



## Corporate Plan for the 2021-2022 Fiscal Year

March 1<sup>st</sup>, 2021

## SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)

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## Background and Governance

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### THE CANADIAN SPORT POLICY

The vision of the Canadian Sport Policy 2012 is to have, by 2022, “a dynamic and innovative sport culture that promotes and celebrates participation and excellence in sport”. Fundamental to the Policy is the assumption that quality sport is dependent on seven principles appropriately integrated into all sport-related policies and programs: values-based; inclusive; technically sound; collaborative; intentional; effective; and sustainable. The vision emphasizes a commitment to learning and implementing best practices in an ever-changing environment.

### STATUTORY MANDATE

*An Act to Promote Physical Activity and Sport* (S.C. 2003, c. 2) (the “Act”) received Royal Assent on March 19, 2003. The Act sets out the Government’s policy on sport as including the fair, equitable, transparent and timely resolution of disputes in sport. The Act provided for the creation of the Sport Dispute Resolution Centre of Canada (the “Centre”). The Centre opened on April 1, 2004.

In keeping with the vision of the Canadian Sport Policy 2012-2022, and the government stated priorities for sport, and in accordance with the Act, the statutory mandate of the Centre is to provide the sport community with a national alternative dispute resolution service for sport disputes as well as expertise and assistance regarding alternative dispute resolution.

### CLIENTELE

Sport Canada’s accountability framework requires that all national sport organizations (NSOs), multisport services organizations (MSOs) and Canadian Sport Centres (CSCs) have an internal dispute resolution mechanism. If not resolved internally, disputes with respect to national team athletes and coaches are administrated by the Centre.

The dispute resolution services rendered by the Centre may additionally be offered for other matters on a consensual basis. All NSOs, MSOs and CSCs, and anyone affiliated with them, including its members, may agree to refer a dispute to the Centre and benefit from the Centre’s services, provided they meet certain criteria adopted by the Centre.

Where other sport organizations and their members request access to the Centre’s services, the Board may, under certain conditions, grant access to the Centre, including through its fee-for-service program.

The Centre’s education and prevention services are made available to all members of the Canadian sport community.

## GOVERNING LEGISLATION

The Act establishes the Centre as a not-for-profit corporation and outlines its structure, mission, powers and rules of operation. Given the intention to make the Centre arm's length from government, the legislation states that the Centre is not an agent of Her Majesty, a departmental corporation or a Crown corporation.

## ORGANIZATIONAL STRUCTURE

The Act specifies that the Centre shall be composed of a dispute resolution secretariat ("Secretariat") and a resource centre ("Resource Centre"), but leaves it to the Centre to define its mandate, duties and functions to ensure that it is responsive to the evolving needs of the sport community in order to better enhance capacity in the Canadian sport community.

Pursuant to the Act, the affairs and business of the Centre are managed by a Board of Directors consisting of 12 directors appointed by the Minister responsible for sport, as well as the Executive Director (or Chief Executive Officer) of the Centre, who is an *ex officio* director. In December 2003, the Minister appointed the inaugural directors after consultation with the sport community. The guidelines cited in the Act provide for a Board comprised of men and women who: a) are committed to the promotion and development of sport; b) have the experience and capability to enable the Centre to achieve its objectives; c) are representative of the sport community; and d) are representative of the diversity and linguistic duality of Canadian society. In anticipation of six Board members ending their second mandate in the Fall of 2021, including the Chairperson of the Board, a call for applications is planned to be issued in March 2021.

The full-time Chief Executive Officer is charged with the fulfillment of the objectives and mission of the Centre, including spearheading the projects, programs, and services offered by the Centre and overseeing their successful delivery across Canada. The Chief Executive Officer and staff coordinate activities and projects to further the objectives of the Centre and provide the mandated services for the Centre's stakeholders.

The Secretariat and the Resource Centre are managed internally by the staff of the Centre (the Chief Executive Officer and six employees). The Board reviews and revises as necessary the management of both the Secretariat and the Resource Centre during the course of the fiscal year in order to best serve the needs of the sport community.

**Members of the Board of Directors during the 2020-2021 fiscal year:**

*Current Directors as of March 1, 2021:*

- William L. Ryan, Chairperson
- Aaron Bruce
- Michael J. Bruni
- Shu-Tai Cheng
- Linda Cuthbert
- Alex Harvey
- Brad Kielmann
- Susan Kitchen
- Sandrine Mainville
- Lanni Marchant
- The Honourable Graeme Mew
- Marisha Roman
- Marie-Claude Asselin (Chief Executive Officer, *ex officio*)

**Permanent staff members during the 2020-2021 fiscal year:**

- Marie-Claude Asselin, Chief Executive Officer
- Tanya Gates, Director of Operations
- Alexandra Lojen, Case Manager (*on parental leave at the time of publication*)
- Kirsten Whelan, Case Manager and Safe Sport Coordinator
- Fifi Manesa, Administrative Assistant
- Ann-Sophie Laramée, Assistant Case Manager (*since August 10, 2020*)
- Liddia Touch Kol, Education and Partnerships Coordinator (*since October 1, 2020*)
- Vincent Robichaud, Communication and Technology Officer (*since October 1, 2020*)

The firm Baker Tilly was appointed by the Board of Directors as the independent auditor for the 2020-2021 fiscal year.

The Regroupement Loisir et Sport du Québec (RLSQ) provides accounting services to the Centre.

**Arbitrators and Mediators Appointed until April 30, 2021, by Province:**

**Alberta**

Roger Gunn (Mediator)  
Sue Lambert (Mediator)  
Michelle Simpson (Mediator)  
John Harrison Welbourn (Arbitrator)

**British Columbia**

Paul Denis Godin (Mediator)  
Peter Lawless (Arbitrator)  
Simon Margolis (Mediator/Arbitrator)  
Hugh McCall (Mediator/Arbitrator)  
JJ McIntyre (Arbitrator)  
Carol Roberts (Mediator/Arbitrator)

**Manitoba**

Jeffrey Palamar (Arbitrator)

**New Brunswick**

Darlene Doiron (Mediator)

**Newfoundland and Labrador**

James Oakley (Mediator/Arbitrator)

**Northwest Territories**

Cayley Jane Thomas (Mediator)

**Nova Scotia**

Peter J. MacKeigan (Mediator)

**Ontario**

Bruce Ally (Mediator)  
The Honourable Robert P. Armstrong (Arbitrator)  
Larry Banack (Arbitrator)  
David Bennett (Mediator/Arbitrator)  
Rick Brooks (Mediator)

**Ontario (*continued*)**

John Curtis (Mediator)  
Kileen Dagg Centurione (Mediator)  
Jonathan Fidler (Mediator/ Arbitrator)  
Janice Johnston (Mediator/ Arbitrator)  
Richard H. McLaren (Arbitrator)  
Robert Néron (Arbitrator)  
Aaron Ogletree (Mediator/ Arbitrator)  
Gordon E. Peterson (Mediator/ Arbitrator)  
Anne Sone (Mediator)  
Allan Stitt (Mediator/Arbitrator)  
Matthew Wilson (Arbitrator)

**Quebec**

Marie-Claire Belleau (Mediator)  
Thierry Bériault (Mediator)  
Dominique F. Bourcheix (Mediator)  
Patrice M. Brunet (Arbitrator)  
Sarah Daitch (Mediator)  
The Honourable Robert Décary (Arbitrator)  
Stephen L. Drymer (Mediator/Arbitrator)  
Julie Duranceau (Mediator)  
L. Yves Fortier (Mediator/Arbitrator)  
Richard W. Pound (Arbitrator)  
Janie Soublière (Arbitrator)  
Patrick Zakaria (Mediator)

**Saskatchewan**

Charmaine Panko (Mediator/Arbitrator)

## Multi-Year Strategy and Objectives for 2020-2024

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### LONG-TERM OBJECTIVES 2020-2024

The Board of Directors has adopted the following as its vision statement: “A culture of fairness, integrity and respect is embraced in Canadian sport and beyond”. In aiming to achieve this vision, the Centre seeks to provide leadership in sport dispute prevention and resolution, while fostering a culture of integrity, procedural fairness and respect. Following extensive stakeholder consultations and discussions, the Board has endorsed a strategic plan comprised of four priority areas to guide the Centre’s activities over the 2020-2024 quadrennial.

#### **Providing Sport Dispute Resolution Services**

Goal: To provide fair, impartial, timely, and cost-effective solutions to sport disputes

Strategies identified to achieve this goal include: maintaining the highest quality of expertise to deliver effective professional dispute resolution services; reviewing procedural rules to ensure they are current and compliant; and refining processes to better guide and assist parties in disputes.

#### **Strengthening the Capacity of the Sport Community to Prevent and Resolve Disputes**

Goal: To maximize the value of educational programs and initiatives for stakeholders

Strategies identified to achieve this goal include: modernizing the delivery of existing tools and resources to increase their accessibility; developing new programs and resources to best meet stakeholder needs; and strengthening partnerships to broaden the reach and impact of programs and initiatives.

#### **Supporting Integrity in Sport**

Goal: To support the Canadian sport community to address and resolve concerns about maltreatment in sport

Strategies identified to achieve this goal include: facilitating access to systems, resources, and a safe environment to effectively address maltreatment in sport; and contributing leadership and expertise to establish in a timely manner an effective safe sport system.

#### **Pursuing Organizational Excellence**

Goal: To maintain the Centre as an inclusive, sustainable, accountable, and responsible model of good governance

Strategies identified to achieve this goal include: optimizing the effectiveness of the Centre’s operations, services, and programs; strengthening governance through Board development; and cultivating an inclusive, respectful and fulfilling work environment.

## REPORT ON ACTIVITIES 2020-2021

- The Centre maintained its operations during the 2020-2021 fiscal year without any disruption to its services, despite the COVID-19 pandemic.
- From April 1, 2020 to February 26, 2021, the Centre received 44 new sport disputes, including one on a fee-for-service basis and two anti-doping rule violation assertions. The Centre also provided fee-for-service case management in four internal matters from 3 National Sport Organizations.
- The Centre received 15 requests for Early Resolution Facilitation during the period. With two cases still in progress, six were resolved by consent of the parties and the remainder were pursued through other resolution processes.
- Following a thorough review and consultation process, significant amendments were made to the 2021 Canadian Sport Dispute Resolution Code. The new Code, which complies with the new antidoping rules and includes the creation of specialized rules for safeguarding matters, came into effect on January 1, 2021.
- A call for applications for mediators and arbitrators was issued in October 2020 as the Board of Directors conducted the roster renewal process. Training and orientation will be provided to 59 roster members at the Mediator and Arbitrator Conference which will be held virtually in May 2021.
- A mentorship program for women arbitrators was initiated as part of the roster renewal process. Eleven women were selected to observe and shadow SDRCC arbitrators in order to gain practical experience and become eligible to apply for the roster before the next call for applications.
- The Sport Law Connect Program in British Columbia and Manitoba was evaluated after a first full year of operations, with plans in place to improve ease of access. A new cohort of graduate law students from Université de Sherbrooke was trained to offer free-of-charge sport mediation services in Quebec.
- A webinar series was introduced and virtual workshops were delivered on most popular dispute prevention topics such as conflict in interest, athlete's rights and responsibilities, negotiation skills and safe sport. A total of 8 webinars were offered to date, 4 in each official language, attracting a total of 773 registrants.
- The abuse-free-sport.ca website was expanded and improved to include a dedicated section for the Investigation Unit and more information on resources available to prevent or address harassment and abuse in sport.
- A crisis manual for Canadian Sport Helpline operators and an Investigation Best Practices manual were developed.
- The Centre's Board Committee structure and composition was aligned to the new strategic plan priorities and terms of reference were updated accordingly.
- The Centre's risk management system was reviewed and updated following a workshop with the Board, staff and external stakeholders.
- During the period, the Centre complied with its legislative and contractual obligations.

## Objectives and Planned Initiatives for 2021-2022

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### STRATEGIC PRIORITIES 2021-2022

The Centre's strategic priorities for the 2021-2022 fiscal year include: (i) providing fair, impartial, timely and cost-effective dispute resolution services; (ii) increasing accessibility of dispute prevention tools and resources; (iii) continuing to support the sport community to address maltreatment in sport; and (iv) practicing transparent, sustainable and responsible management and governance.

In delivering on its statutory mandate, the Centre's projected activities for the 2021-2022 fiscal year will ensure that the two core elements of its services, the Dispute Resolution Secretariat and the Dispute Prevention Resource Centre, are maintained and enhanced.

When disputes arise in sport, the Dispute Resolution Secretariat will continue to provide fair, impartial, timely and cost-effective solutions to NSOs, MSOs and CSCs.

The primary objective of the Dispute Prevention Resource Centre is to provide information and tools to assist all members of the sport community in preventing disputes and to enhance the capacity of NSOs, MSOs and CSCs to resolve those disputes that cannot be prevented. In the 2021-2022 fiscal year, the Centre will continue to promote a culture of fairness, integrity and respect within the Canadian sport system through the delivery of resources, tools and education.

The Centre will continue to support the Canadian Sport Community to address and resolve concerns about maltreatment in sport by maintaining the Canadian Sport Helpline and the Investigation Unit pilot projects.

In the pursuit of organizational excellence, the Centre will support the Minister in the recruitment of new Board members, including the Chairperson, and will facilitate Board transition through a comprehensive orientation. As it continues to apply strong governance and business practices, the Centre will carry out its mandate in full compliance with the Act and with the requirements of the Government of Canada in the delivery of its services.

## **OBJECTIVES AND INITIATIVES 2021-2022**

### **Providing Sport Dispute Resolution Services**

#### Initiatives:

- Deliver orientation to newly appointed arbitrators and mediators and provide professional development to all roster members, including specific training for specialty rosters in doping and safeguarding;
- Narrow the gender gap among arbitrators through the implementation of the Women in Arbitration Mentorship program;
- Enhance technological tools to further streamline the case management process.

### **Strengthening the Capacity of the Canadian Sport Community to Prevent and Resolve Disputes**

#### Initiatives:

- Review and update existing publications to ensure compliance with 2021 Canadian Sport Dispute Resolution Code;
- Collaborate with viaSport BC and Sport Manitoba to promote the Sport Law Connect Program and provide training to new participants in those provinces;
- Modernize the Centre's website to enhance user experience and access to tools and resources;
- Continue to provide meaningful dispute prevention and education to the Canadian sport community through workshops and webinars.

### **Supporting Integrity in Sport**

#### Initiatives:

- Maintain the Canadian Sport Helpline and Investigation Unit programs, as required;
- Provide specialized adjudication services to the Canadian sport community through the Safeguarding Tribunal;
- Offer expertise, as required, to stakeholders across the country in support of their efforts to end maltreatment in sport.

### **Pursuing Organizational Excellence**

#### Initiatives:

- Support the Minister in seeking volunteers to join the Centre's Board of Directors in 2021;
- Provide orientation to six new Board members and facilitate the transition of leadership;
- Ensure that the Centre's policies comply with the Act, its by-laws and any agreements to which the Centre is a party.

**BUDGET 2021-2022**

Consistent with the objectives and planned initiatives for 2021-2022, the total proposed budget for this fiscal year is \$1,364,000 broken down as follows:

ADMINISTRATION	114,000
GOVERNANCE	45,000
OFFICIAL LANGUAGES	37,000
OPERATIONS	368,000
HUMAN RESOURCES	536,000
GENDER EQUITY AND SAFETY IN SPORT	40,000
CANADIAN SPORT HELPLINE AND INVESTIGATION UNIT (Above-reference Level Funding)	224,000
<b>TOTAL EXPENSES</b>	<b>1,364,000</b>
CORE FUNDING REQUESTED FROM SPORT CANADA	1,140,000
ABOVE-REFERENCE LEVEL FUNDING	224,000

