



Hamilton

# INFORMATION REPORT

**CITY WIDE  
IMPLICATIONS**

<b>To:</b>	Chair and Members Community Services Committee  Outstanding Business Item No. 'O' – Zero Tolerance Policy (CS05028)		
<b>From:</b>	Joe-Anne Priel General Manager Public Health and Community Services	<b>Telephone:</b> <b>Facsimile:</b> <b>E-mail:</b>	(905) 546-4839 (905) 546-2454 jpriel@hamilton.ca
<b>Date:</b>	October 19, 2005		
<b>Re:</b>	<b>ZERO TOLERANCE POLICY (CS05028) (City Wide)</b>		

## **Council Direction:**

At the April 12, 2005 meeting of the Community Services Committee, staff was directed to bring back a report to the Community Services Committee with respect to the implementation of the Zero Tolerance Policy to ensure that it is executed in a fair manner making certain that it provides justice when delivered.

## **Information:**

The Zero Tolerance Policy approved in 1998, and revised in 2001, (attached as Appendix 'A' to Report CS05028), was designed to protect the users of all recreation facilities from aggressive behaviour. Annually, the Culture & Recreation Division investigates between twelve (12) and twenty (20) zero tolerance incidents.

The implementation of the policy begins with front line staff, and progresses through to the Manager level where the investigation and/or suspension are determined. The following steps describe the process:

- (a) Front line staff who have either witnessed an incident first hand or received a complaint from another patron will prepare a report for the Supervisor. If a complaint is made to a staff person, a request for written documentation is made to that patron as well as names of any witnesses.
- (b) The information (written complaint, names of witnesses, and staff report) is passed onto the Supervisor for review. The Supervisor assesses the information and determines if there is a potential transgression to the policy. The Supervisor

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then passes on the information to the Manager with any additional information that they have related to the incident.

- (c) The Manager reviews the information in order to make a determination as to whether there is sufficient information to suspect that the policy has been violated. If warranted, the Manager sends a written letter to the individual stating the details of the accusation that has been made and requesting an interview. The individual is told that he/she is suspended from entering city facilities indefinitely until they meet with the Manager.
- (d) The Manager meets with the individual to receive any information that may assist in determining if further investigation is warranted; if the accusation is invalid or the individual has been wrongfully accused; or, if the accusation is accurate and a suspension is warranted.
- (e) At this time, the length of suspension is discussed with the individual and a letter is sent to them identifying the length of the suspension period. A second letter is also sent stating that the individual must arrange an interview with the Facility Supervisor and the Manager prior to entering into city facilities.
- (f) Once the suspension period has ended, and provided the individual has not attempted to access a City facility during this period, a meeting is scheduled prior to the individual being permitted to return. The Zero Tolerance Policy is again reviewed with the person and a letter is sent to the individual indicating permission to return to using city facilities.
- (g) Letters of suspension are sent to all facilities to give notice to staff that the individual is either under a suspension from entering or is allowed to return.

Individuals are able to appeal on whether or not suspension is warranted, not on the length of suspension. The cost of the appeal is \$250, which is non-refundable if the suspension is maintained, but refundable if the suspension is found to be unwarranted.

In addition to the minimum suspension of two (2) months from entry into city facilities, sport volunteers who transgress the Policy can receive a two (2) year suspension from participating in sport administration. In the case of vandalism, a charge financially equal to two times the cost to repair is also levied against the individual.

By following the above process, staff are confident that the process is fair and equitable.

As part of the 2006 Culture & Recreation staff Work Plan, staff will be undertaking a review of some of its major policies including Zero Tolerance and bringing forth any recommended changes to Council.

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Joe-Anne Priel  
General Manager  
Public Health and Community Services

## City of Hamilton

### ZERO TOLERANCE POLICY FOR VIOLENCE IN RECREATIONAL PROPERTIES FACILITIES POLICY:

#### Policy Statement:

The City of Hamilton's recreational properties and facilities, including but not limited to arenas, recreation centres, outdoor pools and parks sports pitches, exist to provide residents with opportunities to participate in sport and other recreational activities in a safe and positive environment. Prominent among residents making use of the recreational properties and facilities are the children of Hamilton. The City will ensure the most supportive climate possible for Hamilton children, so that they can enjoy their sport, and learn about competition, teamwork, sportsmanship and fair play.

As with many Ontario communities, Hamilton's minor sport system is managed and operated by volunteers. These community-minded citizens contribute in many ways to the success of minor sport in Hamilton. It is the City's responsibility that they, too, have the ability to work in a safe and positive environment.

It is critical, then, for the City, through its Culture and Recreation Division to do all things necessary to ensure that measures are in place so that incidents of violent or inappropriate behaviour do not occur in its recreational properties and facilities.

Included in this commitment is an understanding that organizations using City recreational properties and facilities must take PRIMARY responsibility for the behaviour of all associated with them: players, officials and spectators.

#### Statements of Principle:

1. Participation by children in sport is an important element in the human development process.
2. To ensure maximum enjoyment and benefits from participation in sport, the maintenance of a safe and positive environment is essential.
3. The rules of each of the games exist to protect the players. Referees/officials are charged to ensure the fair and even application of the rules, and to ensure safety of the players.
4. The City must put measures in place to ensure the safety of referees/officials, as well as organizers of minor sport, who are for the most part volunteers.

5. Violent or abusive behaviours, such as verbal threats and insults, attempts to intimidate as well as physical assault have no place in the City's recreational properties and facilities.
6. Promotion of spectator "positive cheering" will assist in the reduction of violent behaviours in City recreational properties and facilities.
7. Our volunteers are charged with the education of our youth on the ideals of sportsmanship, fair play and appropriate behaviour.

**Goals of the Policy:**

1. To reduce or eliminate violence from City recreational properties and facilities, inclusive of outdoor sports pitches.
2. To promote positive cheering behaviours among spectators and fans.
3. Increase the level of understanding among spectators and fans of the importance of creating a positive and supportive environment for children's sport.

**Definition of Violence:**

The focus of this Policy is on the behaviour of non-players, except for those situations in which a player engages in a violent act outside the area of play. For the purposes of this Policy violence includes, but is not limited to, the following behaviours:

- loud verbal assaults
- threats and attempts to intimidate
- throwing of articles in a deliberate or aggressive manner
- aggressive approaches to another individual
- physical striking of another individual
- attempts to goad or incite violence in others
- vandalism to building or property
- racial or ethnic slurs
- illegal consumption of alcohol or drugs

**The Consequences:**

Individuals who engage in any of the above behaviours will be subject to immediate ejection from the property or facility and a mandatory suspension from all City recreational properties and facilities for a period of time not less than two months. Two months is a minimum period only, and may be extended by the City's Director of Culture and Recreation (the Director).

Those individuals who are identified and suspended in accordance with this Policy, shall further be prohibited from holding any positions within the City's affiliated sport community for a period of two years.

Incidents may be reported to the City of Hamilton Police Service. Criminal charges may follow.

There will be no reconsideration by the City with respect to the length of a suspension or prohibition. Where new information is available, a suspended individual may request reconsideration of the facts on which the suspension is based. Such request must be addressed to the Director, who will consider the new information and make his or her decision. ALL SUCH DECISIONS OF THE DIRECTOR ARE FINAL. Those individuals desiring reconsideration must include with their request payment of a non-refundable (unsuccessful) administration fee in the amount of \$100. In the event that the applicant is successful, we will refund the administration fee.

Where vandalism has been perpetrated, not only will the individuals responsible be subject to suspension as outlined above, but will reimburse the City for the cost of repair, together with an addition administration charge of 100% of such cost.

**Education:**

The Culture and Recreation Division, with its local sports partners, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers and spectators of the Zero Tolerance Policy and, in particular, the importance of their role in creating a positive playing atmosphere.

This component will include posters to be hung in all recreational facilities and properties; circulation of the policy to all stakeholders as well as posting of the policy in all City recreational facilities and properties; and inclusion of reference to the policy in affiliate organization newsletters/handbooks.

It is anticipated that the education and promotional campaign will have an immediate impact, but will need to be an ongoing effort. Staff and volunteer organizations will work together continually to raise awareness of the policy.

**Implementation:**

The policy will take effect for the new City of Hamilton on September 1, 2001. Pending implementation, existing policies and practices of the old municipalities comprising the new City will remain in effect and will continue to be enforced.