



Newfoundland and Labrador Rugby Union

March 26, 2012

To all NRU members:

The following letter has been written to provide members of the Newfoundland and Labrador Rugby Union (herein after referred to as the Union) with a copy of Rugby Canada's Policy on the Recognition and Prevention of Abuse. This Policy is periodically circulated to ensure all members are aware of its principles. When reading the policy, it should be read such that where the policy reads "Rugby Canada" this can be replaced by the "Newfoundland and Labrador Rugby Union." The Union accepts the policy and has the full expectation that members adhere to its principles.

The Union wishes to ensure that all participants are fully aware of the expectations of the Union in relation to the conduct of coaches/officials/players during rugby related activities.

The Union looks forward to working with the members of the Union in ensuring that all activity related to rugby is conducted in a respectful and appropriate manner.

The Union has always supported activity which is socially responsible and wishes to ensure that all activity is conducted in this manner. Union members have a requirement to protect the integrity of the sport. The mission of the Union is to develop and promote positive rugby experiences.

It is the policy of the Union that harassment and bullying in all its forms has never and will never be tolerated during the course of any Union activity or program. Accordingly, all Union members, are responsible for making every reasonable effort to uphold this commitment.

If you have any questions, please do not hesitate to contact a member of the Union to discuss any issues.

Sincerely,

The Newfoundland and Labrador Rugby Union

Annex A: Rugby Canada's Policy for the Recognition and Prevention of Abuse adopted for the Newfoundland and Labrador Rugby Union

I. Recognition and Prevention of Abuse Policy

This policy sets out the principles and practices of Rugby Canada with regards to abusive behaviour towards participants.

A. RELATIONSHIP TO HARASSMENT/ BULLYING POLICY

Some behaviours which are defined as abuse, when a child or youth's protection is at risk, can also constitute harassment or bullying, when the behaviour breaches human rights or appropriate relationship/conduct boundaries. Rugby Canada's Harassment/Bullying Policy covers such behaviours. Together, the two policies address the entire spectrum of abusive, bullying and harassing behaviours.

B. RUGBY CANADA MISSION

The mission of Rugby Canada is to lead, develop and promote positive rugby experiences.

C. STATEMENT OF PURPOSE

Rugby Canada is part of the sporting community in our country that is committed to seeking better ways to keep our youth safe. Protecting participants from all forms of abuse and neglect, whether emotional, physical or sexual, is an important element of safety. Rugby Canada considers any form of abuse or neglect to be unacceptable and will do all it can to prevent this intolerable social problem. To this end, Rugby Canada will promote awareness of all forms of abuse and neglect by providing educational materials and programs for participants, parents, volunteers and staff members. Through the use of these strategies, Rugby Canada will send a clear message to all potential abusers and sexual predators that rugby participants are not easy targets. Rugby Canada is committed to the highest possible standards of care for its participants.

D. POLICY

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

1. DEFINITIONS OF ABUSE

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. Across Canada a person is considered a child up to the age of 16 to 19 years depending on provincial legislation.

*Note: The following are the basic definitions of a child for Canada's various jurisdictions. Those marked with * also use regulations which modify the definition.*

British Columbia - any person under 19 years of age

Alberta - any person under 18 years of age

**Saskatchewan - any unmarried person under 16 years of age.*

Manitoba - any person under 18 years of age

**Ontario - any person under 18 years of age*

Quebec - any person under 18 years of age

**New Brunswick - any person under 19 years of age.*

Nova Scotia - any person under 16 years of age

P.E.I. - any person under 18 years of age

**Newfoundland - any unmarried person under 16 years of age (for the NRU we use 18 and under)*

**Northwest Territories - any person under 18 years of age*

**Yukon - any person under 18 years of age*

2. EMOTIONAL ABUSE

Emotional abuse is a chronic attack on a child's self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take the form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child's needs.

3. PHYSICAL ABUSE

Physical abuse is when a person in a position of power or trust purposefully injures or threatens to injure a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.

4. NEGLECT

Neglect is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline,

exercise and fresh air. This may occur in rugby when injuries are not adequately treated or players are made to play with injuries, equipment is inadequate or unsafe, no-one intervenes when team members are persistently harassing another player, or road trips are not properly supervised.

5. SEXUAL ABUSE

Sexual abuse is when a young person is used by an older child, adolescent or adult for his or her own sexual stimulation or gratification. There are two categories:

CONTACT	NON-CONTACT
touched or fondled in sexual areas	obscene remarks on phone/computer or in notes
forced to touch another person's sexual areas	voyeurism
kissed or held in a sexual manner	shown pornography
forced to perform oral sex	forced to watch sexual acts
vaginal or anal intercourse sexually	intrusive questions and comments
vaginal or anal penetration with an object or finger	forced to pose for sexual photographs or videos
sexually oriented hazing	forced to self-masturbate or forced to watch others masturbate

6. DUTY TO REPORT

Abuse and neglect are community problems requiring urgent attention. Rugby Canada is committed to help reduce and prevent the abuse and neglect of participants. Rugby Canada realizes that persons working closely with children and youth have a special awareness of abusive situations. Therefore these people have a particular reporting responsibility to ensure the safety of Canada's young, by knowing their provincial protection acts and following through as required.

Every province and territory in Canada, except the Yukon, has mandatory reporting laws regarding the abuse and neglect of children and youth; the Yukon requests that concerns be reported. Consequently, it is the policy of Rugby Canada that any Rugby Canada personnel (part-time and full-time staff,

volunteer, participant, team official, on field official) or Rugby Canada partner (parent, guardian) who, has reasonable grounds to suspect that a participant is or may be suffering or may have suffered from emotional, physical abuse and neglect and/or sexual abuse shall immediately report the suspicion and the information on which it is based to the local child protection agency and/or the local police detachment.

Across Canada a person is considered a child up to the age of 16 to 19 years depending on provincial legislation.

Those involved with Rugby Canada in providing rugby opportunities for participants understand and agree that abuse or neglect, as defined above, may be the subject of a criminal investigation and/or disciplinary procedures. Failure to report an offence and thereby, failure to provide safety for participants may render the adult who keeps silent legally liable for conviction under the provincial child protection acts.

Revision date: January 20, 2007

II. RUGBY CANADA BULLYING AND HARASSMENT POLICY

This Policy sets out the principles and practices of Rugby Canada regarding bullying and harassment.

A. RELATIONSHIP TO RECOGNITION AND PREVENTION OF ABUSE POLICY

Some behaviours which are defined as harassment or bullying, when the behaviour breaches human rights or appropriate relationship/conduct boundaries, can also constitute abuse, when a child or youth's protection is at risk. Rugby Canada's Recognition and Prevention of Abuse Policy covers such behaviours. Together, the two policies address the entire spectrum of abusive, bullying and harassing behaviours.

B. STATEMENT OF PURPOSE

Rugby Canada is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices and bullying. Harassment is a form of discrimination which is prohibited by human rights legislation in Canada. Bullying involves a person expressing their power through the humiliation of another person. Bullying may be a form of harassment but also has some of its own defining characteristics. The sport setting is one setting in which bullying occurs. In some cases coaches and players use bullying tactics deliberately to motivate performance and to weaken opponents.

Rugby Canada supports the right of all its members, whether athletes, volunteers or employees, to participate in all Rugby Canada activities free from any form of harassment and bullying. Further, Rugby Canada emphasizes the importance of eliminating harassment and bullying in rugby as a key element in ensuring the safety of young participants. A sports environment which actively discourages harassment and bullying and builds relationships based on trust and mutual respect, is an environment which discourages the abuse of children and youth, and encourages the overall development of the individual.

In order to further these objectives, Rugby Canada will make every reasonable effort to promote awareness of the problem of harassment and bullying among all its members, and to respond quickly and effectively to complaints or disclosures of harassment or bullying.

C. POLICY

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

1. DEFINITION OF HARASSMENT

Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions. Any of the different forms of harassment must be based on the grounds prohibited in human rights legislation, such as race, ethnicity, colour, religion, age, sex, marital status, family status, disability, pardoned conviction and sexual orientation.

Harassment may occur among anyone over the age of 12, between peers (eg: player to player of the same age group, parent to official, coach to coach) or between someone in a position of power or authority and an adult in a subordinate position (eg: coach to player, sports administrator to employee).

The following is a non-exhaustive list of examples of harassment:

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

It is important to note that the behaviours described in items 5 to 7, when directed towards a child or youth, constitute abuse under child protection legislation. This may also be true of other behaviours, for example, certain hazing practices. In such cases, the duty to report provisions of the Recognition and Prevention of Abuse Policy are applicable.

2. DEFINITION OF BULLYING

Bullying involves a person expressing their power through the humiliation of another person. Bullying describes behaviours that are similar to harassment, but occur between children under the age of twelve, or behaviours between youth or between adults that are not addressed under human rights laws. Bullies are typically cruel, demeaning and hostile towards the targets of their bullying.

The issue of bullying is not addressed by the law, however, bullying behaviour is similar to harassment in that it is defined as hurtful interpersonal mistreatment of a person. Bullying can be broken down into four types; physical (hit or kick victims; take/damage personal property), verbal (name calling; insults; constant teasing), relational (try to cut off victims from social connection by convincing peers to exclude or reject a certain person), and reactive (engage in bullying as well as provoke bullies to attack by taunting them). The following is a non exhaustive list of tactics used by bullies to control their targets:

1. unwarranted yelling and screaming directed at the target

2. continually criticizing the target's abilities
3. blaming the target of the bullying for mistakes
4. making unreasonable demands related to performance
5. repeated insults or put downs of the target
6. repeated threats to remove or restrict opportunities or privileges
7. denying or discounting the targets accomplishments
8. Threats of and actual physical violence

3. RESPONSE AND REMEDIES

It is the position of Rugby Canada that harassment and bullying cannot and should not be tolerated in any environment, including rugby. Both harassment and bullying are unacceptable and harmful. Rugby Canada recognizes the serious negative impact of all types of harassment and bullying on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.

At the same time, Rugby Canada recognizes that not all incidents of harassment and bullying are equally serious in their consequences. Both harassment and bullying cover a wide spectrum of behaviours, and the response to both must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment or bullying must be fair to all parties, allowing adequate opportunity for the presentation of a response to the allegations.

Minor incidents of harassment or bullying should be corrected promptly and informally, taking a constructive approach and with the goal of bringing about a change in negative attitudes and behaviour. More serious incidents should be dealt with according to the relevant association, branch or national policy guidelines. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be no tolerance of reprisals taken against any party to a complaint. The names of parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purposes of investigation or taking disciplinary measures.

Anyone making a complaint which is found to be clearly unfounded, false, malicious or frivolous may be subject to discipline.

In agreement with this policy, any inappropriate instances should be reported to the appropriate authorities.