

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)
CENTRE DE RÈGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA (CRDSC)**

Citation: Meth v. Hockey Canada, 2026 CASDRC 32

File No: SDRCC ST 25-0065

Date: 2026-07-16

(SAFEGUARDING TRIBUNAL)

**ANDREW METH
(Claimant)**

AND

**HOCKEY CANADA
(Respondent)**

AND

**ANONYMOUS COMPLAINANT
(Affected Party)**

Before:

Jay Sengupta – Arbitrator

Counsel:

For the Claimant: Trent Morris

For the Respondent: Adam Klevinas
Cristy Cooper

DECISION

I. INTRODUCTION

- [1] Following an Independent Third Party (“ITP”) investigation into an anonymous complaint made against the Claimant under the Respondent, Hockey Canada’s *Maltreatment Complaint Management Policy* effective March 20, 2023 (the “Policy”), an adjudicator made a finding that the Claimant had engaged in psychological maltreatment contrary to the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* (“UCCMS”) and the Ontario Hockey Federation’s *Respect and Expectations Policy* and imposed sanctions against the Claimant (the “Decision”).
- [2] On December 23, 2025, the Claimant filed an appeal (the “Appeal”) before the Safeguarding Tribunal of the Sport Dispute Resolution Centre of Canada (the “SDRCC”). The Appeal was filed pursuant to paragraph 48 of the Policy and Subsection 8.2(b) of the *2025 Canadian Sport Dispute Resolution Code* (the “Code”). The Appeal is designated as a review under the Code.
- [3] At the same time the Appeal was filed, the Claimant made an application for interim relief seeking the stay or suspension of sanctions imposed against him pending the outcome of the Appeal, also described as a request for Conservatory Measures. The Conservatory Measures issue was heard, and the request denied, by Arbitrator Goldvine in a decision dated February 26, 2026.
- [4] I was subsequently appointed as a sole arbitrator constituting the Safeguarding Panel, also referred to as the Safeguarding Tribunal (the “Tribunal”), to decide the Appeal. The parties have confirmed the jurisdiction of the Tribunal.
- [5] An initial case management meeting was held on March 18, 2026, at which the Claimant and Respondent were present. The Affected Party, although contacted, elected not to participate.
- [6] The Claimant’s request to introduce fresh evidence was opposed by the Respondent. The latter also requested that the issue be addressed on a preliminary basis, which request was granted. The parties were provided an opportunity to provide written submissions on the issue on a timeline set by the Tribunal and agreed to by the parties.
- [7] In an Interim Ruling, I denied the Claimant’s request to introduce fresh evidence in support of his Appeal. The Claimant subsequently made a request for clarification of the Interim Ruling. At a case management meeting held on May 27, 2026, the Claimant was directed to address his request for clarification and the application of s. 5.15 of the Code in any submissions filed in support of the appeal. The parties filed written submissions in accordance with the schedule set during the case management meeting on May 27, 2026.

- [8] For the reasons that follow, the Appeal is dismissed and the Decision is upheld.

II. BACKGROUND

- [9] At the material time, the Claimant, Andy Meth, was an assistant coach and assistant General Manager with a team in the Ontario Junior Hockey League.
- [10] The Respondent, Hockey Canada, is the national governing body for amateur hockey in Canada. Hockey Canada oversees the management and structure of hockey programs in Canada from entry level to high-performance teams and competitions. Since the 2022-2023 season, all maltreatment complaints made to Hockey Canada have been managed by an independent complaint system (the Independent Third Party or “ITP”) in accordance with the Policy.
- [11] An anonymous complaint was received by the Ontario Junior Hockey League alleging that the Claimant had sent an inappropriate photo to a minor player on the team via text message and that he had engaged in verbal abuse, bullying, harassment, and/or psychological maltreatment towards players on the team.
- [12] David de Vlieger, the adjudicator appointed by the ITP under Process #1 of the Policy, conducted a process that included a review of written submissions and evidence, along with interviews of the parties and witnesses. On December 22, 2025, he rendered the Decision that is the subject of this Appeal.
- [13] The adjudicator was not prepared to find, on a balance of probabilities, that the Claimant intentionally sent the inappropriate photo to a minor player on the team. He found, however, that the Claimant had engaged in psychological maltreatment contrary to the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* (the “UCCMS”) and the Ontario Hockey Federation’s *Respect and Expectations Policy* of team players by “using profanity, by overly aggressively berating them, and by belittling them” (para. 23 and 31 of the Decision).
- [14] The Claimant was sanctioned. He was immediately suspended from any coaching or on-ice activity with any Hockey Canada affiliated entity through July 31, 2027. He was also suspended from participation, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of Hockey Canada from January 1, 2026, through July 31, 2026, followed by a probation for two seasons, to take effect on July 31, 2026.
- [15] The Decision outlined the process followed, summarized the relevant evidence gathered from the parties and two witnesses interviewed, set out the policy framework to be applied and the adjudicator’s findings of fact and conclusions with respect to the allegations involving the photograph sent to the minor player and verbal abuse, bullying and harassment.

- [16] The adjudicator concluded that, although he was “troubled” by the photograph incident and notwithstanding his “doubts” about the Claimant’s explanation that he had sent the image by accident, he was not prepared to find that the Claimant intentionally sent the image. Accordingly, he found that the Claimant was not in breach of any policies or code of conduct.
- [17] The adjudicator found that the Claimant had subjected players on the team to verbal abuse which amounted to psychological maltreatment contrary to the UCCMS and related breaches of the Ontario Hockey Federation’s *Respect and Expectations Policy*. He relied on the definition of psychological maltreatment and the language in s.5.2.1(a) of the UCCMS, which describes types of verbal conduct that would fall within the definition of psychological maltreatment.
- [18] In making the finding that the Claimant had engaged in verbal abuse, the adjudicator accepted the evidence of the complainant and the team’s former General Manager over that of the Claimant and the team’s owner. The adjudicator found the Claimant’s assertion that he never used profanity or harsh words with players and his denial that he yelled or screamed at the players lacking in credibility. The adjudicator also concluded that the Claimant’s assertion that the complainant had made a false claim because of a schism amongst the coaching staff was without merit, pointing to the complainant’s duty to report under the UCCMS.
- [19] Subsequent to the adjudicator’s determination of a breach of the UCCMS and the Ontario Hockey Federation’s *Respect and Expectations Policy*, he was given access to the Claimant’s disciplinary history. Describing “a significant prior history of disciplinary findings for similar offences” and outlining the factors he considered at arriving at the appropriate sanction in paragraph 41 of the Decision, the adjudicator outlined the sanctions described above (see para. 14).

III. REASONS

A. The Code

- [20] Relevant to the issue at hand is subsection 8.5.2 of the Code, which is reproduced, in part, below:

8.5.2 Review of a Decision on Violation or Sanction Pursuant to the SO Safe Sport Policies

(a) The Safeguarding Panel shall not conduct a hearing *de novo* and the hearing is not a redetermination of the investigation. The findings of fact and credibility made in the investigation report shall be accepted by the Safeguarding Panel, except where the findings are successfully challenged by a Party in accordance with Subsection 8.5.2(b).

(b) A review of the findings of fact or credibility by the investigator or the decision that a Party did or did not violate the UCCMS may only be made on the following grounds:

(i) Error of law that has a material impact on the findings and/or decisions made. For greater clarity, an error of law includes:

- (1) a misinterpretation of a section of the UCCMS;
- (2) a misapplication of an applicable principle of general law;
- (3) acting without any evidence;
- (4) acting on a view of the facts which could not reasonably be entertained; or
- (5) failing to consider all the evidence that is material to the decision being challenged.

(ii) Substantive failure to observe the principles of procedural fairness and natural justice in the investigative process and in reaching a determination on whether there was a violation of the UCCMS, or in reaching a conclusion on the appropriate sanction (if any). The extent of natural justice rights afforded to a Party will be less than that afforded in criminal proceedings and may vary depending on the nature of the alleged violation and sanction that may apply.

(iii) Fresh evidence where such evidence:

- (1) could not, with the exercise of due diligence, have been discovered and presented during the investigation and prior to the decision being made;
- (2) is relevant to a material issue arising from the allegations;
- (3) is credible in that it is reasonably capable of belief; and
- (4) has high probative value, in the sense that, if believed, it could, on its own, or when considered with other evidence, have led to a different conclusion on the material issue.

(iv) For greater clarity, fresh evidence in this section may not be admitted where the evidence was available with the exercise of due diligence and, absent compelling justification, was not produced during the investigation, or where the party did not participate in the investigation.

(c) When assessing a review of a finding of violation, the Safeguarding Panel shall apply the standard of reasonableness.

(d) When assessing a review of a sanction imposed, the Safeguarding Panel shall determine whether it is unreasonable having regard to the purposes of sanction under UCCMS Sections 7.3 and 7.4. [...]

B. Standard of Review

[21] The application of the standard of reasonableness outlined in s.8.5.2(c) has been affirmed in SDRCC jurisprudence (see *Danton v. Hockey Canada*, 2025 CASDRC 39).

[22] The Supreme Court of Canada provided guidance for the application of reasonableness as a standard of review in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65 (“*Vavilov*”) at para. 13 and 15:

13. Reasonableness review is an approach meant to ensure that courts intervene in administrative matters only where it is truly necessary to do so in order to safeguard the legality, rationality and fairness of the administrative process. It finds its starting point in the principle of judicial restraint and demonstrates a respect for the distinct role of administrative decision makers. However, it is not a “rubber-stamping” process or a means of sheltering administrative decision makers from accountability. It remains a robust form of review.

15. In conducting a reasonableness review, a court must consider the outcome of the administrative decision in light of its underlying rationale in order to ensure that the decision as a whole is transparent, intelligible and justified. What distinguishes reasonableness review from correctness review is that the court conducting a reasonableness review must focus on the decision the administrative decision maker actually made, including the justification offered for it, and not on the conclusion the court itself would have reached in the administrative decision maker’s place.

C. Analysis

[23] The Claimant’s arguments in support of his appeal are addressed below. I note that, despite being provided an opportunity to do so, the Claimant made no submissions in respect of his request for clarification of my interim ruling, or the applicability of s. 5.15 of the Code. Accordingly, I have not addressed that issue further in my reasons.

i. Claimant Not Made Aware of Particulars

[24] The Claimant asserts that he was not given sufficient particulars regarding the allegations he was facing.

- [25] I note, however, that the ITP Jurisdiction Order contained a summary of the allegations of misconduct. That summary was provided to the Claimant in writing in advance of the process undertaken by the adjudicator. They include the following allegation with respect to which a finding was ultimately made by the adjudicator at paragraph 9 of his Decision:

He verbally abuses, bullies and harasses players on the Team. For example, he continually belittles, yells and swears at players, some of whom are minors. As an example of such behaviour, the [Claimant] has yelled at players telling them such things as “you’re not good” and “why are you even here?”, among other comments.

ii. Failure to Interview Additional Witnesses

- [26] The Claimant asserts that the adjudicator’s failure to interview Player A (to whom the inappropriate image of the Claimant was sent), Player B (who was a minor player who had left the team) or any other minor players or their parents amounts to a fundamental error. He argues that Player A would have been able to provide context in respect of the photograph he received as well as evidence regarding the psychological maltreatment allegation. He indicates that Player A and his family are supportive of the Claimant. The absence of any player interviews regarding the allegation of psychological maltreatment is, in his view, a failure on the part of the adjudicator.
- [27] The Respondent’s position is that, given the Claimant’s admission that he had sent the image in question, an interview with Player A would not have addressed the issue of whether the Claimant *intended* to send it, a question that was, in any event, resolved in the Claimant’s favour. In respect of the adjudicator’s decision regarding which witnesses he would interview, the Respondent points to paragraph 17 of Hockey Canada’s *Maltreatment Complaint Management Policy* which affords the adjudicator discretion to determine who they will interview to obtain evidence relevant to the question to be decided.
- [28] The SDRCC has adopted the reasoning in *Whitelaw v. Canada (Attorney General)*, 2024 FC 1115, where, at paras 18-23, the court held that “investigators have a wide latitude regarding how they conduct their investigation; they are not required to turn over every stone nor can they be held to a standard of perfection.”
- [29] In his decision in *Danton v. Hockey Canada*, 2025 CASDRC 39 at para. 34, (“*Danton*”) Arbitrator Blais made the following observation about a decision under appeal that had been made, as in the present case, under Process #1 of the Policy:

Process #1 is a summary procedure permitting discretion in scope of investigation which notably includes that the Adjudicator may conduct any

additional interviews which he believes are necessary to gather all the relevant facts.

[30] He went on to conclude that the adjudicator in that case was not obliged to interview additional witnesses identified by the claimant or consider a particular written report as the decision under appeal had explained why the witness interviews conduct were “sufficient for his conclusions regarding the allegations of the Complaint.”

[31] Arbitrator Wilson in *Allen v Hockey Canada*, 2026 CASDRC 7 (“*Allen*”) also turned his mind to the question of whether decisions not to interview particular witnesses or not provide explanations of those decisions are fatal. He held in paragraphs 29 – 33:

29. I agree with Arbitrator Bennett that an Adjudicator should explain why a decision was made not to interview identified witnesses. Procedural fairness requires transparency in the decision-making process. However, the failure to offer an explanation is not necessarily fatal to the Adjudicator’s decision, particularly where there is already a thorough examination of relevant evidence including witnesses with direct observations of the impugned conduct.

30. The Policy grants broad discretion to the Adjudicator. Pursuant to Section 17 of the Policy, an Adjudicator may ask the Complainant and Respondent for either oral or written submissions regarding the Complaint. The Adjudicator may also conduct any additional interviews which the Adjudicator believes to be necessary to gather all the relevant factors. The Adjudicator may also meet with the parties to ask questions.

31. Such discretion is to be exercised in a process that is designed to be expeditious. The Policy stipulates that the Adjudicator’s decision is expected to be short and issued within 14 days of the conclusion of the hearing. An Adjudicator is not tasked with mapping every inch of the forest to find the path.

32. Arbitrator Blais made similar observations in *Danton v. Hockey Canada*, SDRCC ST 25-0058:

Courts have held that investigators have “wide latitude” and are not required to “turn over every stone”. Failure to interview all suggested witnesses does not, by itself, establish bias or unfairness. The Adjudicator’s reasons show awareness of credibility issues and explain reliance on consistent accounts. While the approach could have been more thorough, decisions are not assessed against a standard of perfection.

33. While there is no doubt that the Claimant is entitled to procedural fairness throughout the process, I do not read *Anonymous v. Hockey*

Canada as standing for the proposition that an Adjudicator's decision to not interview witnesses or that a failure to explain the decision about witnesses selected will always be fatal to the decision.

- [32] The Claimant argues that this case is distinguishable from *Danton* because, in that case, the Tribunal found that the adjudicator's evidence showed awareness of credibility issues and explained why the interviews conducted were sufficient. In the present case, the Claimant asserts that adjudicator made "player-centred findings without any player evidence and without reasons explaining that omission." He argues that, without evidence from the players on the team or their parents, a finding that psychological maltreatment could not be made.
- [33] The Decision states that in accordance with the *Policy*, the adjudicator determined that he would interview the General Manager and the owner of the team in addition to the parties. He was able to conduct those interviews. Given the specific allegation concerning the targeting of Minor Player B by frequently belittling and yelling at him in the ITP's jurisdiction order, the adjudicator also sought an interview with that player. Minor Player B, who had left the team, declined to participate and, accordingly, the adjudicator made no findings in respect of the specific allegations regarding Minor Player B.
- [34] The Decision also explained that the adjudicator found credible evidence to establish that the Claimant had engaged in verbal conduct that fell within the definition in the UCCMS. I am satisfied that he had reliable evidence from two witnesses who he found had directly observed the conduct to make that finding of fact. The Decision squarely addressed the Claimant's arguments regarding the credibility of the complainant and the General Manager and explained the reasons he found their evidence credible. While the Claimant may disagree with the conclusions reached by the adjudicator, the Decision clearly sets out the adjudicator's reasons for preferring the evidence of the complainant and General Manager of the team over that of the Claimant and the team owner.
- [35] I agree with Hockey Canada's submission that, while it may have been reasonable for the adjudicator to interview additional witnesses, his decision to not do so was not unreasonable. The adjudicator was entitled to rely on the evidence of two witnesses whose accounts he found to be credible about the verbal conduct in the absence of credible evidence to refute their account. While a more thorough explanation for not interviewing additional witnesses, including players and parents, would have been preferable, such as that outlined in Hockey Canada's submission, the adjudicator was entitled to accept and rely on the evidence of the witnesses who had directly observed the Claimant's conduct.

iii. Claimant Not Given an Opportunity for Reply

- [36] I am not persuaded that the adjudicator made an error by not meeting with the Claimant following his interviews with the General Manager and team owner. Although the Claimant argues that the information obtained, particularly from the General Manager, had not been put to the Claimant for his reply, the adjudicator addressed this issue in the Decision. He explained that the Claimant had already been asked about whether he swore or yelled at the players and had categorically denied that he had done so.

vi. Claimant Not Given an Opportunity to Make Submissions Regarding Sanctions

- [37] The Claimant argues that he should have been afforded an opportunity to provide context in respect of his previous disciplinary history through submissions and that, by not doing so, the adjudicator made an error.
- [38] Hockey Canada points out that paragraph 19 of the Policy, which is the governing framework, outlines the relevant considerations that the adjudicator must consider when determining an appropriate sanction. These specific factors do not include the views of a respondent in that process; nor does it require or invite an adjudicator to seek submissions from a respondent.
- [39] The Claimant was aware of his own disciplinary history and the process under the Policy. The Decision outlined the factors that the Policy required be considered and weighed by the adjudicator in arriving at the appropriate sanction to be levied and his reasons for ordering the sanctions imposed on the Claimant. Arbitrator Skratek held in *Greco v. Hockey Canada*, 2024 CASDRC 42, that where an adjudicator has properly analyzed the factors outlined in the Policy, appropriately weighed them in making a determination as to the applicable sanctions, and if such sanctions were justified and fell within a range of possible, acceptable outcomes, a reviewing tribunal ought not to interfere.
- [40] The Claimant has not demonstrated that the sanction is not justified or that it does not fall within a range of possible, acceptable outcomes. Accordingly, I decline the Claimant's request to remove or vary the sanctions.

IV. CONCLUSION

- [41] I find that the adjudicator's reasons for his decisions on breach and sanctions transparent, intelligible and within the reasonableness standard.
- [42] Accordingly, the appeal is denied.

Dated this 16th day of July, 2026

Jay Sengupta