

THE MANITOBA
HUMAN RIGHTS
COMMISSION



LA COMMISSION DES
DROITS DE LA PERSONNE
DU MANITOBA

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An adjudicator finds that refusing to allow a boy to play hockey was reprisal

An independent, government appointed adjudicator has determined that the actions of a Brandon youth hockey association amount to reprisal under Section 20 of *The Human Rights Code*. Section 20 prohibits retaliation by denying another person a benefit, hurting that person in some way or threatening to do so, because that person has filed or may file a human rights complaint or otherwise participated in human rights processes.

In her ruling released on October 16, 2006, Adjudicator M. Lynn Harrison wrote that the Brandon Youth Hockey Association (BYHA) violated *The Code* when it refused to let a 13 year old boy play hockey for any of its teams, because his father, Hank Richard had an active human rights complaint against the organization. Mr. Richard filed a human rights complaint on behalf of his son against BYHA with respect to the allocation of ice time, alleging that his son had been discriminated against on the basis of his ancestry. This original complaint was subsequently dismissed by the Manitoba Human Rights Board of Commissioners on the basis that there was insufficient evidence to support it.

Although the BYHA denied that its actions were based on reprisal, Adjudicator Harrison disagreed and ordered that the BYHA pay the sum of \$2,000.00 to Mr. Richard in trust for his son to compensate him for injury to dignity, feelings and self-respect. She also ordered that the BYHA refrain from refusing to register players, and from transferring players, on the basis of complaints under *The Human Rights Code*.

The complete decision is available on the Commission's website www.gov.mb.ca/hrc

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