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4. Hockey Night in Canada

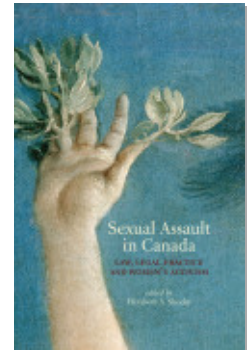
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4. Hockey Night in Canada

Laura Robinson

While the preceding chapters in this section explore the promise and peril of using law to confront the role of police and policing in sexual assault, Laura Robinson's chapter looks at another institution implicated in sexual assault — Canada's national sport, hockey. Laura's account of the trials of David Frost, a junior hockey coach, for sexual assaults committed against girls — employees, fans, and girlfriends of his players — picks up on Julia Tolmie's point that social definitions of "real rape" often override what are otherwise clear criminal law violations. Laura allocates responsibility for the failure of these prosecutions not to the evidence or to the law, but to police, prosecutors, and judges, as does Julia Tolmie. She also connects the hyper-masculinity of hockey violence to practices of sexual coercion as well as to the way that even prosecutors protected each other and the system, forcing the young women to take the stand as witnesses, not complainants, thereby losing their anonymity, and calling their violations "consensual."

Last night when I was sleeping, Dave came and woke up me up and said why don't you wanna make Shel happy? Then I'm like whatta mean? Then he goes you can make him happy by letting me fuck you then he will fuck you. Then I said if that is the only way he will not be a prick any more than fuck him. SO Dave left and then they both came back in the room. Then Shel asked me I said no then he kept bugging me finally I said I do not care. So I just laid there. Shel tried to kiss me and stuff but I just kep pushing him away. They both just fucked me then left the room. I started crying my eyes out. How bad was I used last night? Then when Shel came in to go to bed I was still crying so I got up to go downstairs. He asked what was wrong. I said it does not matter how I feel as long as YOUR happy. I said it really smart and walked out. I felt so sick and dirty ya know? Anyways I'll call Stac and tell her.... I just tried to cal Stac but there is no answer. I will try later. Do not write about the sex thing on this email address. I am going to try and get my own email then you can email me there about it ok?¹

1 Email contained in a statement given to Napanee Ontario Provincial Police by Witness Two, 9 March 2007, p. 6, line 176.

This is an excerpt from an email sent on 12 August 1998 by one of three female witnesses in the trial of former hockey coach and NHL player agent David Frost, who was tried and acquitted on four counts of touching for a sexual purpose. The trial was the latest chapter in a litany of chapters detailing the rape culture of Canadian hockey. The complicated details of this case can be found in the coverage by the *Toronto Sun's* Steve Simmons, the *Toronto Star's* Rosie DiMano, and *The Globe and Mail's* Christie Blatchford, or my coverage at www.playthegame.org.

What was apparent to all the journalists at the trial was how the “justice” system utterly failed the young women. These women endured this rape culture during the 1996–97 season when Frost “coached” the Quinte Hawks, a junior hockey team, in the small town of Deseronto in eastern Ontario. One young woman, who I will refer to as Witness One, endured forced sex with Frost and various hockey players for six years. She witnessed many other girls being forced to do this too. So widespread was the practice of hockey players luring girls to their hotel room and then insisting they have sex with multiple partners, starting with Frost, that after he was charged with the original twelve sex crime charges and one assault charge on 23 August 2006, Frost was forbidden to contact forty women, most of whom had been girls in the time period of the alleged offences.

I am purposely using the word “girl” as opposed to the phrase “young woman” because the dozens of females who found themselves in Room 22 at the Bay View Hotel in Deseronto were between the ages of twelve and sixteen. They lived in a small, conservative town where there was no hockey yet for females — in many respects it could still be the 1950s in terms of what the municipality offered girls and women. Some of the girls may have physically looked like older teenagers, but in this period they were girls. By the time they gave evidence at the trial of David Frost, they were young women.

No charges were laid relating to the alleged sexual assaults that took place outside of Deseronto despite evidence given by a minimum of *two* women witnesses who said they witnessed or were part of sexual acts with Frost and hockey players in other locations until 2001. There appears to have been no investigation of the role the players had as pimps for Frost, luring in girls under the guise of promising to be their hockey player boyfriend, whether the players were in Deseronto or in other locations.

BACKGROUND

Frost came to the team in November of 1996 and brought his four favourite players with him from Brampton, Ontario. By this time, he had

been banned from the then Metro Toronto Hockey League (now the Greater Toronto Hockey League) after he was caught committing fraud in hockey-related business. He was also seen as an intimidating, punishing coach of boys between the ages of ten and fifteen. When his favourite boys moved up in age categories, Frost followed them as coach. Despite the ban and his reputation, Frost appeared to be untouchable. This could have been in part because he co-coached his Brampton team with Bob Goodenow, who was at that time executive director of the NHL Players' Association. Goodenow's son John was on the team. Frost's untouchable status was likely a combination of Goodenow's presence behind the bench and because the culture of hockey allows for the public abuse — both emotional and physical — of young males, and allows coaches a high degree of “private” time with their players in locker rooms where the edict “what happens in the locker room stays in the locker room” is law.

In the case of this trial, the locker room moved to Room 22 at the Bay View Hotel in Deseronto where Frost had a suite with three of his players: two sixteen-year-olds and a nineteen-year-old. From there, Frost set up what Erving Goffman calls a “total institution” in that the subculture of the team and of Room 22 had its own set of rules and schedules determined independently from the larger culture surrounding them. Goffman described a total institution in the following way:

The central feature of total institutions can be described as a breakdown of the kinds of barriers ordinarily separating these three [where we sleep, where we work, and where we play] spheres of life. First, all aspects of life are conducted in the same place and under the same single authority. Second, each phase of the member's daily activity will be carried out in the immediate company of a large batch of others, all of whom are treated alike and required to do the same thing together. Third, all phases of the day's activities are tightly scheduled, with one activity leading at a prearranged time into the next, the whole circle of activities being imposed from above through a system of explicit formal rulings and a body of officials. Finally, the contents of the various enforced activities are brought together as parts of a single overall rational plan purportedly designed to fulfill the official aims of the institution.²

2 “On the Characteristics of Total Institutions,” in Erving Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (New York: Random House, 1961) 1 at 6.

In his doctorate at the University of California, Berkeley, sport sociologist Steven Ortiz found that all of the above characteristics described professional male sport teams. He translated these characteristics to male sport teams by factoring in the mobile nature of teams as they travel, calling them mobile total institutions. What matters most to sport teams is not location, but rather the presence of the coach, a team that obeys the “rules” and the psychological and physical power the team and coach command over any space they occupy.³

It is difficult to write about hockey as a total institution in Canada because there is such a pro-hockey bias in the media and amongst many Canadians. Organized, elite Canadian hockey, such as the NHL, CHL, junior provincial leagues, and rep leagues have never accepted that these characteristics are fundamental to the team experience, despite significant evidence that in many instances there is a cult-like relationship in hockey circles. For instance, while the events in Deseronto unfolded in the 1996–97 season, the biggest sports story of the year was uncovered in Swift Current, Saskatchewan. Swift Current Broncos’ coach Graham James pled guilty to 350 charges of sexual assault after his former player, Sheldon Kennedy, who by then played in the NHL, went to police about the abuse he suffered from age fourteen to eighteen. It was impossible to pick up a newspaper sports section or watch sports TV during that season without knowing about the James/Kennedy case. Soon after, a pedophile ring run out of Maple Leaf Gardens was exposed. This too occupied the media for months. Despite the evidence that hockey can be a dangerous place for boys off the ice as well as on it, no one intervened when, during the same season, Frost moved into Room 22 with his entourage of teenage players. No one intervened when great amounts of alcohol were brought into the room, raucous parties took place, and many local girls ended up there.

While there were officially four inhabitants of the suite, many players stayed there. At the helm of all that happened in Room 22 was David Frost. North Americans know Frost best as the coach and then agent of NHL player Michael Danton, who was Michael Jefferson until, under Frost’s coaching, he became estranged from his family and eventually legally changed his name. In 2004, Danton pled guilty to conspiracy to

3 Steve Mortiz, *When Happiness Ends and Coping Begins: The Private Pain of the Professional Athlete’s Wife* (Doct Thesis, Department of Sociology, University of California at Berkeley, 1994) [unpublished]; see also Steven Mortiz, “Traveling With the Ball Club: A Code of Conduct for Wives Only” (1997) 20 *Symbolic Interaction* 225.

murder charges after trying to have Frost killed in the US. Both men to this day deny that Danton was trying to hire someone to murder Frost.⁴

When the news broke about the conspiracy to murder charges against Danton, Witness One and Witness Two from Deseronto contacted police. They said that many things had happened to them and to the players in Room 22 that were illegal: they had been sexually assaulted by Frost and so had the players. Frost refused to allow sex to take place between players and their girlfriends unless he had the girls first. He also participated in sex when the hockey players were with the girls by assisting them to insert their penises into them or by having the players insert his penis into the girls.

Witness One writes in February of 2009:

After Mike was arrested I was upset and sad and so emotional. My fiancée at the time was worried as to why I was so invested and so upset about what had happened so I told him everything that had happened to me and explained to him why I believed that Mike, in his mind, had no other solution to escape from Dave. I explained the control and the things that Dave would make all of us do and he thought it was best to go and talk to the police about it. We called the Napanee OPP station and spoke to an officer whom, once they heard the name Dave Frost, immediately contacted Chris Nicholas [police officer] and he set up an interview with me.⁵

A two-year investigation took place, and on 23 August 2006, Frost was charged with thirteen charges of sexual exploitation. But on 6 March 2007, Crown Attorney Adam Zegouras dropped seven of these charges, six of which concerned the sexual exploitation of the girls:

This matter, Your Honour, has been reviewed by a number of senior crown counsel, all of whom have reached a similar conclusion. As Your Honour is aware, this has taken a significant time period to do that. There were thousands of pages worth of documents, and hours and hours worth of video tapes that had video recordings that had to be reviewed. After that review

- 4 See Frost's website <[http:// www.hockeygodonline.com](http://www.hockeygodonline.com)> for evidence of their ongoing relationship and CBC TV's *The Fifth Estate* website for more documentary evidence. When Danton was released from jail in September of 2009, he stated it was his father, not Frost, he was trying to have killed despite the fact it was Frost who was to have come to the house where he arranged for the murder.
- 5 18 February 2009 email from Witness Two to the author.

and lengthy discussions, there has been a conclusion that there's insufficient evidence that Mr Frost was in a position of trust or authority with respect to complainants contained in counts seven through 12. As a result, those charges require in law that there be a position of trust or authority for those charges to be grounded. Given that conclusion by a number of crown attorneys, I would ask that counts seven through 12 be endorsed as withdrawn, as no reasonable prospect of conviction exists on those grounds.⁶

When two of the female complainants (Witness One and Witness Two) were told, prior to the 7 March 2007 hearing that the Crown was planning on dropping all the charges concerning assaults against them, but not those charges on behalf of the players, they were devastated. They say they had received virtually no updates from any of the many Crowns who passed their file from one to another. In February of 2009, Witness One wrote:

I didn't get a lot of information about how the investigation was going or anything about the charges. I found out the charges were dropped by one of the Crowns on our first and only meeting with him before he dropped the case. He told us that because of the charge 'sexual exploitation' which involves an authority figure committing sexual advances etc. on a child he has authority over and Dave technically did not have authority over us, they had to drop the charges. It was so devastating because I KNOW that I am a victim and for the judges, or the decision makers to dismiss it so callously really irritated and angered me. It was actually pretty hard to continue on with the case knowing that so much of my private life was going to be 'assaulted' — in a way — and I was not considered a victim. It made me sick to my stomach. I wanted to see justice served for Dave and I had to continue on to help get closure.⁷

There are many questions that need to be asked in this case. The first is why the police simply did not charge Frost with sexual assault of the girls, as opposed to sexual exploitation. Clearly Frost was in a position of trust, authority, and power over the players, so sexual exploitation charges were correct in his relationship with them. These cases presented a different difficulty for the prosecutors because the players categorically denied he ever touched them sexually. Frost also ran

6 *R v David Frost*, Proceedings before the Honourable Mr Justice GJ Griffin, 6 March 2007 (Napanee, ON, File #: 2001-998-06-700273).

7 19 February 2009 email from Witness Two to the author.

the hockey school where Witness One worked for an entire summer in Brampton, Ontario, making him her boss. She says the police decided that since someone else owned the hockey school (who Witness One says she saw twice all summer, while she had to work for and report to Frost and live in the same house as him daily), technically he was not in authority over her.

Upon being told that the Crown was going to drop all charges relating to the abuse of females, Witness One and Witness Two went through all their belongings from the 1996–97 season and found evidence, such as the email above and the diary of Witness Two that held very intimate sexual notations, and gave them to the police. Later, the authenticity of this evidence was called into question, not only by the defence, but even by Judge Griffin because it was surmised that the complainants, by the time the trial rolled around in the fall of 2008, were possibly colluding against Frost and that Witness One was the mastermind behind the collusion.

In February of 2009, Witness One wrote:

I did not give the diary to the police. Kristy called me one night very upset and she told me that she found her diary from when all of that stuff was going on. She was embarrassed by her immaturity and stupidity and asked me if she should hand it in. She was very hesitant because it was so embarrassing for her. I told her that it would be a good idea to hand it in because it may help the case and she asked me to call Chris and let him know that she had found a diary. I did call Chris [OPP officer] and how it got into the OPP's hands I do not know. The email was also submitted by Kristy, she called me and read them to me and forwarded them on to the OPP.⁸

Operative in this prosecution was the assumption that this woman could not possibly have been a victim because she had had sex when she was sixteen, she had had multiple partners, and she was strong enough, at the age of twenty-eight, to speak clearly and without shame in a courtroom about her experiences. At one point, quite unrelated to his train of questions, Crown Attorney Sandy Tse made Witness Two state that the sex she had had was consensual. She had testified that she “felt uncomfortable with it, but ... I felt kind of pressured to do it,” with reference to having sex with Frost. She added that she “didn’t want to do it again, but finally I got persuaded into it.” She testified that she was “placed” on top of Frost by one of his players who stood behind her,

8 20 February 2009 email from Witness Two to the author.

and told to wrap her arms around him as he stood behind her while she was on top of Frost. Both she and Witness One spoke of being afraid and shaking, and wanting it to be over as soon as possible. They each testified that Frost had put a hockey player's penis into her vagina, or a hockey player had put Frost's penis into her vagina. The sexual exploitation charges laid on behalf of the players were based on this evidence from Witness One and Witness Two.

This case went through a total of eight Crown Attorneys before it landed on Tse's desk. His pointed question to Witness Two, to ensure that she said under oath that she had consented, appeared to be a way to protect the collective justice system, starting with the police, who had laid sexual exploitation instead of sexual abuse charges, and then of his colleagues in the Crown's office who, instead of advising the laying of the correct charges, dropped the sexual exploitation charges and turned the girls into witnesses. Once they were witnesses and not complainants, they lost the benefit of the publication ban on their identities. Their names were then attached to their very sexually explicit testimony and to exhibits that chronicled what happened to them during the 1996-97 hockey season in Deseronto.

The legal logic here, in terms of consent, is that there could not be consent when it comes to men and boys (coach and players) who touch one another, but no one, including Crown Attorney Sandy Tse and the seven Crowns before him, questioned the purported "consent" of the girls. It was as if any vagina that found its way into a hotel room was automatically consenting to sex. It did not matter that the men and boys in the hotel room called all the shots, creating a perfect storm for Ortiz's mobile total institution in which the girls were trapped. It did not matter that the hotel room was the home base of Frost and his players and that the girls were only allowed in with their permission, and only if they agreed to do everything they were told to do once in the room. It did not even occur to the Crowns or Judge Griffin that the reason why Frost and his hockey players had to force each other's penises into the girls was because the bodies of both girls rejected being entered. Their bodies had not consented to sex. The closing of a vagina to a penis somehow was not a sign that the owner of the vagina did not want to have sex. This case shows that we need to think about how the legal system understands the female body, the social coercion of the patriarchal nature of sport, and consent.

Witness One wrote in February of 2009:

To think that the sex was consensual makes me want to throw up! I agreed to it yes, but I was bullied, controlled, manipulated and forced into saying

yes. They did ask me if I said yes and I did say yes.... But they never asked WHY I said yes...⁹

COURTROOM ATMOSPHERE

The assumption that consent was freely given by the girls was part of an atmosphere in the courtroom that was, at best, disturbing. Judge Griffin exhibited a clubby, folksy relationship with male witnesses and professionals. Listen to the tone of the courtroom banter on 6 March 2007 when all charges concerning alleged assaults against the girls were dropped:

Crown Attorney Adam Zegouras: You Honour, Mr Clifford is here from Mr Edelson's¹⁰ office.

Justice Geoffrey Griffin: Mr Clifford. Oh, long time no see. How are things?

Vincent Clifford: Fine, thank you, your Honour. Good to see you.

Justice Griffin: You look well. You obviously do, very successful. That is no surprise.¹¹

This chummy atmosphere continued as Justice Griffin welcomed hockey players as witnesses, asking them about their season, offering his opinions on this year's professional season, etc. One player no longer played, but had become an RCMP officer in Manitoba. For Judge Griffin, this was just as good as he bantered back and forth about that profession. He also singled out *Toronto Sun* journalist Steve Simons from the large crowd of journalists, mostly women, and asked him about the football game from the day before.

Judge Griffin's conduct changed when three female witnesses were on the stand. There was no banter; the chummy boy's club atmosphere was long gone. Two of these young women were complainants until the Crown dropped the charges. The Crown had asked that their names be kept confidential; Judge Griffin ruled their names could be used in the media. Judge Griffin appeared to have a fatherly troubled look while the young women testified. One said that she had brought a bottle of bubblebath to Room 22 after she had been coerced over the phone to

⁹ 20 February 2009 email from Witness Two to author.

¹⁰ Mr Edelson is Michael Edelson, who acted on behalf of David Frost since 2001. Vincent Clifford is his law partner and was representing Frost as his defence lawyer.

¹¹ *R v Frost*, *supra* note 5 at 1.

“try a threesome.” As she continued her testimony, Griffin interjected with “I’m still back with the bubblebath.”¹²

Judge Griffin did not only rely on sexist assumptions. He also made mistakes in his decision, abetted by the silence of Sandy Tse, the Crown Attorney. In his “Analysis,” Judge Griffin started, “One aspect of this case that I found to be of interest is that all of the young people, whether hockey players or girlfriends, from the 1996–97 Quinte Hawks hockey season, have gone on to be productive members of our society. They are leading pro-social and effective lives...”¹³ This statement simply was not true. Judge Griffin himself, in his decision, cited “the significant amount of evidence in this case that exposed a dark and very unhealthy side of hockey, where young women are used as sexual playthings. Defence counsel referred to it as the misogyny of the hockey world. Such treatment by men of women is extremely offensive and should be denounced.” Yet these young men are pro-social and leading effective lives? Judge Griffin had forgotten that the females in Room 22 were not women, but girls, some as young as thirteen. Describing, for reasons unknown, children who have been sexually objectified as “women” shows perfectly his inability to understand what was at issue from the start.

The mother of Witness Two revealed that her daughter “was not doing well; she’s devastated by all of this.” A lawyer who accompanied one of the hockey players who testified told journalists privately that his client had a “domestic violence problem.” Another player had a temper tantrum in the courtroom as he screamed back at Crown Sandy Tse that there was no one in the courtroom who had more reason to hate David Frost than he did. All of the players spoke of girls and women as objects for group sex. Up to six players having sexual intercourse with one female was not unusual, they stated, in matter-of-fact voices. They used this sex as a bonding experience with one another. Their disdain for any of the females who were lured into Room 22 was clear. They called them sluts, puckbunnies, and gold-diggers.

And what of Witness One and Witness Two? Judge Griffin stated that Witness One had come from a good family. Crown Attorney Sandy Tse did nothing to correct this assumption. While we can only imagine what a “good family” meant to these men, Witness One explained that nothing was further from the truth:

12 Author’s notes from trial (27 October 2009).

13 *R v Frost*, *supra* note 5 (Partial Reasons for Judgment) (28 November 2008).

I am not sure if the Crowns knew about all the circumstances surrounding the male influences I had in my life. I know that the investigators were aware. Just to clarify, my dad passed away when I was 18 and my mother's boyfriend went missing when I was 16. My mother and I went to his house to grab a pair of rubber boots for my brother and when I went into the house it was like a murder scene. His body was not there but there was blood and brain matter everywhere and bullet holes in the walls. It was terrifying and very traumatizing. My mother was in the car with the radio on and I was inside the house with the doors closed and she could hear my screams.¹⁴

“Do you know how awful it is to have someone die who you have a very unresolved relationship with?” said Witness One in February of 2009, with reference to her father. Both her father and her mother's boyfriend — two father figures — died during the time she was under what she called Frost's “control”: “I was so angry at Sandy Tse for letting the judge think I came from a good, healthy family,” she said in February of 2009; “I couldn't believe he didn't challenge that. I had, and still have struggles and lots of problems.”

PUTTING THE DAVID FROST TRIAL IN PERSPECTIVE

The above abbreviated account of the experience of Witness One and Witness Two reflects other cases I have chronicled as a journalist since 1993 when I started looking at the cyclical nature of sexual violence in hockey. My book,¹⁵ which looked at case studies of alleged gang rapes and sexual abuse committed by junior hockey players, was published in 1998. Thirteen years later, nothing has changed, including the hockey establishment's attitude towards violence against girls and young women. It is equally disappointing to see men who claim to want to find solutions to violence in hockey form “new” old boys clubs. Even this “progressive” turf appears to be well-guarded.

On 24 February 2009, the Middlesex-London Health Unit in London, Ontario, held a “Violence in Hockey” symposium. One panel specifically addressed hockey violence off the ice and how girls and women are affected. All panelists in this discussion were male, which reflected virtually all other panels. Out of sixteen speakers, only one was female — Dr Laura Purcell, who spoke on concussions. When I asked the con-

¹⁴ 18 February 2009 via email.

¹⁵ Laura Robinson, *Crossing the Line: Violence and Sexual Assault in Canada's National Sport* (Toronto: McClelland & Stewart, 1998).

ference organizers why there was only one female panelist, but a number of male media personalities who have no expertise in the sociological and psychological implications of young male violence, they did not respond.¹⁶

In March of 2009, two weeks after the Violence in Hockey symposium, we observed that very few men chose to attend the “Sexual Assault Law, Practice and Activism in a Post-*Jane Doe* Era,” conference in Ottawa. Indeed, just as the London conference heightened a gendered solitude, so did Ottawa’s. Women were not given a voice at the former, and men chose not to attend the latter. The Summary of Proceedings from the hockey conference articulates no relationship between male violence in hockey and violence against women. Ironically, one conclusion in the summary was, “women, especially mothers must be encouraged and assisted to realize the power of their voices in bringing about changes to eliminate violence and fighting in hockey.”¹⁷

In the fall of 2010, as I put the finishing touches on this chapter, there is yet more evidence of how the gendered solitude in sport perpetuates the relationship between hockey violence, male privilege, and a culture of sexual violence against women. It is found in the aftermath of the 2010 Vancouver Olympics. In mid-March, two weeks after the Games ended, the Vancouver Police Department [VPD] disseminated information on crime during the Olympics to the media and to “hundreds of Olympic related organizations,” according to VPD media relations officer Lindsay Houghton. Recipients included dozens of Vanoc — Vancouver Olympic organizing committee — decision-makers.¹⁸ The VPD reported that, while property crime decreased 6 percent during the Olympics, assaults increased nearly 30 percent, and sexual assaults skyrocketed by 71 percent over the same period in 2009.¹⁹ Vancouver’s Battered Women Support Services [BWSS] separately reported a 30 percent increase in domestic violence during the Olympics, not only when compared to February of 2009, but compared to January and March of 2010 — the “before and after” months bookending the Games. The BWSS office was closed on 28 February 2010, the last

16 Author’s emails to conference organizers in February of 2009 before the conference.

17 “Summary of Proceedings: Violence in Hockey Symposium” Middlesex-London Health Unit (23 April 2009), online: <<http://www.healthunit.com/article.aspx?ID=14881>>.

18 Emails and telephone interviews conducted by author with Constable Lindsay Houghton, August–September 2010.

19 See online: <http://www.vancouver.ca/Media_wac/media.exe>.

day of the Olympics, when Canada's men's team won gold in hockey, yet still saw a 12 percent increase in calls during the two days after the game.²⁰ But perhaps the most glaring statistic comes from Vancouver's Women Against Violence Against Women [WAWAW] who, on average, accompany five to six women per month to the hospital to have the "rape kit" administered that gathers medical evidence of rape. WAWAW is the first to acknowledge that its numbers reflect a tiny proportion of actual rapes, and that women who were visiting Vancouver during the Olympics probably did not know of its existence. Still, WAWAW reported in February of 2010 that, not only did calls for this service jump to eight, but four calls came in the 24 hours after Canada's men's team won the gold medal in hockey, all from women at hockey "celebrations."²¹

When asked about these statistics at Canada's Hockey Summit in August of 2010, Vanoc CEO John Furlong said it was "the first time" he had heard them,²² despite the fact that Vanoc received copies of the VPD media release through Public Safety Canada, and the Vancouver and national press carried the stories.²³ Could there be a relationship between the triumph of men in a game that enshrines male aggression and violence and the messages men take from it about their own right to aggression and violence? Furlong ended the interview and went back to his real job at the summit, which was not to examine hockey, but to make sure that Canadian hockey maintains its mythological status.

And how does this myth-making relate to the gendered solitudes of sport that ensure that the voice of women is effectively silenced and disempowered? Don't forget Furlong's job as Vanoc's CEO was also to fight against women athletes who, in the lead-up to the Olympics, argued in court that not allowing them to compete as ski jumpers at the Games contravened their *Charter* right to equality. Vanoc argued back that they should not have to adhere to the *Charter of Rights and Freedoms*.

20 Emails and telephone interviews conducted by the author with BWSS staff, September 2010.

21 Emails and interviews conducted by author with WAWAW executive director Irene Tsepnopoulos-Elhamier, July, August, and September 2010.

22 Author's interview with John Furlong (25 August 2010 immediately after "Vancouver 2010 Evaluation" panel, Sheraton Hotel, Toronto, ON).

23 Jack Keating, "Violent Crime and Assaults Up While Property and Overall Crime Down at Olympics" *The Vancouver Province* (18 March 2010), online: www.theprovince.com/news/violent+crime+assaults+while+overall+crime+-down+during+Olympics/2695341/story.html; see also Shadi Elie, "Link Between Hockey-Rape Studied" *The Georgia Straight* (13 May 2010) online: www.straight.com/article-323639/vancouver/link-between-hockey-rape-studied.

Instead of protecting the rights of women, they had a much larger obligation to the International Olympic Committee: to follow the IOC's orders, which was to host an Olympics where women ski jumpers did not participate.²⁴

Ask a Canadian what the most memorable legacy of our Olympics was. Will they answer that it was the brave and beautiful way in which women athletes from around the world came together in Vancouver and argued for their fundamental right to be treated equally, or will they speak about the great way in which the Canadian men's hockey team played on the final day of the Games when they won the gold medal? Indeed, the Canadian myth remains intact. Let us hope that the men who say they want to see real changes in hockey violence start to understand women as agents of change. We are, after all, experts when it comes to violence against women. Real change in the sexual violence now found in hockey culture will not come until we cease existing in two gendered solitudes.

24 *Sagen et al v Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games*, Supreme Court of BC (No SO83619, "Defendant's Argument" 20 April 2009), and *Sagen et al v Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games*, BC Court of Appeal (No. CA037306, BC Court of Appeal, "Respondent's Factum" 21 September 2009).