

Video 15.3 [Speaker 1, Jonathon Gatehouse]: Nicolas Daigle and Massimo Siciliano were champions on the ice with the Victoriaville Tigres of the Quebec Major Junior Hockey League. The glory supplanted by shame when the two men appeared in Quebec Court last October, pleading guilty to sexually assaulting a young woman during a 2021 team celebration. An all too common allegation in hockey circles, but criminal convictions are relatively rare when it comes to Junior players in Canada, says this law professor.

[Speaker 2, Daphne Gilbert]: And so, it's not surprising to me that that athletes get, first of all, more of the benefit of a doubt than than the average person might get. I think there's, you know, a sense of wanting to believe in our celebrities, especially hockey players, you know, live in a very rarified atmosphere in Canada.

[Speaker 1, Jonathon Gatehouse]: That sexual assault is a vastly underreported crime in Canada, and even when allegations are brought to police many investigations end without charges. CBC News found 47 publicly reported cases where young hockey players were charged with sexual assault dating back to 1989. Seven of those cases ended with a guilty verdict, a conviction rate of just 15% for the small sample. That's far below the average conviction rate of 42% for all sexual assault cases which make it to court, according to Statistics Canada. The numbers may not tell the whole story. An accusation isn't the same as proof and Canada's justice system presumes innocence, but Gilbert says fame, status and financial resources may give players an advantage in such court cases.

[Speaker 2, Daphne Gilbert]: The ability to to bring in high-profile, experienced, well staffed law firms makes a huge difference compared to the average person who has to maybe rely on legal aid.

[Speaker 1, Jonathon]: For sociologist Alexis Peters, focusing on legal outcomes ignores what she believes is the underlying cause: an elite hockey culture still rooted in hyper masculinity.

[Speaker 3, Alexis Peters]: You need to change the subculture so that the young men feel safe in an environment and where they're not rewarded for violent behavior.

[Speaker 1, Jonathon Gatehouse]: Hockey organizations in Canada have been talking about changing attitudes and educating players for decades, yet the assault allegations keep surfacing.

[Speaker 4, Bailey Reid]: My name is Bailey Reid and I'm the CEO and co-founder of the Spark Strategy and we provide consulting services for sexual violence prevention. Often organizations, when they're in a situation like this, in a very public crisis, will mandate training. And in those situations people feel like they're getting in trouble, they're being punished, they come with an attitude that they're not interested in changing or they're, you know, they're not part of the problem. So instead, framing it as they're part of the solution and how can you help us change, I think is a much more effective approach.

[Speaker 5, Ian]: Jonathon, this data doesn't include the the recent charges in London, but is there anything else you can take away from the numbers?

[Speaker 1, Jonathon Gatehouse]: That's true, Ian, we're talking about only completed cases here. And looking back over 35 years, there are perhaps fewer sexual assault charges and guilty verdicts than people might imagine. But there is one data point worth noting here, sexual assault allegations can take years to work their way through the system, and many cases end up being dropped. In fact, Statistic Canada's figures show that almost half of such charges end up being withdrawn or stayed. There, too, another seeming advantage for Canada's Junior Hockey stars. Two thirds of the cases that CBC News examined, 31 of the 47, ended up having their charges dropped.

[Speaker 5, Ian]: Jonathon Gatehouse in Toronto, thank you.