in sport when injuries are inadequately treated or players are made to play with injuries, equipment is inadequate or unsafe, no one intervenes when team members are abusing or harassing another player, or road trips are not properly supervised.

Sexual Abuse

Sexual abuse is when a young person is used by an older child, adolescent or adult for his or her own sexual stimulation or gratification. Sexual abuse does not always indicate direct contact and can be broken into two categories:

1. CONTACT

- touched or fondled in sexual areas
- forced to touch another person's sexual areas
- kissed or held in a sexual manner
- forced to perform oral sex
- vaginal or anal intercourse
- vaginal or anal penetration with an object or finger
- sexually oriented hazing

2. NON-CONTACT

- obscene remarks on phone/computer or in writing
- voyeurism
- shown pornography
- forced to watch sexual acts
- sexually intrusive questions and comments
- forced to pose for sexual photographs or videos
- forced to self-masturbate or to watch others masturbate

Duty to Report

The CLMSA is committed to help reduce and prevent the abuse and neglect of its' participants. Those who work closely with children and youth often have a special awareness of abusive situations due to observation or rapport with the young person. These individuals, therefore, have a particular reporting responsibility to ensure the safety of the youth by knowing their provincial protection acts and following through as required by policy, morals and law.

In the province of Alberta, the protection of children is governed by the Child Welfare Act. The Act, Chapter C-8.1, parts (2) to (4) defines a child as being in need of protective services if there are "reasonable and probable" grounds to believe that the survival, security or development of the child is endangered by a variety of acts or omissions including those categorized as neglect, emotional, physical and/or sexual abuse. (See Appendix A)

Part 1, Section 3, Preliminary Intervention of the Child Welfare Act addresses the issue of duty to report. Subsection (1) states that "Any person who has reasonable and probable grounds to believe and believes that a child is in need of protective services shall forthwith report the matter to a director." This does not require an individual to investigate the matter, however, upon having a "reasonable belief" that a child may be in need of protection, is required to report their belief to Alberta Family and Social Services, Child Welfare.

Subsections (2) to (4) guarantee confidentiality for the reporter and no consequence or action against a person making a report based on reasonable belief that the child may be in need of protective services.

Subsections (5) and (6) address the issue of penalty for those failing to report. Beyond professional governing body regulations, the Act states that "Any person who fails to comply with subsection (1) is guilty of an offence and liable to a fine of not more than \$2000.00 and in default of payment to imprisonment for a term of not more than 6 months."

It is not only the policy of the CLMSA to report all reasonable beliefs that a child may need protective services, it is also the law.

B. RECOGNITION AND PREVENTION OF HARASSMENT

Some behaviour, which might be described as harassment when directed toward an adult or between two youths, may constitute abuse when directed towards a child by any person with power or authority over the person being harassed and are covered in the Recognition and Prevention of Abuse Policy. Together, these two policies address the spectrum of abusive and harassing behaviours.

Statement of Purpose

The CLMSA is committed to providing an environment, which promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination, which is prohibited by Human Rights legislation in Alberta and Canada as a whole. The CLMSA supports the rights of all its members, whether athletes, volunteers or employees, to participate in all CLMS activities free from any form of harassment. The CLMSA also emphasizes the importance of eliminating harassment in soccer as a key element in ensuring the safety of the young participants. A sports environment, which actively discourages harassment and builds relationships based on trust and mutual respect, is an environment, which discourages the abuse of children and encourages the overall development of the individual.

Policy

It is the policy of the CLMSA that harassment in all its forms will not be tolerated during the course of any CLMS activity or program. Accordingly, all CLMSA staff, volunteers, officials, parents and guardians, are responsible for making every reasonable effort to uphold this commitment. This includes refraining from harassing behaviour, responding promptly and informally to minor incidents, and following local and national policy guidelines for reporting or responding to more serious complaints of harassment. Players and other participants are expected to refrain from harassing behaviour and are encouraged to report incidents of harassment.

Definition

Harassment occurs when someone is subjected to unwelcome verbal or physical conduct. Harassment is also a form of discrimination, which is prohibited in Alberta in the Human Rights, Citizenship and Multiculturalism Act under the following grounds

- Race
- Religious beliefs
- Colour
- Gender
- Physical or mental disability
- Age
- Ancestry
- Place of origin
- Marital status
- Source of income
- Family status
- Personal relationships

Discrimination has occurred if someone receives differential (favourable or unfavourable) treatment or opportunity based on any of the grounds listed above.

Harassment is defined further as conduct, gestures or comments, which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals. Harassment creates a hostile or intimidating environment for work or sports activities and negatively affects performance or work conditions.

Harassment may occur between peers (e.g., player to player of same age group, parent to official, coach to coach, parent to coach, etc.) or between someone in a position of power or authority (e.g., coach to player).

The following are some further examples of harassment:

- unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation, etc.
- condescending, patronizing, threatening or punishing actions which undermine self-esteem
- practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety
- any form of hazing
- unwanted or unnecessary physical contact including touching, patting, and pinching
- unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation or which might on reasonable grounds be perceived as placing a condition of a sexual nature on any opportunity for selection, training or advancement
- *sexual assault or physical assault*

It is important to clarify that the behaviours described in items 5 to 7, when directed toward a child, also constitute abuse under the Child Welfare Act. This may also be true for certain other behaviours such as certain hazing practices and, therefore, duty to report would also fall under the provisions of the Recognition and Prevention of Abuse Policy. Sexual and physical assault is also illegal under the Criminal Code of Canada when directed toward anyone.

HARASSMENT AND ABUSE – DIFFERENCES AND SIMILARITIES

Types of Abuse

Emotional, physical, sexual; lack of care

Types of Harassment

Emotional, physical, sexual; may be motivated by racial or other forms of prejudice

Victim of Abuse

Any person under the age of majority and defined as a child by Provincial Acts; may be male or female

Victim of Harassment

Person of any age; may be male or female

Offender of Abuse

Any person who has power or authority over victim and/or breaches trust; may be male or female

Offender of Harassment

May be peer or person with power or authority over adult victim; may be male or female

Investigation of Abuse

External to organization; referred to Child Welfare or police including the Criminal Code and/or Child Welfare Act

Investigation of Harassment

Most often internal unless falls under other Acts

Follow-up of Abuse

Determined by Provincial Acts and Criminal Code; civil suits may also occur

Follow-up of Harassment

Determined by organizational harassment policies, Criminal Code, labour tribunals, civil action and/or Provincial Human Rights Tribunals; may be used concurrently or alone

Philosophy of Abuse

The victim is not to blame; offenders are responsible for their behaviour "Zero Tolerance"

Philosophy of Harassment

The victim is not to blame; offenders are responsible for their behaviour "Zero Tolerance"

Response and Remedies

Harassment of all kinds has been tolerated for too long in sports, often being tacitly accepted as part of the culture of the game and used by individuals who would not condone such conduct out of a sports environment. It is the position of CLMSA that harassment can not be tolerated. Harassment is unacceptable and harmful. The CLMSA recognises the serious negative impact of all types of harassment on personal dignity, individual and group development and performance, enjoyment of the game, and in some cases, personal safety.

The CLMSA recognises that not all incidents of harassment are equally serious in their consequences. Harassment covers a wide spectrum of behaviours, and the response to harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment must be fair to all parties, allowing adequate opportunity for the presentation of defence to the charges.

Minor incidents of harassment (e.g., inappropriate jokes) should be corrected promptly and informally, taking a constructive approach and with the aim of educating and bringing about a change in negative attitudes and behaviour.

More serious incidents (e.g., a course of repeated taunting, any form of sexual or physical assault) or repeated incidents, should be dealt with relevant to association, branch or national policy and act guidelines. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be zero tolerance of reprisals taken against any party to a complaint. The names of the parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purpose of investigation, disciplinary measures or protecting others.

Anyone making a complaint that is found to be clearly unfounded, false, malicious and/or frivolous will be subject to discipline.