

*Private Members' Business*

If I may, Mr. Speaker, I should like to give my colleagues a few additional details concerning the report because I think they are particularly relevant to the motion now before the House.

The report was the culmination of a process initiated by the federal government a little over two years ago after Canadian athletes got positive drug test readings at the Seoul Summer Olympic Games in Korea.

This was a wide-ranging inquiry. Public hearings ran from January to October 1989, 119 witnesses were heard, 295 exhibits were produced and 26 written briefs were presented. In the end Mr. Justice Dubin's report contained 70 recommendations, most of them addressed to the federal government and to other interested parties belonging to the Canadian sports system, national sports organizations, the Canadian Academy of Sport Medicine, the Canadian Olympic Association, and the College of Physicians and Surgeons of Ontario.

On August 9 of this year the Minister of State for Fitness and Amateur Sport made a series of early announcements concerning about 26 of the 70 recommendations. More specifically the announcements related to the situation of people mentioned in the report—athletes, coaches and other support staff—and to a proposed structure concerning future drug-related sanctions. At the same time the minister indicated he would attempt to respond to the remaining report recommendations before year's end.

[*English*]

The issue of an arbitration process for sport was clearly addressed in the Dubin report. Indeed, Mr. Speaker, the report contains no less than 10 recommendations which speak to the need for improved appeal, arbitration and investigative procedures in respect of doping. As noted previously, these recommendations are directed at many authorities in the current sports system. For example, Recommendation 11(a) sees an expanded role for the Sport Medical Council of Canada as "the central independent agency responsible for doping control of Canadian athletes and co-ordination of Canada's anti-doping activities." This expanded role would include among other things responsibility for "investigating and reporting to Sport Canada incidents of doping infractions".

• (1720)

Recommendations 37 and 38 call upon national sport governing bodies to establish under their own rules mechanisms through which the conduct of coaches can be investigated and adjudicated, and grievance processes, including independent arbitration, though which "athletes may receive a fair hearing from the sport-government body itself."

A key recommendation addressed to the federal government in this regard was recommendation 42 which calls upon Sport Canada to establish "a right of appeal to an independent arbitrator rather than to the Minister", as currently practised, in the case of those who have "violated the Sport Canada anti-doping policy" and committed other infractions.

In general, the Dubin inquiry was critical of the scope of existing procedures in this area, arguing that they are inadequate from the following standpoints: generally speaking, limited and/or inconsistent means exist in sporting governance to investigate allegations, suspicions or evidence of involvement with banned substances.

Appeal, arbitration and investigation procedures are limited. At present, the conduct of athletes alone is considered. Offences by support and other directly related sport personnel, coaches in particular, are not defined, and hence subject neither to investigation nor sanction.

At present, there is no uniform, objective method by which athletes or others may receive a fair hearing on doping or other sport related issues. In most cases, current arbitration, to the extent it exists, is dealt with "in-house" by the national sport-governing bodies.

[*Translation*]

While the Dubin Inquiry on the appeal, arbitration and investigation processes dealt essentially with doping infractions, the report section devoted to the athletes' rights clearly reflects a concern for sport related disputes generally. Beyond doping infractions, the wide variety of rules which govern the behaviour of amateur athletes are not currently subjected to a standard dispute resolving mechanism.

As I said, Mr. Speaker, the need to adopt a new dispute resolving approach in sport is clearly spelled out in the Dubin Report. The spirit of the motion we are dealing with today is certainly consistent with the