

Summary – English version

1. On February 18, 2021, a weightlifting athlete of adult age from the province of Quebec (the "**Athlete**") filed a complaint with Weightlifting Canada Haltérophilie ("**WCH**") against her former coach, Mr. Jean-Patrick Millette (the "**Coach**"). She alleged that she was subjected to insults, harassment, threats, assaults, and inappropriate sexual behavior on various occasions between 2015 and 2018.
2. On March 17, 2021, an investigator was appointed by WCH to conduct an independent investigation to determine whether there was sufficient evidence to justify holding a disciplinary hearing on the allegations contained in the complaint.
3. On June 13, 2022, at the conclusion of her investigation, the investigator determined that holding a hearing was justified. On June 15, 2022, WCH suspended the Coach from all national WCH sanctioned activities until a final decision on the allegations contained in the complaint was to be rendered.
4. On July 7, 2022, a three-member disciplinary panel (the "**Panel**") was established to conduct the disciplinary hearing on the allegations contained in the complaint under the rules and norms applied in administrative law. The hearings took place on February 22, 23, and 24, March 27, 28, and 29, April 28, May 31, and June 1, 2023.
5. During the hearings, the Coach was described by various witnesses as a passionate and intense coach during competitions but mostly calm and composed, who was very concerned with the well-being of his athletes.
6. On August 8, 2023, the Panel rendered its decision. It concluded that the Coach had committed, on the balance of probabilities and according to the applicable disciplinary standards, five (5) of the six (6) violations he was charged with, namely:
 - a. Harassment and sexual harassment as defined in sections 1.1 a. and 1.1 b. of the Harassment Policy in the course of an intimate and sexual relationship he had with the Athlete in the fall of 2015, notably by soliciting and forcing her to participate in a sexual act;
 - b. Engaging in an intimate and sexual relationship that resulted in harmful and damaging consequences as defined in section 1.3 of the Harassment Policy in the course of an intimate and sexual relationship in the fall of 2015;
 - c. Committing sexual harassment as defined in section 1.1 b. of the Harassment Policy by the consensual exchange of photos of a sexual nature with the Athlete in the fall of 2015;
 - d. Committing harassment and sexual harassment as defined in sections 1.1 a. and 1.1 b. of the Harassment Policy during a competition in 2016; and

- e. Committing sexual harassment as defined in section 1.1 b. of the Harassment Policy during preparation for and during a competition in 2017.

6.1. However, it should be noted that:

- a. The Panel did not conclude that, following the end of their relationship, the Coach had treated the Athlete differently than the other athletes or that he used inappropriate language towards her;
- b. Furthermore, the Panel concluded that the Athlete had not met her onus of proof concerning her harassment allegation concerning events surrounding Canadian Junior Championship in 2017;
- c. Finally, the Panel did not hold the initial pretension that the Coach had harassed and intimidated her at a competition between Québec and a neighbouring province.

7. In the context of determining the sanction, the Panel considered the following aggravating and mitigating factors:

Aggravating factors:

- a. The Coach's violations were of significant severity, involving not only physical contact but also sexual contact, including two non-consensual sexual acts committed against the Athlete, which constituted violations of her safety, personal integrity and dignity;
- b. At the time of the intimate and sexual relationship in the fall of 2015, the Coach was 26 years old, while the Athlete was 18 years old. The Athlete had few friends, was shy, and placed great trust in the Coach, whom she considered a good friend. Therefore, there was a significant power imbalance;
- c. The Coach expressed no remorse. According to the Panel, the Coach attempted to justify his behavior by stating that he "wore two hats" and that there was no problem with the relationship with the Athlete given their friendship (which, according to the Coach, was not illegal). The Panel noted that the Coach failed to recognize the significant power imbalance in his relationship with the Athlete.

Mitigating factors:

- d. There is no evidence of prior offenses committed by the Coach;
- e. There is no evidence that the Coach had any other inappropriate relationships with other athletes.

8. Following its conclusions, the Panel imposed the following sanctions on the Coach:

- a. A suspension and prohibition from participating, in any capacity, in all weightlifting activities organized and/or sanctioned by WCH, including events, competitions, training sessions, conferences, meetings, or any other activities in which WCH participates, for a period of five years. Given that the Coach has been provisionally suspended since June 15, 2022, this provisional suspension is included in the suspension imposed by the Panel, meaning that the prohibition period will end on June 15, 2027;
 - b. A permanent ban from holding the position of head coach within WCH or as head of the Canadian weightlifting team;
 - c. In the event that, as of June 15, 2027, the Coach wishes to resume participating, in any capacity, in all weightlifting activities organized and/or sanctioned by WCH, including events, competitions, training sessions, conferences, meetings, and any other activities in which WCH participates, he must successfully complete the various sport safety training courses offered by the Coaching Association of Canada that are in effect at the relevant time;
 - d. A permanent prohibition from communicating in any manner with the Athlete.
9. Following the Panel's decision, the Coach appealed under WCH's internal policies. This appeal was not authorized by the appeal manager appointed under WCH's Appeal Policy. Subsequently, the Coach filed an appeal before the Sport Dispute Resolution Centre of Canada (SDRCC). After several months of negotiations before a facilitator, the Coach withdrew his appeal, and the parties agreed on this communication.
 10. No criminal charges have been brought against the Coach.

