

Hockey Canada



Rule 11 - Member Training Guide

Understanding the Training Materials and Resources Regarding Rule 11

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Introduction



The resources and materials provided by Hockey Canada, provide insight into human rights legislation dealing with Discrimination. Discrimination results from intentional and unintentional prejudice, stereotyping and misuse of power. Human rights legislation provides a legal mechanism to prevent or stop discrimination and to offer remedies when discrimination happens.

Hockey Canada is committed to contributing to the physical, psychological, social and spiritual health of individuals of varying abilities, backgrounds and interests. Participants in Hockey Canada's programming should have the reasonable expectation that it will be in an environment that is accessible, inclusive and free from all forms of Discrimination.

About this Guide

This training guide provides a resource to assist in understanding all of the training materials and resources available regarding Rule 11 and when a complaint of Discrimination has been received. The resources and materials available will provide organizations with the tools to assist in handling a complaint of Discrimination, from the moment of intake, through the investigation to the final conclusion of a delivered decision from a Hearing Committee.



Disclaimer

This Training Guide is meant to provide general guidance for investigating discrimination complaints on behalf of Associations, Leagues and Members. The Reference Guide sets out best practices in the area of discrimination investigations, although it is not intended as legal advice. Ultimately, each Association, League and Member will be responsible for establishing and following its own investigation procedures.

Instructions

INSTRUCTIONS



The flow chart below depicts the order that the resources and templates would be used from the initial intake of the complaint until the final decision is rendered.



Discrimination Complaint Intake Form

The Discrimination Complaint Intake Form is a fillable PDF form that can be emailed, faxed or printed. It is provided to those individuals that have a reported incident of Discrimination. The form carefully identifies the definition of Discrimination, the individuals involved and the particulars regarding the incident itself. The completed and submitted form initiates the investigation. The details provided on the form are collected by the investigator and used in the Investigation Plan.

 <p style="text-align: center;">HOCKEY CANADA Discrimination Complaint Intake Form</p> <p>The Discrimination Complaint Intake process sets out Hockey Canada's approach to the resolution of discrimination complaints in order to ensure the safety and well-being of our players, coaches, and volunteers.</p> <p>Please note the following:</p> <ul style="list-style-type: none"> The definition of discrimination is articulated below. Please refer to the definition to determine whether your complaint qualifies as discrimination. Substantiated allegations of discrimination will be considered for sanctions ranging in severity up to a permanent suspension. Hockey Canada or its Member / Member Delegate is committed to ensuring an appropriate investigation, and in doing so may be required to share some or all of this information in the process of resolving the complaint. By completing the form, you agree that Hockey Canada or its Member / Member Delegate may share some or all this information in the process of resolving the complaint. Complaints will be prioritized according to the safety of participants, severity, and resources. Complaints of discrimination will not necessarily qualify a player for a release. <p>Discrimination "Discrimination" is an action or a decision that treats a person or a group differently or unfairly because of certain protected personal characteristics. These characteristics, also called grounds, are protected under human rights legislation. Discriminatory grounds vary by province but generally include the following, without limitation:</p> <ul style="list-style-type: none"> Race, national or ethnic origin, skin colour or language spoken; Religion, faith, or belief; Age; Sex, sexual orientation, or gender identity/expression; Marital or familial status; Genetic characteristics; Disability <p>Discrimination occurs when the unique merits, capacities, and circumstances of a person are not individually assessed. Instead, the party who is guilty of discrimination makes stereotypical assumptions based on a person's presumed traits and then treats them accordingly. Discrimination often has the impact of excluding persons, denying them benefits, or imposing barriers on them.</p> <p>Please note that this intake form is to be used to address incidents of discrimination only. For any other type of complaint, you would like to file, including complaints relating to malreatment, abuse, bullying, harassment, or any other negative treatment which does not contain an element of discrimination, please contact your Member for further instructions.</p> <p>Please provide the following information and ensure you have documented the necessary details for our review.</p> <ol style="list-style-type: none"> The person submitting the complaint. Please identify if you are a: <ul style="list-style-type: none"> <input type="radio"/> Player <input type="radio"/> Parent <input type="radio"/> Volunteer <input type="radio"/> Official <input type="radio"/> Employee <input type="radio"/> Other 	 <p style="text-align: center;">HOCKEY CANADA Discrimination Complaint Intake Form</p> <table border="1" style="width: 100%;"> <tr> <td colspan="2">First Name</td> <td colspan="2">Last Name</td> </tr> <tr> <td colspan="4">Address</td> </tr> <tr> <td>City/Town</td> <td>Province</td> <td colspan="2">Postal Code</td> </tr> <tr> <td>Workplace Number</td> <td colspan="2">Email</td> <td>Yes</td> </tr> </table> <p>2. The person on whose behalf the complaint is being made: (please complete if different from above)</p> <table border="1" style="width: 100%;"> <tr> <td colspan="2">First Name</td> <td colspan="2">Last Name</td> </tr> <tr> <td colspan="4">B/R Date (day/month/year)</td> </tr> </table> <p>3. Name of person(s) against whom you are complaining.</p> <table border="1" style="width: 100%;"> <tr> <td>First Name</td> <td>Last Name</td> </tr> <tr> <td>Position/Title/Role</td> <td>Name of Association & League</td> </tr> <tr> <td colspan="2">Team/Name & Division</td> </tr> </table> <table border="1" style="width: 100%;"> <tr> <td>First Name</td> <td>Last Name</td> </tr> <tr> <td>Position/Title/Role</td> <td>Name of Association & League</td> </tr> <tr> <td colspan="2">Team/Name & Division</td> </tr> </table> <p>4. When did the incident occur? (Month, Day, year, time)</p> <p>Using the definition of discrimination above as a reference, please provide the following information and ensure you have documented the necessary details for our review.</p> <ol style="list-style-type: none"> What discriminatory grounds is your complaint based on (please select what best applies to your incident): <ul style="list-style-type: none"> <input type="checkbox"/> Race, national or ethnic origin, skin colour or language spoken; <input type="checkbox"/> Religion, faith or belief; <input type="checkbox"/> Age; <input type="checkbox"/> Sex, sexual orientation or gender identity/ expression <input type="checkbox"/> Marital or familial status; <input type="checkbox"/> Genetic characteristics; <input type="checkbox"/> Disability Please provide a detailed and accurate summary outlining the particulars of the incident to support your complaint. In your summary, please ensure your responses provide commentary to the following questions: <ul style="list-style-type: none"> Where did the incident occur? Who was involved in the incident? (Please include name, title, position) Describe details of the incident in order of occurrence to the best of your ability. What happened? How were you treated, please describe? How does the incident(s) align to the ground(s) you selected? Please identify any witness(es) that may support your complaint. <ul style="list-style-type: none"> <input type="checkbox"/> Witness: name, position, title, what was their involvement (participant vs. observer) if any and where were they positioned at the time the incident occurred? <input type="checkbox"/> Please indicate whether, to your knowledge, any witnesses are willing to speak with us. 	First Name		Last Name		Address				City/Town	Province	Postal Code		Workplace Number	Email		Yes	First Name		Last Name		B/R Date (day/month/year)				First Name	Last Name	Position/Title/Role	Name of Association & League	Team/Name & Division		First Name	Last Name	Position/Title/Role	Name of Association & League	Team/Name & Division		 <p style="text-align: center;">HOCKEY CANADA Discrimination Complaint Intake Form</p> <p>Details of your summary in free form sentences or bulleted points may be inserted below. You may add additional documents as necessary.</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Signature of Complainant _____ Date of Complaint _____</p>
First Name		Last Name																																				
Address																																						
City/Town	Province	Postal Code																																				
Workplace Number	Email		Yes																																			
First Name		Last Name																																				
B/R Date (day/month/year)																																						
First Name	Last Name																																					
Position/Title/Role	Name of Association & League																																					
Team/Name & Division																																						
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Position/Title/Role	Name of Association & League																																					
Team/Name & Division																																						

Guidelines for Handling Complaints

Once a complaint of Discrimination has been received, this document provides general guidelines in handling the complaint and has a high-level approach with key important undertakings. It touches on the necessary soft skills and includes links to provincial Human Rights Codes, providing access to further information on legislation outlined in each province regarding Discrimination. The Guideline for Handling Complaints is a resource that provides helpful quick tips in handling Discrimination complaints.



Guideline for handling discrimination complaints or allegations

The objective of complaint resolution is to ensure that complaints of discrimination are brought to the attention of the organization and are appropriately dealt with. The approach for handling complaints must be unbiased, objective, consistent and fair to help govern an accurate understanding of the situation or complaint.

The following guidelines are advisable when handling a complaint for discrimination.

Keep an open mind

Your organization is on notice of a discrimination complaint related to Rule 11 as soon as it is reported or perceived, or someone from the organization becomes aware of an issue. Any complaint, regardless of how it may come to light, must be treated seriously, and trigger a thorough investigation.

When someone comes forward with a concern or allegation of discrimination, respond to and treat the complainant with respect and compassion. It is important to keep an open mind so as not to draw any premature conclusions before the investigation is completed. Members may need to use discretion as there may be situations which call for interim measures (i.e., suspensions) during an investigation.

Follow established procedures

All documented policies relating to complaints of discrimination should be properly followed. Take personal initiative to educate yourself on the laws of discrimination, specifically understanding how it is defined by the Human Rights Code, how it is proven in court and what your responsibilities are as outlined by Hockey Canada. Ensure that you obtain accurate information from official provincial government websites. Each province will outline its own Human Rights Code and Acts.

To enhance your understanding and appreciation for the Human Rights Code in your province, please refer to the following government sites:

Canadian Human Rights Act	Quebec - Charter of Human Rights and Freedoms
BC Human Rights Code	New Brunswick Human Rights Act
Alberta Human Rights Code	Nova Scotia - Human Rights
Saskatchewan Human Rights Code	Prince Edward Island Human Rights Act
Manitoba Human Rights Code	Newfoundland & Labrador - Human Rights Act
Ontario Human Rights Code	 Nunavut Human Rights Act
Yukon Human Rights	Northwest Territories Human Rights Act





Confidentiality

While confidentiality needs to be upheld throughout the entire process of receiving the complaint, through the investigation until a finding of fact has been delivered, complete confidentiality may not be possible. At times disclosure may be necessary for the purposes of the investigation, or for protection of an individual as required by law.

Interview those that are involved

It is advisable to start with the individual(s) who have brought forward a complaint.

1. **Understand** the exact nature of the allegation(s).
2. **Gather** details of what was said or done, when and where, other(s) who witnessed the incident.
3. **Meet and interview** those who were accused of discrimination.
4. **Interview** any witnesses who may have observed or heard firsthand of any problematic conduct.
5. **Follow-up** with any further witnesses provided by the accused.
6. **Gather** relevant documentation to fully comprehend and assess the allegation(s).

For more information on this process see "Discrimination Investigation Reference Guide".

Safeguard interview notes

All notes regarding interviews conducted must remain objective. In addition, ensure relevant steps taken to get to the truth are preserved in your notes. More information on note taking when investigating a complaint will be reviewed in "Discrimination Investigation Reference Guide" as well as the "Investigative Interviews Video Module".

Avoid Retaliation

It is important that all participants in an investigation clearly understand that there will be no retaliation against them for their participation, nor will it be tolerated under any circumstances. Retaliation in any form should be reported immediately. Retaliate at the onset and close of each interview for peace of mind.

Take appropriate remedial action

If at the conclusion of the investigation it has been confirmed there was some form of misconduct, the Hearing Committee will determine the appropriate discipline action with respect to the individual(s). Once the appropriate action is determined, the outcome should be documented, and the parties should be notified in a timely fashion.

Follow-up

When an investigation is complete, the complainant should be notified of the investigative result. The steps taken should be discussed to ensure that there will be no further discrimination or potential retaliation going forward. The individual(s) should also be reminded of the direct line of communication in which to come forward in the event of any further complaint(s) of discrimination, or retaliation.





Conducting a follow-up with the complainant after the investigation is necessary and key to ensuring their well-being, and no concerns or issues regarding their environment.

Remember:

- ✓ Complaints must be taken seriously.
- ✓ Demonstrate empathy and compassion.
- ✓ Prompt and timely action is key.
- ✓ Leverage appropriate resources to resolve complaints.
- ✓ A defined complaint process in place and communicated organizationally is key.
- ✓ Complaint procedures must ensure a healthy environment is created and sustained for all involved.
- ✓ Discipline decisions and actions taken by the organization must be communicated to the parties.



Notice of Investigation Templates



There are six Notice of Investigation templates:

1. Notice of Investigation Template – Complainant
2. Notice of Investigation Template – Complainant Minor
3. Notice of Investigation Template – Respondent
4. Notice of Investigation Template – Respondent Minor
5. Notice of Investigation Template – Witness
6. Notice of Investigation Template – Witness Minor

Each template has pre-determined fields where information can be added and changed for each notice that is required. The language of each template is determined by who the notice is intended for. For each of the minor templates, it is addressed to the parent or guardian of the minor. The parent or guardian of the minor is invited to attend with the minor to the interview if they wish to do so. The template sections include information on the appointment of the investigator, and the interview date and location, and also speaks to confidentiality as well as protection from reprisal. Below is an example of the template for a Complainant who is a minor.

<p style="text-align: center; font-size: small;">Notice of Investigation</p> <p>[ENTER DATE]</p> <p>Confidential</p> <p>Dear [ENTER PARENT / GUARDIAN NAME],</p> <p style="text-align: center;">RE: NOTICE OF INVESTIGATION</p> <p>APPOINTMENT OF INVESTIGATOR</p> <p>[COMPLAINANT]</p> <p>I have been appointed to investigate the discrimination complaint that [ENTER MINOR'S NAME] has filed on [ENTER DATE] against [ENTER RESPONDENT NAME].</p> <p>INTERVIEW DATE AND LOCATION</p> <p>I propose that we meet with [ENTER MINOR'S NAME] on [ENTER DATE] at [ENTER LOCATION].</p> <p>Please contact me as soon as you can to confirm whether this time and location works for you and [ENTER MINOR'S NAME]. If not, please advise me of your availability for an interview over the next two weeks.</p> <p>You are entitled to attend the interview with [ENTER MINOR'S NAME]. You may also bring a representative if you wish. Please be aware that we will primarily be interested in getting [ENTER MINOR'S NAME]'s version of what occurred, but you will certainly be permitted to provide whatever direct evidence you may have relating to the complaint as well.</p> <p>During our meeting, I will take notes of the information that you and [ENTER MINOR'S NAME] provide. Following the meeting, I will prepare a summary of evidence from the information obtained during our meeting and will provide you and [ENTER MINOR'S NAME] with it to review and correct anything if required.</p> <p>If you or [ENTER MINOR'S NAME] have any documents or notes you believe are relevant to this investigation, I would appreciate receiving copies of them, preferably in advance of our interview.</p> <p>CONFIDENTIALITY</p> <p>To maintain confidentiality and support the integrity of the process, I ask that you not discuss the complaint or investigation with anyone while the investigation is ongoing, other than your legal advisor, or representative (should you choose to have such assistance). I will ask all other parties involved in the investigation to do the same.</p>	<p style="text-align: right; font-size: small;">2</p> <p>PROTECTION FROM REPRISALS</p> <p>Anyone who files a legitimate complaint is protected from retaliation or reprisals. This includes protection against any threats of or actual punishment by anyone within the organization. This means you or [ENTER MINOR'S NAME] may not retaliate against anyone for participating in this investigation, nor can they retaliate against you or [ENTER MINOR'S NAME].</p> <p>If any person should retaliate against you or [ENTER MINOR'S NAME] for your participation in the investigation, I encourage you to contact me or your member association immediately.</p> <p>[ENTER ORGANIZATION NAME] is committed to a prompt and thorough investigation into complaints under the [ENTER ORGANIZATION NAME] policy. Your co-operation and willingness to assist in this regard is appreciated.</p> <p>If you have any questions or concerns about the investigation process or any other matter, please contact me.</p> <p>Sincerely yours,</p> <p>[ENTER INVESTIGATOR NAME] [ENTER INVESTIGATOR CONTACT NUMBER]</p>
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Discrimination Investigation Reference Guide

This 30-page reference guide provides a step-by-step process on completing an investigation into Discrimination complaints. The guide is divided into five sections:

Section 1 – Definitions

The definitions provided review the Canadian Human Rights Act, as well as breaking down the definition of Discrimination further to understand the protected grounds and what Discrimination looks like. It also defines the parties involved to better understand the different roles concerned in an investigation.

Section 2 – Understanding Discrimination

This section covers off the types of Discrimination, as well as some exceptions to human rights legislation.

Section 3 – Standards of Investigations

This section highlights the standards expected for all investigations and identifying procedural fairness when conducting investigations, as well as some common errors that may occur when investigating.

Section 4 – Investigating Complaints of Discrimination

The heart of this reference guide is centered in Section 4, examining the investigative process, roles and responsibilities, pre-investigation steps and documentation, as well as interviewing techniques. Here you will find the foot path for properly investigating a complaint, and everything you will need to know and be aware of while investigating.

Section 5 – Next Steps

The reference guide concludes with a brief overview of the next steps following the investigation and the role the Hearing Committee plays in finalizing a decision for the outcome of the investigation.



There are various reference materials that are mentioned throughout the Discrimination Investigation Reference Guide. These templates and reference materials will further aid the investigation process and assist with keeping the investigation on track and organized. These include:

Investigative Plan Template

Before commencing the investigation, the investigator will need to make a plan or checklist for the investigation. The sample investigative plan template is provided for ease of formulating the steps for the investigation. The purpose of the investigation plan is to keep the investigation focused, organized and thorough. This plan is referenced throughout the investigation and guides the investigator from the beginning to the end of the investigation.

Investigation Plan Guidelines (*complement the Investigative Plan Template*)

These guidelines provide insight into how to complete the Investigative Plan Template. For each section of the plan that requires information, the guidelines reference document provides instruction on what the section is asking for.

Investigative Interview Sample Questions

In addition to the Investigative Plan that is prepared prior to initiating the investigation, investigative questions should also be developed ahead of time in the planning stage. Additional questions may be added throughout the investigation, but having some prepared questions ahead of the interviews will set the investigator up for success. This reference document provides sample interview questions for the Complainant, Respondent and Witnesses. Understanding the types of questions that should be asked (i.e. open-ended or closed questions), is further explained in the Discrimination Investigation Reference Guide.



Investigative Interview Sample Questions for Complaints of Discrimination

Guidelines for Interview Questions

Questions should be developed ahead of time in the planning stage, although additional questions will be added throughout the investigation as more evidence and information are shared. Flexibility is key to ensure that the process is not so stringent that critical information is missed.

Closed ended questions or confirmation questions regarding background information is a good place to begin to set the interviewee at ease.

More difficult questions can be discussed later on. These questions should be designed to draw out facts without leading the interviewee; therefore, they should be open-ended to elicit as much information as possible.

The following are some sample questions that can be used and considered for various interviews that are conducted. While these questions provide a great basis for starting the conversation and covering the basics of what happened, again, the plan should not be limited to only the questions below. Asking probing questions that arise from what is revealed, will uncover the truth.

Interview Questions

Sample Questions for the Complainant

The complainant is usually the first person interviewed in the investigation.

1. What happened?
2. What was the date, time and duration of the incident or behaviour?
3. How many times did this happen?
4. Where did it happen?
5. How did it happen?
6. Did anyone else see it happen? Who? What did they say? What did they do?
7. What is your relationship with the respondent?
8. What did you do in response to the incident or behaviour?
9. What did you say in response to the incident or behaviour?
10. How did the respondent react to your response?
11. Did you report this to anyone other than through the complaint intake process? To whom? When? What did they say and/or do?
12. Did you tell anyone about the incident or behaviour? Who? When? What did they say and/or do?
13. Do you know if the respondent has been involved in any other incidents?
14. Do you know why the incident or behaviour occurred?
15. Do you know anyone else who can shed light on this incident? What information do they have that would be relevant to this discussion?





16. (If any delay in reporting the incident) – Why was there a delay in the reporting?
17. Are there any notes, documents, or other evidence to support your claims? Did the respondent give you anything in writing?
18. How did the situation make you feel?
19. Is there anything else you want to tell me that I haven't asked you?
20. How would you like this matter resolved / What outcome would you like to see from this process?

Sample Questions for the Witnesses

The next step in the process is to interview any witnesses to the incident. Witnesses may help to corroborate or repudiate a complainant's reported details of what happened and may also fill in any gaps or shed light to further details about the incident itself. Witnesses can be provided by both the claimant and/or the respondent. Ensure that confidentiality is maintained by not disclosing more information than necessary pertaining to the complaint.

Some sample questions for any witnesses could include:

1. What did you witness?
2. What was the date, time and duration of the incident or behaviour you witnessed?
3. Where did it happen?
4. Who was involved?
5. What did each person do and say?
6. Did anyone else see it happen? Who?
7. What did you do after witnessing the incident or behaviour?
8. Did you say anything to the parties involved in response to what you witnessed?
9. Did you report this to anyone? To whom? When? What did they say and/or do?
10. Did you tell anyone else about the incident or behaviour? Who?
11. Do you know why the incident or behaviour occurred?
12. Have you ever seen this type of behaviour previously from the respondent? If so, when? What happened?
13. Do you know anyone else that could shed light on this incident?
14. Are there any notes, documents, or other evidence to support this reported incident?
15. Is there anything else you want to tell me that I haven't asked you?

Sample Questions for the Respondent

Questioning the subject of the complaint (known as the respondent), will likely be the most sensitive of all of the interviews conducted. Caution should be taken to ensure that the investigation is conducted without bias and to keep an open mind to avoid making any assumptions based on the information that has already been provided.





Below are some sample questions to ask to the respondent:

1. What happened?
2. Where were you when the incident took place?

If the respondent does not deny that the incident occurred, ask:

3. When and where did it happen?
4. What were the circumstances leading up to the incident?
5. Who else was involved? How were they involved?
6. What is your connection or relationship with the complainant?
7. If you could recount the dialogue or exchange of words that occurred in order of what was said?
8. What did the complainant say or do?
9. Is there any evidence to support your account of what happened?
10. Is there anyone else that we should talk to that may have knowledge of the incident? What information do they have that would be relevant to this discussion?
11. Have you talked to anyone about the incident? Who? When? What did you tell them?
12. Are there any notes, documents, or other evidence to support your version of the facts?
13. Is there anything else you want to tell me that I haven't asked you? Is there anything else you believe to be relevant to this situation that you would like to share with me?



Credibility Determinations

Once interviews have concluded and before the investigator begins creating their final findings and report, credibility determinations or assessments are required. These assessments can be critical in determining whether the alleged incident occurred. Assessing credibility considers if there is any self-interest in the outcome of the investigation or if the versions of the incident have been consistently offered, while also looking at memory recall along with how forthcoming the person has been. The investigator should also note the body language of those interviewed.

This reference material will assist in how to make credibility determinations that are included in the final report.

Credibility Determinations

If there are conflicting versions of relevant events, the investigator and/or hearing committee will have to weigh each party's credibility. Credibility assessments can be critical in determining whether the alleged discrimination in fact occurred. Factors to consider include:

- **Inherent plausibility:** Is the testimony believable on its face? Does it make sense?
- **Consistency:** Is the person's version of events consistent throughout the entire investigation process.
- **Recollection:** Does the person seem to have a good memory of the events?
- **Demeanor:** Did the person seem to be telling the truth or lying?
- **Motive to falsify:** Did the person have a reason to lie?
- **Forthcoming:** Was the person forthcoming with important, relevant information?
- **Bias:** Did the person have any cultural biases that would affect or influence their perceptions of what happened?
- **Self-interest:** Does the individual have self-interest or interest in the outcome of the investigation, such as having a grudge.
- **Corroboration:** Is there witness testimony (such as testimony by eyewitnesses, people who saw the person soon after the alleged incidents, or people who discussed the incidents with the person at around the time that they occurred) or physical evidence (such as written documentation) that corroborates the party's testimony?
- **Observation:** Did the person observe the event directly or are they relying on secondhand information?
- **Body Language:** What was the person's body language?
- **Past record:** Did the respondent have a history of similar behaviour in the past?

None of the above factors are determinative as to credibility. For example, the fact that there are no eyewitnesses to the alleged discrimination by no means necessarily defeats the complainant's credibility. Furthermore, the fact that the respondent engaged in similar behavior in the past does not necessarily mean that they did so again.

Sample Credibility Statements:

All of the witnesses, including the Complainant and the Respondent, were honest or sincere. However, both the Complainant and the Respondent, although sincere, were coloured by their perceptions of the rights and wrongs of the situation, to a point that some aspects of their evidence were inadvertently inaccurate.

The Respondent was often unresponsive to questions and somewhat argumentative with the investigator. There were some inconsistencies between their testimony and their prior statements, and a significant amount of imprecision in the details associated with this matter.



Sample Phrases

The following sample phrases are examples that can be used when writing the investigation report in reference to credibility determinations that have been made:

- The complainant / respondent was honest and sincere.
- The complainant's / respondent's evidence was corroborated by the witnesses or documents.
- The witness's memory was reliable
- The complainant's / respondent's evidence was entirely consistent / inconsistent.
- The witness was friends with the complainant/respondent and although they attempted to be honest, this relationship coloured the witness's perception making their evidence less reliable.



Evidence Evaluation Grid

During the scope of the investigation, using an evaluation grid to compare the evidence provided by each party would be useful. The grid can help assess the factual and evidentiary gaps that require further investigation. It may also assist in determining whether the evidence supports one side versus another.

Chronologically setting out the order in which the events unfolded will also assist with assessing and evaluating the evidence presented.



Evidence Evaluation Grid

Complainant: _____

Respondent: _____

Date of Interview: _____

Follow up Interview: _____

Allegations by Complainant	Respondent's Evidence	Witness Evidence	Witness Evidence	Witness Evidence	Corroborating Documentation	Substantiated	
						Yes	No



Investigation Report

Once all questions are addressed and the investigation concludes, the final report is prepared. The report will conclude the investigation and should be written with all information necessary to provide a Hearing Committee with the means to resolve the complaint and make any required remedial decisions. This should be the goal of the report.

The report should be displayed in chronological order for effect. The scope of the investigation should clearly be specified in the report. It should set out what evidence was obtained, any further evidence needed and an analysis of the evidence. A fillable PDF Investigation Report template has been created to assist with completing all required information. See the Discrimination Investigation Reference Guide for further report writing guidelines and tips.

<p style="text-align: center;">Investigation Report: Discrimination Complaint</p> <p>[DATE]</p> <p>Name of Complainant:</p> <p>Name of Respondent:</p> <p>Date of Alleged Incidents:</p> <p>Investigator:</p> <hr/> <p>Summary of the Complaint</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>A. Investigation Process</p> <p>I conducted an investigation and interviewed the following people: (Names of all people interviewed and their positions)</p> <ul style="list-style-type: none"> • • • <p>I also reviewed the following documents:</p> <ul style="list-style-type: none"> • • • <p style="text-align: center;">1</p>	<p>B. Position of the Complainant – [NAME OF COMPLAINANT] The complainant alleged that:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>C. Position of the Respondent – [NAME OF RESPONDENT] In their response, the Respondent stated the following:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>D. Relevant Evidence of the Witnesses The following relevant evidence was provided by witnesses:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>E. Credibility Determination</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p style="text-align: center;">2</p>	<p>F. Findings of Fact Upon review and analysis of the evidence, I make the following findings of fact:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p style="text-align: center;">3</p>
		<p>October 20, 2021</p> <p>Date</p> <div style="border: 1px solid black; width: 50px; height: 15px; display: inline-block; vertical-align: middle;"></div> <p>Investigator</p>

Discrimination Complaint Hearings Reference Guide

This reference guide is filled with best practices and protocols for the Hearing Committee. The Hearing Committee convenes post-investigation and is intended to ensure equal and fair opportunity for both parties. The committee will convey accuracy in the details and facts, and objectively assess and evaluate the circumstances of the alleged incident in order to render an unbiased decision.

This reference guide provides practical tips on completing a hearing and its processes as well as insight into the committee's decision-making criteria. Finally, it examines the determination of remedies for the final outcome of initiated complaints of Discrimination.

