



Report to:

ROWING CANADA AVIRON

Per: Rowing Canada Aviron Board of Directors

September 28, 2022

RE: Independent High Performance Review

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Executive Summary

a) Process

On April 25, 2022, Rowing Canada Aviron (“RCA”) confirmed that they had selected Rubin Thomlinson LLP (“RT”) to conduct an Independent High Performance Review, pursuant to a Request for Proposals (“RFP”). Our mandate was to conduct an assessment process that gathered information from National team athletes, employees, contractors, and members of the RCA Board of Directors (“the Board”) about their experiences with RCA’s High Performance (“HP”) program’s culture. Our mandate was also to include a review of RCA’s policy, procedures, and governance, in order to identify gaps and areas for improvement, with reference to what works well in other sports organizations. Our mandate was limited to the Safe and Inclusive Culture portion of the RFP.

As part of the Review process, we distributed a survey with questions about the HP program’s culture to 204 National team athletes, coaches, employees, contractors who were involved in the HP daily training environment during the two most recent Olympic quadrennials (2020 and 2024), members of the 2016 Rio Olympic team, as well as to current members of the Board. The survey was completed by 124 participants. We then conducted interviews with 37 survey participants, who indicated in their surveys that they had additional information to share in an interview or about whose survey responses we had questions. We aimed to interview participants from across the roles and quadrennials included in the survey population.

In addition to the survey and participant interviews, we conducted eight interviews with stakeholders and subject-matter experts, both internal and external to RCA. We also received and reviewed documentation from

participants, and reviewed RCA’s policies, processes, and governance, as well as that of other National Sporting Organizations (“NSOs”).

The Review process was an opportunity for participants to share their subjective experiences of the HP environment. We did not test the information they provided, for example, by sharing information as allegations or by seeking responses, and we did not make factual findings related to the concerns. Moreover, we did not aim to report on every issue or concern that was brought to our attention. Rather, we aimed to summarize the main themes we heard about in a way that is understandable and useful for stakeholders, decision-makers, and members of the HP program.

b) Themes

While we heard from participants about four thematic issues in the HP program’s culture, which will be summarized below, it was apparent that two concerns lay behind many of the comments that participants made in their surveys and interviews. First, many participants identified the actions of former Head Women’s coach Dave Thompson and their view of RCA’s response to his actions as something that had deeply damaged their trust in RCA and that had left them traumatized, angry, hurt, and disappointed. Second, many participants told us that they felt that RCA’s HP environment was not athlete-centered, by which they meant that athletes’ perspectives were not considered in decision-making. These participants expressed strong feelings of resentment, anger, and powerlessness in this regard.

The first theme we identified related to organizational issues within RCA. Specifically, many participants told us that communication was lacking

among athletes, coaches, staff, and leadership¹ in the HP program, which led to misunderstandings, rumours and “silo-ing” of different programs. Some Board members specifically expressed concern about the tone of inter-Board communication and told us about a lack of clarity regarding the role of the Board and its members. Many participants also told us that they felt decisions within the HP program were not made transparently, including selection decisions and the decision to establish the National Training Centre at Lake Quamichan. Additionally, we heard that many participants did not trust RCA’s leadership or Board, a feeling that was frequently rooted in their perception of RCA’s handling of the allegations against Mr. Thompson.

The second theme we heard about was experiences with maltreatment and other forms of disrespectful behaviour.² Most frequently, participants reported experiencing, witnessing, or hearing about maltreatment or disrespectful behaviour from coaches towards athletes, including the use of insults and degrading or belittling language, as well as aggressive and intimidating conduct. However, many participants also disclosed experiencing, witnessing, or hearing about maltreatment or other types of disrespectful behaviour from other categories of participants in the HP program. The most common dynamic reported was between athletes, including of athlete-athlete bullying, violence, and verbal harassment. Many participants noted that when they experienced maltreatment or

¹ For ease of reference, where we refer to “leadership” in this report, we are referring to the CEO, High Performance Director and Head Coach (we note that the latter two roles are currently vacant), unless otherwise indicated.

² For the purposes of this report, “maltreatment” refers to maltreatment as defined in RCA’s Safe Sport Policy Manual. It includes conduct such as psychological maltreatment, physical maltreatment, and neglect. Where we use the term “disrespect” or “disrespectful behaviour,” we are referring to conduct that would not necessarily meet the definition of maltreatment, such as a single incident of rudeness or interpersonal conflict.

disrespectful behaviour, others within the HP environment were aware of what was happening but did not intervene or take any action.³

The third theme we identified related to issues in RCA’s response to problems that arose in the HP environment. Specifically, many participants told us they feared reprisal or retaliation for reporting an issue or raising a concern or said that they lacked awareness of the reporting mechanisms available to them. Additionally, many participants said that they lacked information about the Independent Third Party (“ITP”) and expressed concern about the length of the Safe Sport complaint process.⁴ Participants who had reported maltreatment or raised an issue that did not amount to maltreatment (or who had witnessed someone else do so) told us that when they spoke up or saw someone speak up, no action appeared to have been taken by HP staff and/or leadership in response. Many participants also felt that HP staff and leadership were unable or unwilling to resolve issues internally, before they rose to the level of maltreatment.

The fourth theme we heard about was diversity, equity, and inclusion. In this regard, many participants told us there is a lack of consideration and accommodation for Para⁵ rowers in the HP environment and described feeling that Para rowing was an afterthought or regarded as “second rate” in the environment. Additionally, many participants told us that the HP environment lacked female leadership and coaches, though we also heard

³ As noted above, we did not test the information provided to us regarding these experiences by sharing it as allegations or by seeking responses, and we did not make factual findings related to the concerns.

⁴ We note that this should be interpreted in the context of the establishment in 2019 of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”), which sets out principles for respect in sport, definitions of maltreatment and other types of prohibited behaviour and a framework for sanctions. We understand that, prior to its establishment, the concept of “Safe Sport” may not have been understood by participants in its present form.

⁵ “Para” is the term used to refer to rowers who compete in adaptive rowing, including the Paralympics.

from many participants that they felt that RCA had made good progress in fostering gender equity in the HP environment. Many participants also commented on the lack of racial diversity in the HP program. However, these participants felt that this was an issue in rowing generally, rather than an HP-specific issue.

c) Policy, Process, and Governance

In addition to the survey and interviews, we reviewed RCA's policies, processes, and governance, with a focus on the aspects of these elements that intersect with Safe Sport and culture. We also reviewed best practices for NSOs in policies, processes, and governance, as detailed in relevant literature and in the examples of NSOs who were identified to us by stakeholders as having strengths in these areas.

Based on our analysis, we believe that RCA's policies, processes, and governance have many strengths. However, we believe that there are opportunities for improvement in RCA's policies, processes, and governance. In particular, we note that some participants expressed concern about how small the rowing world is and the potential this creates for conflicts of interest or the appearance of conflicts of interest, including at the Board level. Our recommendations regarding policies, processes, and governance are detailed below.

d) Recommendations

It was apparent from the perspectives we heard throughout this process that RCA's HP program is facing significant cultural challenges. We acknowledge that some of these challenges are not unique to RCA and that RCA has already taken steps to improve its culture. We believe that RCA is at an inflection point in its history, where it has an opportunity to shift its

culture towards one that prizes the values of safety, respect, equity, diversity, and inclusion as much as winning competitions – goals that are not mutually exclusive. With our recommendations below, we aim to strengthen the steps that RCA has already taken and suggest additional avenues for this cultural shift.

a) Acknowledging the Past and Processing the Report:

- i. Share the report: We recommend that RCA share this report with the HP community in as fulsome and timely a manner as possible.
- ii. Acknowledge the past: We recommend that RCA create a forum for the HP community to come together to acknowledge the impact of the past and “empty their cups.” We suggest that this forum could take the form of a town hall(s) or listening session(s) and recommend that RCA engage a skilled facilitator with experience in mediation and/or restoration to assist. We also suggest that RCA consider communicating at least some information about the steps it took in respect of Mr. Thompson’s employment to the HP community.
- iii. Process the report: We recommend that RCA create a forum for reflection on the report, in order to hear HP community members’ perspectives on it. This could be part of the forum already suggested above, or could be a separate event.

b) Internalize Safety and Respect

- i. We recommend that RCA consult with a Human Resources (“HR”) expert(s) on implementation of the recommendations below or that it consider enhancing its internal HR capacity.
- ii. Values: We recommend that RCA explicitly commit to the type of safe, respectful, inclusive, equitable, and diverse culture it wants to foster in the HP environment by publicizing its values in the form of a “values statement” or list of values.
- iii. Leadership:
 - A. We recommend that RCA carefully select its next High Performance Director and Head Coach. We suggest that, in its hiring processes, RCA consider candidates’ interpersonal skills, skills in conflict resolution, and knowledge of and commitment to Safe Sport. We also suggest that RCA screen for candidates with impeccable records of ethical and respectful conduct.
 - B. We recommend that RCA’s leadership look for opportunities to demonstrate their commitment to respect and safety, by, for example, attending trainings, putting topics related to respect and safety on the agenda in meetings where relevant, and checking in with staff, contractors, coaches, and athletes on these topics on occasions such as reviews and evaluations.
 - C. We recommend that RCA’s leadership increase their presence in the daily training environment.
- iv. Policies, processes, and governance:

- A. We recommend that RCA create plain language resources regarding the policies and processes set out in its Safe Sport Policy Manual, such as a flowchart of reporting options, a FAQ document, and/or a list of useful contacts.
 - B. We recommend that RCA enhance the Safe Sport page on its website.
 - C. We recommend that the newly established Board Governance and Policy Committee (“the Committee”) consider ways that Board members’ independence, both real and perceived, can be enhanced, and specifically recommend that the Committee review Board policies and practices around topics such as conflicts of interest and member term limits.
- v. Training:
- A. We understand that that Safe Sport training is mandatory for all participants in the HP environment. We suggest that this training be part of orientation or onboarding for new participants to the environment, and that it be repeated regularly. To the greatest extent possible, we recommend that training be provided in person and that it be interactive.
 - B. We understand that RCA provides training on bystander intervention as part of its Safe Sport training. We recommend that RCA review the training provided on this topic to ensure that it addresses the issues identified in this report and consider implementing standalone

bystander intervention training in order to reinforce its importance to participants.

- C. We recommend that RCA engage in specific training on the anticipated changes as a result of the Office of the Sport Integrity Commissioner (“OSIC”) becoming the centralized administrator of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”) so that HP community members understand the role of OSIC and what will and will not change in the Safe Sport environment at RCA.
- vi. Coaching, hiring, and performance evaluations:
- A. We recommend that RCA review its hiring practices to ensure that its “Every Coach Certified” initiative and its Screening Policy are adhered to in the HP environment.
 - B. We recommend that when hiring new coaches, as noted above in iii. Leadership, RCA consider candidates’ interpersonal skills, skills in conflict resolution, and knowledge of and commitment to Safe Sport and that it screen for candidates with impeccable records of ethical and respectful conduct.
 - C. We recommend that RCA review its performance evaluation of its HP coaches to ensure that coaches are being regularly evaluated, that the evaluation includes anonymous feedback from athletes, and that a coach’s adherence to principles of Safe Sport, respect, and ethics are elements of the evaluation.

- vii. Internal resources:
 - A. We understand that RCA currently has an internal Safe Sport Coordinator. We recommend that RCA consider how this role, and the visibility of this role could be enhanced.
 - B. We recommend that RCA improve its internal capacity for dispute resolution and conflict management in order to better address conflict or isolated incidents of disrespectful behaviour before they become more serious.
 - viii. Assess progress: We recommend that RCA continue to monitor HP community members' perception of the HP culture, in order to assess the progress it is making towards cultural change and to identify any new or additional issues.
- c) Improve Communication and Transparency
- i. Communication within the HP environment: We recommend that RCA commit to advance communication with athletes on issues such as training programs, selection, and carding. For instance, athletes could be provided with a calendar of key dates when these decisions will be communicated. Where advance communication is not possible, or where circumstances change, we recommend that RCA openly explain this to athletes in a timely manner.
 - ii. Athlete representation: We recommend that RCA consider how it can increase its incorporation of athletes' perspectives into decision-making throughout the HP environment

through, for example, regular and open communication between leadership and the Athlete Council.

iii. Board communication:

- A. We recommend that the Board consider refreshing its training on respectful conduct and governance principles.
- B. We recommend that the Board consider retaining an external Board Observer for a period of time, who can observe meetings and make suggestions as to respectful conduct and adherence to good governance principles.

d) Foster Inclusion

- i. We recommend that RCA implement training on equity, diversity, and inclusion for members of the HP environment.⁶ This could be part of the Safe Sport training already recommended above, or could be a standalone session(s). As with the Safe Sport training, to the greatest extent possible, we recommend that this training be in person and interactive.

ii. Para inclusion:

- A. We recommend that RCA ensure that the National Training Centre is accessible for all Para athletes.
- B. We recommend that RCA incorporate accessibility considerations throughout the HP environment, including by providing accessible training materials and communications and by ensuring that travel,

⁶ We were informed by RCA that it has already implemented this training for staff.

accommodations, and National team events are accessible for Para athletes.

iii. Equity and diversity:

- A. We were informed that RCA conducted a compensation review in 2020. Given the perception of inequity that we heard about from participants, we recommend that RCA consider how information about this process and its results was communicated, and whether this communication can be enhanced or repeated.
- B. We recommend that RCA commit to setting equity, diversity, and inclusion goals as an organization, related to, for example, representation of historically underrepresented groups on staff or among coaches. We further recommend that RCA communicate these goals publicly and hold itself accountable to them.

1. Introduction and Mandate

On April 25, 2022, Rowing Canada Aviron (“RCA”) confirmed that they had selected Rubin Thomlinson LLP (“RT”) to conduct an Independent High Performance Review, pursuant to a Request for Proposals (“RFP”), a copy of which is attached to this report as Appendix “A.”

Our mandate was to conduct an assessment process that gathered information from National team athletes, employees, contractors, and members of the RCA Board of Directors (“the Board”) about their experiences with RCA’s High Performance (“HP”) Program’s culture. Our mandate was to include a review of RCA’s policy, procedures, and governance, in order to identify gaps and areas for improvement, with reference to what works well in other sports organizations. Our mandate was limited to the Safe and Inclusive Culture portion of the RFP.⁷

We were to collect information via an online survey and one-on-one interviews with survey participants, key stakeholders and subject-matter experts. At the end of the process, we were to prepare a report that summarized the themes from the information we gathered and the details and conclusions of our policy analysis, as well as made recommendations as to how RCA could address any issues identified.

2. Conduct of the High Performance Review

a) Background Information and Survey Preparation

Shortly after RCA confirmed that RT had been selected to conduct this Review, RCA provided RT with the names of two subject-matter experts who could provide background information on RCA’s Safe Sport

⁷ The other portion of the RFP related to identifying existing challenges, system gaps, and areas of strength specific to the High Performance Framework.

framework: Adam Klevinas, counsel who advised RCA on the drafting of their Safe Sport Policy Manual; and Allison Forsyth, a partner at ITP Sport and Recreation, who was consulting with RCA on Safe Sport issues.

We met with Mr. Klevinas and Ms. Forsyth on May 4 and 9, 2022, respectively. They provided contextual information on RCA's Safe Sport policies, as well as on the work that RCA was already doing to improve the culture and safety within RCA's HP program.

Also on May 9, 2022, we met with RCA's Independent Review Task Force ("Task Force") to introduce ourselves, to explain the Review process, and to hear the Task Force's feedback on this process, including the scope of the survey audience. It was collaboratively decided that the survey would include National team athletes, coaches, employees, and contractors, who were involved in the HP daily training environment during the two most recent Olympic quadrennials (2020 and 2024), members of the 2016 Rio Olympic team, as well as current members of the Board.

We subsequently drafted survey questions and a preamble that would accompany the survey and provided these to RCA CEO Terry Dillon and President Carol Purcer on May 16, 2022. We understand that Mr. Dillon and Ms. Purcer then provided these materials to the Task Force for their feedback. We received comments from the Task Force on the questions and preamble that same day.⁸ We finalized these materials in late May.

⁸ These comments related to proper use of terms so that the survey would be understandable to the participants, as well as a request that the survey include questions about equity, diversity, and inclusion. Mr. Dillon, Ms. Purcer, and the Task Force did not influence the specific questions that were asked in the survey; this was decided by RT.

b) The Survey

We created a survey on the online platform Survey Monkey. In the survey’s preamble, participants were advised that they could participate anonymously and that the information that they provided to RT as part of the Review process would not be attributed to them in the report. The preamble stated that the only exception to the anonymity of the process would be if a participant provided information that suggested that they or someone else was currently experiencing behaviour that created an imminent risk of harm to themselves or others. In that case, participants were advised that RT was obligated to share this information with the Safe Sport Independent Third Party (“ITP”)⁹ in a process separate from the Review.

The survey asked questions about participants’ experiences with the culture in RCA’s HP Program, including Safe Sport, equity, and inclusion, as well as any experiences they had had with maltreatment¹⁰ in the HP Program. Participants were also asked about any recommendations they had to create a safer, more inclusive, and equitable HP environment. At the end of the survey, participants could choose to identify themselves and provide their contact information if they were interested in participating in a one-on-one interview. A copy of the survey is attached to this report as Appendix “B.”

On June 1, 2022, we distributed the survey link to 193 National team athletes, coaches, employees, contractors, and Board members, whose names and contact information were provided to us by RCA. The deadline

⁹ The ITP is an external third party who receives and manages complaints under RCA’s Safe Sport Policy Manual.

¹⁰ For the purposes of this report, “maltreatment” refers to maltreatment as defined in RCA’s Safe Sport Policy Manual. It includes conduct such as psychological maltreatment, physical maltreatment, and neglect.

to complete the survey was June 15, 2022. We sent reminder emails regarding the survey on June 8 and 14.

On June 10, 2022, a Task Force member identified 11 participants who met the criteria for inclusion in the survey audience, but had not been included in the initial distribution list in error. On June 14, we sent these participants links to the survey, with a deadline of June 21, 2022. In total, the survey was sent to 204 participants.

The survey closed for the initial round of participants on June 15, 2022, and for the additional participants on June 21. In total, we received 124 survey responses.¹¹ The breakdown of participants’ current or most recent role with RCA was as follows:

Athlete	73 (60.33%)
Coach	10 (8.26%)
Staff	12 (9.92%)
Contractor	11 (9.09%)
Board Member	9 (7.44%)
Other	6 (4.96%)

The quadrennial(s) that participants were involved in were as follows:¹²

2016 quadrennial	64 (52.89%)
2020 quadrennial	99 (81.82%)
2024 quadrennial	64 (52.89%)

The results of all survey questions with quantitative responses are attached to this report as Appendix “C.”

¹¹ The Survey Monkey data reflects 121 participants. Three participants had difficulty with the Survey Monkey platform and sent their survey responses in via email.

¹² Since participants were asked to select all quadrennials they were involved in, the results add up to greater than 100%.

c) Interviews

Ninety-one survey participants indicated that they would be willing to participate in an interview. In the interests of timeliness and efficiency, we reviewed these participants' survey responses and selected 43 participants who indicated in their surveys that they had additional information to share in an interview or about whose survey responses we had questions. We also aimed to interview participants from across the roles and quadrennials included in the survey population. In our summary of the information gathered below and in making our recommendations, we did not weigh the information provided by those who we interviewed more heavily than those who provided information by survey only. We considered all contributions equally.

We began reaching out to participants to schedule interviews on June 23, 2022. We conducted 37¹³ interviews between this date and August 26. We interviewed participants across the range of roles and quadrennials included in the survey population, including current and former athletes, coaches, contractors, staff, and Board members.

In addition to participant interviews, we also conducted interviews with stakeholders and subject-matter experts, both internal and external to RCA. We identified some of these individuals and Mr. Dillon and Ms. Purcer also provided a long list of potential stakeholders and subject-matter experts, from which we selected those who were relevant to the matters at issue in this Review.

¹³ Some participants did not respond to our request for an interview.

At the beginning of their interviews, participants were advised of the same anonymity provisions as set out in the survey preambles.¹⁴

In addition to the survey and interviews, we received and reviewed documentation from participants, which we considered along with the other information collected as part of this process. The policies we reviewed are listed at Appendix D to this report. In addition, we reviewed documentation from stakeholders and subject-matter experts, including:¹⁵

- 2020 Tokyo Quadrennial and Games Debrief, Athlete and Staff Survey
- 2021 Calls to Action to the Canadian Rowing Community and the Board
- Reasons for Decision, Dave Thompson Disciplinary Hearing, July 27, 2020
- Historic RCA harassment, code of conduct and disciplinary policies
- RCA organizational chart

d) The Report

We provided a copy of this report to Mr. Dillon and Ms. Purcer on August 31, 2022, and we understand that they subsequently shared the report with the Board. We met with the Board on September 3, 2022, to present the report findings and answer questions about its contents. On September 16 and September 24, counsel for RCA Mr. Klevinas provided us with a document outlining RCA's comments on the report, as well as clarifications

¹⁴ Though stakeholder participants agreed to be identified by name in this report.

¹⁵ Given the anonymity and confidentiality of this process, we have not listed documentation provided to us by interview and/or survey participants.

regarding several issues. Where appropriate, we have incorporated some factual clarifications into the report.

3. Information Gathered

In this section, we have included a summary of the information provided in the qualitative responses to the surveys and in the interviews, as well as select quantitative survey results. It is important to note that the information included in this section represents the subjective experiences of those who participated. We did not test the information, for example, by sharing information as allegations or by seeking responses, and we have not made factual findings related to the concerns. The information included in this section represents the experiences of participants as they have chosen to express them.

Where we have quoted participants below, we have used the participant's own words, although in some case we have lightly edited them for spelling, clarity, and/or confidentiality.

As agreed upon at the time of our retainer, we have not attributed any information to a particular participant, nor have we presented participants' experiences in a level of detail that might allow a particular individual to be identified as the source of the information.

Throughout the Review process, we heard from approximately 200 people about their perspective on the HP program's culture and the challenges it faces. In this report, we aim to summarize this information in a way that is understandable and useful for stakeholders, decision-makers, and members of the HP program. We have not included every issue or concern that was brought to our attention. Further, as is to be expected in a Review of this size, opinions on these issues varied. In many cases, there were at least some participants who expressed views contrary to those of the majority. Below, we have summarized

the issues that were raised most frequently, and which appeared to most significantly impact the HP program's culture.

To assist in understanding the frequency with which issues or concerns were identified to us, we use the following ranges to denote frequency of response: "one" (1 person), "some" (2-5 people), "several" (6-10), "many" (over 10 people).

In the remainder of this section, we set out some general comments about the context of this survey. We have then organized the information we received into four themes: Organizational Issues, Maltreatment and Disrespect, Responding to Problems, and Diversity, Equity, and Inclusion.

a) Context

The four themes discussed in this report are addressed separately, but should not be understood in isolation. Each theme is influenced by the others and, although separated for the purposes of this report, participants often spoke about these issues holistically.

In addition to the intersections between the four themes, there were two overarching issues that appeared to influence many of the participants' responses in the survey questions and in interviews: the events of the 2020 quadrennial and the actions of former Women's Head Coach Dave Thompson, and the perception that the HP program is not athlete-centered. We believe that these issues provide relevant context for the remainder of this report and address each in turn below. We then provide the quantitative survey results regarding participants' general perception of the culture in the HP program.

i. The 2020 quadrennial

We understand that, in 2019, an HP athlete filed a complaint with RCA's ITP regarding the HP program's Head Women's coach for the 2020 quadrennial, Dave Thompson. We understand that, following an investigation, in 2020, Mr. Thompson was sanctioned for bullying and harassment and barred from coaching in Canada. We were advised by RCA that it engaged in progressive discipline towards Mr. Thompson, which ultimately resulted in the termination of his employment prior to the conclusion of the investigation mentioned above. We were also advised that, for privacy reasons, RCA did not communicate the steps it was taking in this regard with the HP community.¹⁶

During this Review process, we heard from many people, including athletes, coaches, and contractors, who had experienced or witnessed abuse, bullying, harassment, and disrespectful behaviour on the part of Mr. Thompson.

It was apparent from the survey responses and interviews with these participants that the events of the 2020 quadrennial under Mr. Thompson had, and continue to have, a significant negative impact on the HP community. Many participants, particularly athlete participants, expressed anger at what had happened in the HP environment and a sense of betrayal that the problem was not addressed sooner. These participants shared these views notwithstanding the steps that RCA advised that it took to address this issue and so there seems to be a disconnect between what may have occurred in response to this issue and participants' perception about what was done. We heard about the historical and ongoing effects that the

¹⁶ As noted in the Conduct of the High Performance Review section above, we did not test this information, and we have not made factual findings regarding any steps that RCA took.

actions of Mr. Thompson, and the subsequent response on the part of RCA, had on participants' lives and careers. As one participant put it, it appeared that many people within the HP environment, including athletes, coaches, contractors, and staff, have been left with "emotional scar tissue." In the recommendations below, we have sought to address the above disconnect.

We recognize that there is a desire on the part of some members of the HP program to "move on" from the 2020 quadrennial. However, we feel that it is important to highlight the issue in this report, given the deep impact of the events of the 2020 quadrennial on members of the HP program and the ripple effect of these events on the culture within the HP environment, detailed below.

ii. An athlete-centered approach

Many participants across all roles, but particularly athlete participants, described their perception that the HP environment was not athlete-centered. By this, these participants meant that they felt that RCA's HP program did not take athlete perspectives into account in decision-making. Many of these participants cited the decision to establish the National Training Centre at Lake Quamichan, British Columbia, in this regard, which will be detailed further under the Organizational Issues section below. We also heard that several athlete participants felt that their needs and perspectives were ignored when it came to injuries and mental health, discussed further under the Maltreatment and Disrespect section below.

For these participants, the perception that RCA did not care about the athletes' perspective was tied to a negative view of RCA overall and a lack of trust in the organization. Many participants expressed strong feelings of resentment, anger, and powerlessness in this regard.

Many participants also recommended that the HP take steps to increase athlete participation and representation in decision-making. We heard that participants wanted an equal relationship between athletes, contractors, staff, coaches, and leadership¹⁷ in the HP program, and that athletes should be viewed as stakeholders in the organization.

iii. Survey results

Below are the quantitative results from participants in response to the survey question, “How would you describe your experience of the culture within RCA’s High Performance environment?”

Very Negative	24 (19.83%)
Negative	40 (33.06%)
Neutral	30 (24.79%)
Positive	24 (19.83%)
Very Positive	3 (2.48%)

b) Organizational Issues

Many participants told us about two structural issues that they perceived within RCA as an organization. First, we heard about a lack of communication and transparency. Second, we heard about a lack of trust in RCA’s leadership. We detail each of these issues in turn below.

i. Lack of communication and transparency

In general, many participants felt that there was a lack of communication between athletes, coaches, staff, and leadership in the HP program. These participants told us about various aspects of this issue.

¹⁷ For ease of reference, where we refer to “leadership” in this report, we are referring to the CEO, High Performance Director and Head Coach (we note that the latter two roles are currently vacant), unless otherwise indicated.

First, some participants told us that they felt there was a disconnect between those in the daily training environment and RCA's leadership. We heard:

- “I don't think RCA even really knew what was going on in the daily training environment.”
- “Many athletes felt that the organization was disconnected from athlete realities and that their individual needs were not being effectively addressed.”
- “There was a disconnect between the daily training environment and upper level management.”

These participants said that this disconnect led to misunderstandings on both sides, and recommended that leadership increase their presence in the daily training environment.

Second, many participants also said that the lack of open communication allowed rumours to spread and meant that different programs within the HP environment operated in silos. We heard:

- “It feels like it's changing for the best, but in the past and still sometimes now, there's a lot of gossiping and very little openness to receiving constructive criticism and hard questions. So instead of working together to make the team better, the lack of communication leads to talking behind people's back.”
- “Communication was not open and one always needed to watch what one said and what was said.”

- “People (staff, coaches, athletes, and the non-HP staff) operated in silos without much comprehension of what others were going through.”

Third, several participants detailed a lack of communication from the HP program around issues that affected athletes’ daily lives, such as training plans, selection,¹⁸ and carding.¹⁹ We heard that information about these types of topics was not communicated in a timely fashion and that decisions appeared to be made at the last minute. Athlete participants specifically told us about the stress this caused them, given the impact that decisions around these issues have on their lives and careers.

Fourth, some Board members with whom we spoke expressed concern about inter-Board communication. These participants told us that they felt that communication within the Board was not always respectful and that there appeared to be a lack of clarity about the role of the Board and its members, which led to conflict. We also heard about a perception that information about what was going on in the HP program’s daily training environment was not communicated to them, which made it difficult to respond appropriately when problems, such as the problems of the 2020 quadrennial, arose.

With respect to transparency, many participants told us that they felt decisions within the HP program were not made transparently. We also heard that some participants felt that decisions were made reactively, rather than in a proactive manner with adequate planning. These participants said that the lack of transparency, like the lack of open communication,

¹⁸ Selection refers to the process of selecting athletes to represent RCA in competitions, such as the Olympics or Paralympics.

¹⁹ Carding refers to the funding athletes receive to compete in High Performance Sports.

contributed to the spread of rumours and to a sense that different people or programs were being pitted against each other.

Many participants specifically tied the lack of transparency to either the HP program's selection procedures and/or to the decision to establish the National Training Centre at Lake Quamichan, British Columbia.

We heard from many participants that selection procedures were subjective and the results of seat races, for example, were not shared with athletes. Some participants specifically told us that this meant that coaches could manipulate the results to favour certain athletes or to deselect athletes who they did not like. Some participants did point out that the selection procedures had recently been overhauled in order to be more transparent, and noted that they felt this was a positive change.

We also heard from many participants that the decision to establish the National Training Centre at Lake Quamichan was made without adequate input from athletes and that athletes were not given an explanation for the selection of this location. Many participants told us about issues with the facilities themselves, including a lack of showers, significant concerns about water quality and its potential impact on athletes' health, and inaccessibility for Para²⁰ rowers. We also heard about issues with the location, including a lack of affordable housing and access to educational and employment opportunities.

Some athlete participants said that the lack of transparency made it difficult for them to trust RCA as an organization. As one participant put it, "RCA needs to be more transparent with all their decisions and needs to share

²⁰ "Para" is the term used to refer to rowers who compete in adaptive rowing, including the Paralympics.

who is involved with making any decisions. Athletes need to regain trust in the system.”

ii. Lack of trust in leadership

Many participants told us that they did not trust RCA’s leadership, including the Board. For many, this lack of trust was tied to their view of RCA’s handling of the allegations against Mr. Thompson. We heard that these participants were dissatisfied with RCA’s response to this issue and felt that there was lack of ability on the part of RCA and HP program leadership to discuss and address difficult interpersonal or Safe Sport issues. These issues will be detailed further under the Responding to Problems section below.

Several participants said that they felt that the structure of RCA and/or the HP program’s leadership was too concentrated in the hands of select individuals. Some also pointed out that they felt that there was ambiguity regarding roles and responsibilities in the HP program. These participants said that these issues led to a lack of accountability when problems arose. We heard:

- “There needs to be a shift away from authoritarian and ambiguous leadership.”
- “The hierarchy had too much control without checks and balances and were able to make many decisions that weren’t based on best practice or only served self-interest.”

Some participants described recent changes to decision-making in RCA and the HP program, which were aimed at creating a more collaborative environment. These will be detailed further in the Recommendations section below.

c) Maltreatment and Disrespect²¹

Many participants reported experiencing maltreatment or other types of disrespectful behaviour in RCA’s HP environment. Most frequently reported was maltreatment or disrespectful behaviour from coaches towards athletes, though this type of conduct was reportedly experienced and perpetuated by all categories of participants. Below, we first detail issues in coaching, followed by other types of maltreatment and disrespectful behaviour. We also address the lack of bystander intervention that was described by many participants.

i. Coaching

Many participants, particularly athletes, disclosed experiencing, witnessing, or hearing about maltreatment or disrespectful behaviour from coaches. Many, but not all, participants referred to experiences prior to the 2024 quadrennial. Although many participants referred to experiences with Mr. Thompson, already described above, many referred to other experiences. The latter group of participants primarily described experiencing, witnessing, or hearing coaches using insults and degrading or belittling language, as well as aggressive and intimidating conduct on the part of coaches. This conduct was primarily, though not exclusively, aimed at athletes.

Several participants also told us about coaches “playing favourites” among athletes, ignoring athletes who were not “favourites,” and deliberately

²¹Where we use the term “disrespect” or “disrespectful behaviour,” we are referring to conduct that would not necessarily meet the definition of maltreatment, such as a single incident of rudeness or interpersonal conflict. We also reiterate that, as already noted in the “Conduct of the High Performance Review” section above, we did not test the information provided to us regarding the experiences detailed in this section by sharing it as allegations or by seeking responses, and we did not make factual findings related to the concerns.

pitting athletes against each other. As already discussed under the Organizational Issues section above, some participants told us about how the lack of transparency in the selection process contributed to favouritism. As will be discussed below, several participants also described negative treatment by coaches towards athletes who were injured or ill, as well as a disregard for physical safety.

Many participants disclosed to us the substantial toll that this treatment had taken on them, including mental and physical health effects.

Several participants highlighted the significant role that coaches play in setting the tone within the HP environment overall, given their position of leadership and influence over athletes' careers. These participants told us that coaches set the standard of behaviour and that, therefore, when coaches display disrespectful behaviour this "trickles down" to relationships between athletes. Given this, several participants recommended that RCA reconsider its hiring practices for coaches. As one participant said:

"The challenges with rowing and other team high performance environments, is that the coach and administration often has the ultimate control over your Olympic dreams as there is no other avenue to get there outside of that one environment. This is why the hiring process for coaches and those involved in decision making over athletes' sport experience needs to consider the candidates' ethics, integrity, and behavioural competencies."

ii. Other maltreatment and disrespectful behaviour

Many participants also disclosed experiencing, witnessing, or hearing about maltreatment or other types of disrespectful behaviour from other categories of participants in the HP program. The most common dynamic reported was between athletes. Several participants told us about incidents

of athlete-athlete bullying, including violence and verbal harassment. Some participants also told us about cliques among athletes, which led to some athletes feeling unwelcome.

We also heard from several athlete participants who had experienced physical injury, illness, or mental health issues and said that their concerns regarding injury, illness, and mental health were dismissed by HP contractors, coaches, and leadership. In some cases, participants told us that this had led to additional or worsening injuries or illness and/or had had a negative impact on their mental health.

iii. Lack of bystander intervention

Many participants noted that when they experienced maltreatment or disrespectful behaviour, others within the HP environment were aware of what was happening but did not intervene or take any action. The examples provided included situations where a bystander was present for the maltreatment or disrespectful interaction, as well as situations where bystanders were informed of these issues (this latter type of situation will be considered in more detail under the Responding to Problems section below). One participant told us, “Everyone knew something was happening and nobody stood up to solve the situation.”

d) Responding to Problems

Many participants commented on what they perceived as issues in the processes that RCA has in place to respond to maltreatment or in its response to other types of disrespectful behaviour in the HP environment. We have divided these issues into two categories, which are detailed below. First, we discuss reasons we were given for participants’ perception that they could not report maltreatment or bring a concern forward in order to

have it addressed. Second, we consider the challenges that participants identified that arose when they had reported an issue or brought a problem forward.

i. Barriers to reporting or raising concerns

Many participants told us that they felt that they could not report maltreatment to the ITP or raise an issue that did not rise to the level of maltreatment with their coach or other HP staff or leadership. The reasons we were given for this are described below.

A. *Fear of retaliation*

The most common reason participants gave for feeling that they could not report maltreatment or raise an issue or concern was a fear of reprisal or retaliation. We heard:

- “There was not enough evidence that concerns could be voiced safely, without repercussions. People were afraid of losing their seat in the boat, their job.”
- “You were afraid to bring up any issues and people who had in the past were punished and pushed out by the coach.”
- “This would essentially end your career on the national team. Absolutely no chance in hell would any of us report. Everyone witnessed these things and said nothing.”

Many participants spoke specifically about athletes’ fear of retaliation from coaches for making a report or raising an issue about a coach. Some participants specifically pointed to the significant power imbalance between athletes and the coaches who have control over their rowing careers. As one

participant said, “Until the power differential between coaches and athletes is addressed it will be difficult for athletes to come forward with abuse for fear of this impacting their chance at an Olympics.”

Several participants who had reported or raised issues disclosed their experiences with retaliation, including being isolated and losing out on opportunities. These experiences appear to have had a chilling effect on others in the HP environment who witnessed this treatment.

B. Not knowing how to report

Another common reason given for participants feeling that they could not report maltreatment or raise an issue or concern was a lack of awareness of the reporting mechanisms. Many participants told us that, historically, they had not received training on Safe Sport, or that they had received only minimal, perfunctory training.²²

However, several participants noted that this had improved recently, due to the training provided by Safe Sport consultant Ms. Forsyth. These participants described this Safe Sport training as a drastic change and a major improvement from previous years.

C. Lack of confidence in the Safe Sport system

Many participants also raised two issues that detracted from their confidence in the Safe Sport system, making them less likely to report

²² We note that this should be interpreted in the context of the establishment in 2019 of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”), which sets out principles for respect in sport, definitions of maltreatment and other types of prohibited behaviour and a framework for sanctions. We understand that, prior to its establishment, the concept of “Safe Sport” may not have been understood by participants in its present form.

maltreatment: a lack of information about the ITP themselves, and concern about the length of the process.

Some participants told us that they were not aware of who the ITP was or that they had not been made aware that the ITP for RCA had recently changed.²³ It was apparent from participants' survey responses that many thought that RT or Ms. Forsyth were the ITP. Some participants also expressed uncertainty about how independent the ITP was from RCA.

Several participants expressed reluctance to engage with the Safe Sport system because of concern about how long the process takes. As one participant put it, "Athletes are now apprehensive to launch a formal complaint because they know how long it takes to resolve and they do not necessarily want to undergo such a drawn out process and still have to focus on winning international competitions."

At the same time, several staff, contractor, and coach participants expressed concern that reporting maltreatment to the ITP could be used by athletes as a threat, given the potential impact of a Safe Sport investigation on their careers. We heard concerns from these participants that the pendulum had swung too far in favour of the athletes, following the events of the 2020 quadrennial. We were told that several coaches and contractors had decided to leave RCA as a result of these concerns. One participant noted that, "it is also very important that these new levels of communicating and treating each other with respect are not mis-used to harm anyone if you dislike somebody's action/program/beliefs/personality."

²³ We did hear from RCA that they communicated the change to athletes via email on March 24, 2022, and notified RCA's membership on March 25, 2022.

ii. Challenges when issues are reported or raised

Many participants told us about issues they had experienced or witnessed when they or someone else had reported maltreatment or raised an issue that did not amount to maltreatment. Specifically, these participants told us about problems being “swept under the rug” or ignored and about an inability or unwillingness to resolve problems that did not amount to maltreatment internally, without resorting to the ITP.

A. Problems ignored

Many participants told us that they had spoken up about maltreatment or disrespectful behaviour to HP staff and/or leadership, but no action appeared to have been taken in response. These participants felt that their concerns had been dismissed or that problems were covered up in order to preserve RCA’s reputation or the reputation of whichever individuals were involved. We heard:

- “People will do whatever they need to save their reputation and role regardless of how it affects others - issues are glossed over instead of being dealt with.”
- “High performance staff would excuse or ignore inappropriate behavior in the training environment. When issues were raised, they completely dismissed them or false promises were made that never materialized.”
- “When you brought up issues to the HP staff, they did nothing about them, so it seemed futile.”
- “I believe the administration is more worried about their appearance to the public than how they treat the athletes.”

Several athletes told us that they felt that when they raised concerns, rather than listening to their concerns, HP staff and/or leadership shamed them or dismissed them for various reasons. Athlete participants said:

- “When we asked why we did certain things/expressed concern that they weren't conducive to getting better at racing, the overall message was, ‘Stop asking questions, if it doesn't make you win that is your fault.’”
- “Repeated responses from RCA were often dismissive of our frustration, blaming athletes for being overly demanding, and referring to athletes as ungrateful or entitled.”
- “They blame the athlete and protect themselves.”

Several participants told us that they felt that inappropriate behaviour on the part of coaches was excused if the coach was successful and that inappropriate behaviour on the part of athletes was excused as being merely competitive behaviour. As one participant put it, “If an outcome is a gold medal and that’s seen to be the highest measure of success, then you get that by any means necessary.”

Many participants also noted that they felt that the events of the 2020 quadrennial were a turning point for RCA’s HP environment, and that they believed or hoped that maltreatment and other types of disrespectful behaviour would now be addressed.

B. Resolving issues internally

Many participants told us that they felt that HP staff and leadership were unable or unwilling to resolve issues internally, before they rose to the level of maltreatment. Some participants said that, sometimes, the disrespect

that they had experienced was not a major issue; rather, smaller interpersonal issues accumulated over time to create a disrespectful environment. As one participant stated, “There are a lot of interactions, conversations and behaviours that add to a negative environment before they hit the threshold of being labelled maltreatment.”

Several participants told us that they felt that any interpersonal issues, including those that did not amount to maltreatment, were shunted off to the ITP, even when it was possible or would have been beneficial to resolve these issues internally. Many participants expressed a desire for an internal resolution mechanism. Participants told us:

- “RCA would always divert to saying any issues we were having we should ‘go to Safe Sport’ even though a lot of them weren't Safe Sport issues. This seemed scary and useless. There is no mechanism in place to just voice concerns and have them addressed in the environment, without going through the full reporting and hearing, which is often unnecessary.”
- “Staff and athlete training on interpersonal skills, conflict resolution and what respect looks like in a high performance environment would be helpful! It is a huge gap in this particular population/environment.”
- “I believe we need a strong internal program to deal with situations like these before they become maltreatment.”

e) Diversity, Equity, and Inclusion

Many participants commented on various aspects of diversity, equity, and inclusion within RCA’s HP environment. Below, we first detail what we

heard regarding RCA's Para program. We then detail issues of gender equity and diversity.

i. The Para program

Many participants commented on the lack of attention and support that they felt Para rowers received in the HP environment. In general, we heard about two issues.

First, many participants told us there is a lack of consideration and accommodation for Para rowers that would allow them to be fully included in the HP environment. For instance, these participants said that the National Training Centre is not accessible, that training materials have not been provided to Para rowers or that materials are not provided in an accessible format, and that travel plans did not take into account Para rowers' needs.

Second, several participants told us about negative comments and/or treatment towards Para rowers, or Para rowing in general, that they had heard or experienced, throughout the quadrennials. These included insults, use of degrading terms, not using person-first language, and exclusion. We heard about HP coaches and athletes engaging in this type of behaviour.

As a result of the above, many participants described feeling that Para rowing was an afterthought or was "second rate" in the HP environment.

ii. Gender equity and diversity

Many participants also reflected on gender equity and diversity in the HP environment.

With respect to gender equity, most participants commented on female representation among the HP leadership, coaching, and staff. In this regard,

we heard mixed opinions. Many participants told us that the HP environment lacked female leadership and coaches. One participant described the environment for women as a “glass cliff.” Several participants told us that they felt that female coaches had left the HP program because of a lack of support and resources relative to their male peers. Some participants also noted that there was a lack of support or resources for members of the HP community who were pregnant, wished to become pregnant, or were trying to balance their role in the HP environment with family commitments.

We also heard from many participants that they felt that RCA had made good progress in fostering gender equity in the HP environment. These participants told us that women are well-represented on the RCA Board and among HP staff and contractors. We heard from some participants that RCA was working to develop female participation in coaching below the HP level, with the expectation that this would eventually lead to greater female representation at the HP level as these women progress in their careers.

Many participants also commented on the lack of racial diversity in the HP program. However, these participants felt that this was an issue in rowing generally, rather than an HP-specific issue. We were told that, historically, rowing has attracted participants who are white and middle- to upper-class. Some participants spoke positively of efforts RCA is making to increase its diversity through programming specifically directed at underrepresented communities.

4. Policy, Process, and Governance

In addition to the survey and interviews, we reviewed RCA’s policies, processes, and governance, with a focus on the aspects of these elements

that intersect with Safe Sport and culture.²⁴ We also reviewed best practices for National Sporting Organizations (“NSOs”) in policies, processes, and governance, as detailed in relevant literature and in the examples of NSOs who were identified to us by stakeholders as having strengths in these areas. A full list of works consulted is attached to this report as Appendix “D.”

Based on our analysis, we believe that RCA’s policies, processes, and governance have many strengths.

In particular, with regard to RCA’s Safe Sport Policy Manual (“Policy Manual”)²⁵:

- The Policy Manual contains all policies and processes related to Safe Sport in one document, which is readily accessible on RCA’s website.
- The policies are scheduled to be reviewed at regular intervals.
- The definitions of the various types of maltreatment in the Policy Manual, as well as the possible sanctions for engaging in prohibited conduct, are generally consistent with the definitions and sanctions established by the national Office of the Sport Integrity Commissioner’s (“OSIC”) Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”).
- The policies’ scope and application are clearly set out, and include prohibited conduct that takes place outside of the sporting environment, under prescribed circumstances.

²⁴ We note that our governance review included only those elements of governance that were relevant to Safe Sport and culture within the HP program. We did not review, for example, RCA’s finances, succession planning, or individual Board members’ performance.

²⁵ The Policy Manual contains a global set of definitions, an Athlete Protection Policy, a Code of Conduct and Ethics, a Discipline and Complaints Policy, an Investigations Policy, a Dispute Resolution Policy, an Appeal Policy, a Social Media Policy, and a Screening Policy.

- Under the Discipline and Complaints Policy (contained in the Policy Manual), complaints are made to an Independent Third Party, external to RCA, who determines how the complaint will be addressed.
- The Discipline and Complaints Policy provides for a range of resolution options in response to a complaint, including mediated resolution and investigation.
- The Discipline and Complaints Policy and the Investigations Policy – Discrimination, Harassment and Maltreatment (“Investigations Policy,” also contained in the Policy Manual) contain various procedural protections for Complainants and Respondents, including the right to make submissions and to hear the evidence of the other party. The Appeal Policy (part of the Policy Manual) provides a mechanism for parties to appeal a decision.
- The policies explicitly address confidentiality, as well as exceptions to confidentiality, and privacy with respect to retention of records.
- The processes set out in the Discipline and Complaints Policy and in the Investigations Policy are generally consistent with those of the other NSOs we reviewed.

We also understand that RCA has taken a harmonized approach to Safe Sport, meaning that RCA and all its member organizations, such as clubs and provincial rowing associations, have adopted (or are expected to adopt) the Policy Manual. We believe that this will ultimately be beneficial to the HP environment since future participants who have progressed through the various levels of rowing to the HP program will already have familiarity

with RCA's approach to Safe Sport by the time they reach the HP environment.

With respect to governance, RCA's governance structure is consistent with many aspects of the Canadian Olympic Committee's recently created Canadian Sports Governance Code, which is aimed at establishing best practices for governance of Canadian NSOs. In particular:

- RCA's Board is functional in size, with seven members, and operates as a policy (rather than operational) Board.
- The Board is responsible for hiring the CEO and monitoring their performance.
- The Board has several committees, including a nominating committee, an audit and finance committee, and a human resources committee.
- Board policies and meeting minutes are readily accessible on the RCA website.

Notwithstanding the above, we believe that there are opportunities for improvement in RCA's policies, processes, and governance. In particular, we note that some participants expressed concern about how small the rowing world is and the potential this creates for conflicts of interest or the appearance of conflicts of interest, including at the Board level.

Our recommendations regarding policies, processes, and governance are detailed in the Recommendations section below.

5. Recommendations

It was apparent from the perspectives we heard throughout this process that RCA's HP program is facing significant cultural challenges. We acknowledge that some of these challenges are not unique to RCA and that RCA has already taken steps to improve its culture. We believe that RCA is at an inflection point in its history, where it has an opportunity to shift its culture towards one that prizes the values of safety, respect, equity, diversity, and inclusion as much as winning competitions – goals that are not mutually exclusive. With our recommendations below, we aim to strengthen the steps that RCA has already taken and suggest additional avenues for this cultural shift.

For ease of reference, we have organized our recommendations into four categories: Acknowledging the Past and Processing the Review; Internalizing a Culture of Safety and Respect; Improving Communication and Transparency; and Fostering Inclusion. Our recommendations under each of these categories are addressed in turn below.

In making these recommendations, we acknowledge that RCA's resources are not unlimited. We recognize that RCA may not have the resources to implement all of these recommendations, or to implement all of them immediately. In the interests of fostering transparency, we recommend that RCA be open about this with members of the HP community.

We understand that RCA intends to create an Independent Review Accountability Committee to oversee the implementation of these recommendations. We endorse this approach and believe it will serve to enhance RCA's transparency and accountability in the eyes of its community.

a) Acknowledging the Past and Processing the Review

Given the impact of the events of the 2020 quadrennial and their continued effect on perceptions of RCA and the HP program’s culture, we believe it is necessary for HP community members to process the events of the past. Moreover, given the potential impact of this report on the community, as well as the lack of trust participants expressed in RCA and its leadership, we believe that RCA should be transparent regarding this report and receptive to participants’ feedback on it. We make three recommendations in furtherance of these aims, detailed below.

i. Share the report

We recommend that RCA share this report with the HP community in as fulsome and timely a manner as possible. We believe that this will demonstrate a commitment to transparency, communication, and accountability, which will assist in addressing participants’ lack of trust in RCA and its leadership.

We acknowledge that care must be taken when sharing this report since it refers to a particular individual. However, we believe that the majority of the report can, and should, be shared with the HP community.

ii. Acknowledge the past

As detailed above, participants in the Review process told us about the significant impact that the events of the 2020 quadrennial had had on them, and expressed deep feelings of hurt, anger, and betrayal towards RCA as a result of these events. The effects of Mr. Thompson’s actions reverberated beyond those directly impacted by his behaviour, to those who witnessed it and those whose perceptions of RCA were affected by its response to this issue.

Given the widespread impact of the 2020 quadrennial on HP community members, we believe that it is necessary for RCA to provide a forum for the HP community to come together to acknowledge the impact of the past and “empty their cups.” We believe that this will enhance RCA’s transparency and accountability and will assist in creating a shared basis from which to move forward with the other recommendations below. We suggest that this forum could take the form of a town hall(s) or listening session(s) and recommend that RCA engage a skilled facilitator with experience in mediation and/or restoration to assist.

We understand that Ms. Forsyth has already facilitated discussion with the HP environment around this subject. However, we believe that the release of the report will have a further impact on the HP community, particularly those most directly affected by the events of the 2020 quadrennial, and that this impact will need to be addressed.

Additionally, given the potential impact on participants of their perception of RCA’s lack of response to the issues with Mr. Thompson, we suggest that RCA consider communicating at least some information about this topic to the HP community. We believe that this will further enhance transparency and accountability.

iii. Process the report

We believe that it would also be valuable for RCA to hear HP community members’ perspectives on this report, both in the interests of transparency and accountability and because we expect that community members will have useful contributions to make in furtherance of the recommendations set out below. Given this, we suggest that RCA create a forum for reflection on the report. This could be part of the forum already suggested above, or could be a separate event.

b) Internalize Safety and Respect

Although RCA's Safe Sport Policy Manual creates a useful framework for the promotion of safety and respect within the HP environment, we believe that RCA has work to do in order to take its policies off the page and into day-to-day interactions in the HP program. The following recommendations are aimed at internalizing the principles of safety and respect across the HP environment.

Given the intersection between many of the recommendations below and Human Resources ("HR") issues, we suggest that RCA consult with an HR expert(s) on implementation, or that it considers enhancing its internal HR capacity.

i. Values

We believe that RCA must explicitly commit to the type of safe, respectful, inclusive, equitable, and diverse culture it wants to foster in the HP environment. We understand that RCA has been working with Ms. Forsyth on the creation of shared cultural values. We commend this work and suggest that RCA publicize its values in the form of a "values statement" or list of values. This could be posted on RCA's website, posted in physical form in the daily training environment, and included in orientation materials for new members of the HP community.

ii. Leadership

We believe that the tone for respectful, safe, and appropriate conduct must be set by RCA and the HP program's leadership. We make several recommendations in this regard.

First, we suggest that RCA carefully select its next High Performance Director and Head Coach. The people in these roles will have a significant influence on the HP environment and we believe it is critical that the successful candidates be able to model respectful conduct and promote safety and appropriate behaviour among other members of the HP community. We suggest that, in its hiring processes, RCA consider candidates' interpersonal skills, skills in conflict resolution, and knowledge of and commitment to Safe Sport. We also suggest that RCA screen for candidates with impeccable records of ethical and respectful conduct.

Second, we suggest that RCA's leadership look for opportunities to demonstrate their commitment to respect and safety, by, for example, attending training sessions, putting topics related to respect and safety on the agenda in meetings where relevant, and checking in with staff, contractors, coaches, and athletes on these topics on occasions such as reviews and evaluations.

Third, we suggest that RCA's leadership increase their presence in the daily training environment. As detailed above, participants told us that they felt like leadership was out of the loop regarding the daily training environment and that this led to a breakdown in communication between leadership and those working and training in this environment. We believe that the increased presence of leadership in the daily training environment will serve to demonstrate their commitment to athletes, staff, contractors, and coaches, and will allow leadership to monitor respect and safety in the environment.

iii. Policies, processes, and governance

As detailed in the Policy, Process, and Governance section above, we believe that RCA's policies, processes, and governance on paper have many

strengths. However, we believe that there are steps that RCA can take to further strengthen these areas in order to improve its culture. Below, we first address policies and processes, followed by governance.

A. Policies and Processes

In making recommendations regarding policy and process, we are mindful of the fact that the complaint process in the national HP sports environment is set to change as OSIC becomes the centralized administrator of the UCCMS, which will include receiving complaints, conducting investigations or mediations, and imposing sanctions.²⁶ We believe that the option of making an anonymous Report²⁷ to OSIC will be particularly beneficial in RCA's HP environment, given the significant concerns participants expressed regarding retaliation.

We believe that RCA should take steps to improve its communication regarding its Safe Sport policies and processes. As detailed above, many participants told us that they lacked familiarity with Safe Sport topics. Given this, we recommend that RCA increase their communication regarding Safe Sport in at least two ways.

First, we recommend that RCA create plain language resources regarding the policies and processes set out in its Safe Sport Policy Manual, such as a flowchart of reporting options, a FAQ document, and/or a list of useful contacts. While thorough, the length of the Manual may make it difficult for those who would like to use the Manual to understand it or to locate the specific information they need, and we believe that these resources would

²⁶ We understand that RCA will continue to manage complaints outside of the UCCMS under its own policies.

²⁷ We understand that OSIC accepts Reports and Complaints. Complaints are guaranteed to proceed to the formal complaint management process and cannot be made anonymously. Reports can be made anonymously, but do not guarantee that a matter will proceed to the formal complaint management process.

ameliorate these issues. These resources could be updated to include OSIC's process as this rolls out.

Second, and relatedly, we recommend that RCA enhance the Safe Sport page on its website. We note that the Safe Sport sections on the websites of several other NSOs we reviewed, including Swimming Canada, Gymnastics Canada, and Canada Artistic Swimming, were extensive and easy to navigate, and suggest that RCA look to these examples in implementing this recommendation. Enhancement of RCA's Safe Sport page could include the plain language resources described above, as well as news and information about the culture work that RCA is engaged in as a result of the Review. We believe that not only will this make information regarding Safe Sport easier to access, increasing the prominence of this information will demonstrate RCA's commitment to the issue.

B. Governance

As detailed above, several participants to this process expressed concern or uncertainty regarding the Board's role in general, and its members' roles and independence, specifically. We believe that this contributed to their lack of trust in RCA as an organization.

We understand that RCA has established a Board Governance and Policy Committee, whose role is to research policy and governance practice, provide governance and stewardship advice, and propose action in the form of recommendations to the Board including strategies for implementing change. We endorse the creation of this Committee and its aims, and suggest that the Committee look to the best practices established in the Canada Sports Governance Code when carrying out its work. Given the concerns we heard regarding the independence of the Board, we suggest that the Committee consider ways that Board members' independence, both

real and perceived, can be enhanced. We recommend that the Committee review Board policies and practices around topics such as conflicts of interest and member term limits.

iv. Training

As detailed in the Barriers to Reporting or Raising Concerns section above, many participants told us that they did not know how to report Safe Sport issues. We note that participants also told us that they felt this had recently improved, given the training provided by Ms. Forsyth. We acknowledge the significance of this step and recommend that RCA continue to provide training on Safe Sport topics.

Specifically, we recommend that RCA review the current training provided to athletes, staff, coaches, and contractors in the HP environment and consider several enhancements.

First, we were informed by RCA that Safe Sport training is mandatory for all participants in the HP environment. We suggest that this training be part of orientation or onboarding for new participants to the environment and be repeated regularly. To the greatest extent possible, we recommend that training be provided in person and that it be interactive, so that participants can ask questions and engage in discussion, and so that facilitators can better gauge participant comprehension of the topics addressed.

Second, we were informed by RCA that bystander intervention training is a component of its Safe Sport training. Given the concerns expressed to us about a lack of bystander intervention in the HP environment, we recommend that RCA review the training provided on this topic to ensure that it addresses the issues identified in this report and consider

implementing standalone bystander intervention training in order to reinforce its importance to participants.

Finally, given the anticipated changes as a result of OSIC becoming the centralized administrator of the UCCMS, we suggest that RCA engage in specific training on this topic so that HP community members understand the role of OSIC and what will and will not change in the Safe Sport environment at RCA.

v. Coaching, hiring, and performance evaluations

Throughout this process, we heard significant concerns from participants regarding coaches' conduct in the HP environment. Given the important role coaches play in this environment and the power imbalance between coaches and athletes, we believe that RCA must pay particular attention to creating and maintaining a high standard of ethical and respectful conduct on the part of its coaches.

We understand that RCA has created an "Every Coach Certified" initiative to ensure that its coaches have standard training, including training in ethics and safety. We further understand that RCA conducts screening of its coaches in accordance with the Screening Policy in the Safe Sport Manual. While these are good steps, we suggest that RCA review its hiring practices to ensure that these practices are adhered to in the HP environment. We further suggest that, as recommended with respect to the High Performance Director and Head Coach above, when hiring new coaches, RCA consider candidates' interpersonal skills, skills in conflict resolution, and knowledge of and commitment to Safe Sport, and that it screen for candidates with impeccable records of ethical and respectful conduct.

We further recommend that RCA review its performance evaluation of its HP coaches to ensure that coaches are being regularly evaluated, that the evaluation includes anonymous feedback from athletes, and that a coach's adherence to principles of Safe Sport, respect, and ethics are elements of the evaluation.

vi. Internal resources

Although RCA has retained external resources to assist with Safe Sport and cultural issues, we feel that, moving forward, RCA should focus on enhancing its internal resources in these areas. We believe that this will address the perception we heard about from participants that RCA “shunts off” difficult issues to the ITP, and will demonstrate RCA's commitment to cultural change.

We acknowledge the importance of having an external, independent person or body who can receive complaints, such as the ITP or OSIC. However, we believe that it is also important to have an internal person responsible for Safe Sport, both because some members of the HP community are likely to feel more comfortable discussing difficult issues with someone that they are familiar with and because this will signal the importance that RCA places on Safe Sport and respect.

We understand that RCA currently has an internal Safe Sport Coordinator. We recommend that RCA consider how this role, and the visibility of this role could be enhanced. For example, the person in this role could serve as a “listening ear,” a point of contact for accessing resources, and could provide advice on conflict resolution. Moreover, this person could work with the Independent Review Accountability Committee on the implementation of these recommendations, including enhanced training and communication regarding Safe Sport.

Second, we heard from many participants that they felt that RCA was unable to respond to issues of disrespectful behaviour or maltreatment when raised. We acknowledge that there is a duty to report certain types of behaviour to the ITP under the Policy Manual. However, we recommend that RCA improve its internal capacity for dispute resolution and conflict management in order to better address conflict or isolated incidents of disrespectful behaviour before they become more serious. For example, RCA's leadership could engage in training in this area and a particular person (possibly a Safe Sport Coordinator, Manager, or Director) could be designated to assist when conflict, disagreement, or isolated disrespectful incidents occur.

vii. Assess progress

Moving forward, we recommend that RCA continue to monitor HP community members' perception of the HP culture, in order to assess the progress it is making towards cultural change and to identify any new or additional issues. We suggest that RCA conduct anonymous surveys or solicit anonymous feedback from HP community members at regular intervals.

c) Improve Communication and Transparency

A lack of communication and transparency within the HP environment were two of the major issues we heard about from participants, and these issues appeared to contribute to a lack of trust in the organization and a negative perception of the organization's culture. Below, we make recommendations related to communication and transparency in order to address these issues.

i. Communication within the HP environment

We understand that RCA has already taken some steps to improve communication and transparency within the HP environment, including by moving towards a collaborative decision-making model within HP leadership and among HP coaches, creating selection panels who will together make selection decisions, and implementing a review process following selections and competitions. We believe that these steps are significant and support their continued implementation.

We also recommend that RCA continue to build on these improvements by committing to advance communication with athletes on issues such as training programs, selection, and carding. For instance, athletes could be provided with a calendar of key dates when these decisions will be communicated. Where advance communication is not possible, or where circumstances change, we recommend that RCA openly explain this to athletes in a timely manner.

ii. Athlete representation

We understand that RCA has an athlete representative on the Board. However, given the concerns expressed to us about the lack of athlete involvement in decision-making, we suggest that RCA consider how to enhance communication with athletes about the role of the athlete representative and their work on the Board.

We further recommend that RCA consider how it can increase its incorporation of athletes' perspectives into decision-making throughout the HP environment through, for example, regular and open communication between leadership and the Athlete Council.

iii. Board communication

We heard that Board members perceived that their internal communications were not consistently open and respectful. Given this, and the overall challenges of the 2020 quadrennial, we recommend that the Board take steps to reset its members' relationships.

Specifically, we suggest that the Board consider refreshing its training on respectful conduct and governance principles, so that all members are on the same page and can shift their focus to addressing the issues identified in this report. We also suggest that the Board consider retaining an external Board Observer for a period of time, who can observe meetings and make suggestions as to respectful conduct and adherence to good governance principles.

d) Foster Inclusion

We believe that there are several steps that RCA can take to foster inclusion and create a more accessible HP environment. In general, given the concerns we heard regarding the treatment of Para athletes, we recommend that RCA implement training on equity, diversity, and inclusion for members of the HP environment. We were informed by RCA that this training has already been implemented for staff, which we support. We suggest that equity, diversity, and inclusion could be part of the Safe Sport training already recommended above, or could be a standalone session(s). As with the Safe Sport training, to the greatest extent possible, we recommend that this training be in person and interactive.

i. Para inclusion

Given the concerns we heard about the Para program and treatment of Para athletes within the HP environment, we believe that participants in the HP

environment must shift their thinking from regarding or appearing to regard the Para program as an afterthought, to regarding it as a full and equal part of the HP program.

In furtherance of this aim and by way of example, we recommend that RCA ensure that the National Training Centre is accessible for all Para athletes.²⁸ We further recommend that RCA incorporate accessibility considerations throughout the HP environment, including by providing accessible training materials and communications. and by ensuring that travel, accommodations, and National team events are accessible for Para athletes.

ii. Equity and diversity

As detailed in the Gender Equity and Diversity section above, we understand that RCA has already engaged in work to promote equity and diversity within the organization. We support this work and recommend that RCA continue it.

We were informed by RCA that it conducted a compensation review in 2020. However, given the concerns expressed to us regarding female coaches in the HP environment not receiving the same resources as their male counterparts, we suggest that RCA review how information about this process and its results was communicated, and whether this communication can be enhanced or repeated.

Recognizing the value of diverse perspectives, we also recommend that RCA commit to setting equity, diversity, and inclusion goals as an organization, related to, for example, representation of historically underrepresented

²⁸ We were informed by RCA that the National Training Centre is accessible to PR3 and PR2 athletes.

groups on staff or among coaches. We further recommend that RCA communicate these goals publicly and hold itself accountable to them.

6. Conclusion

There is no doubt that RCA faces significant cultural challenges within its HP environment. However, the organization has started down a path aimed at fostering a safer, more respectful, inclusive, equitable, and diverse HP culture. Moreover, there is a tremendous desire for change on the part of many members of the HP community. We hope that this report, and our recommendations, serve to assist RCA as it creates a better HP environment for all.

Date: September 28, 2022

Per: **RUBIN THOMLINSON LLP**