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Hockey ruling hailed; COURT: It sends a message, an anti-violence advocate says

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The tough stance by the Ontario's highest court in the case of a Niagara Falls female hockey player convicted of an on-ice assault should send a strong message to the hockey establishment that promotes violence, says a leading researcher and anti-violence advocate.

"If hockey doesn't police itself, the courts are going to take over for them," said Peter Jaffe, academic director at the Centre for Research and Education on Violence against Women and Children at the University of Western Ontario.

Jaffe was commenting on this week's decision by the Ontario Court of Appeal when it upheld the sentence of Julia Tropea, 24, who was involved in an on-ice assault on a London hockey player at a tournament five years ago in London.

Tropea, 24, pleaded guilty three years ago for an assault at the Western Fair Sportsplex on Feb. 12, 2005.

Tropea cross-checked Carly Bernard, who was 20 at the time of her injuries, after Bernard had fallen on a Niagara Falls player and stopped her from getting up.

Bernard fell to the ice and Tropea kicked her on the top of the helmet with her skate.

Tropea received a cross-checking penalty. She yelled at other players while being escorted off the ice.

The Crown and defence agreed at the time of Tropea's sentencing that it couldn't be determined if Bernard's dislocated jaw and possible concussion was caused by Tropea's cross-check or kick.

She received a suspended sentence and two years of probation.

The sentence left her with a criminal record -- a far stiffer penalty than what National Hockey League players Todd Bertuzzi and Marty McSorley received when they were charged for on-ice assaults.

Her defence lawyer Andy Rady said after the sentence was imposed by Ontario Court Justice Ted McGrath that a criminal record would jeopardize her studies in early childhood education, limit her employment opportunities and restrict her from crossing the U.S. border.

Tropea appealed the sentence but the Ontario Court of Appeal upheld it, saying that the sentence was not outside the range given for other common assaults.

The court did not believe gender played a role in the sentence and noted that women's hockey is non-contact.

Jaffe predicted that there will be more on-ice assaults showing up in the courts -- both in the criminal and civil arenas.

"I think if the hockey establishment doesn't start to recognize the harm to players . . . the courts are going to step in," he said.

Police will be expected to investigate more incidents and lay charges while "parents and players are going to start suing coaches and leagues for allowing the behaviour to continue without any intervention," he said.

"The hockey establishment has to wake up and smell the coffee here. You can't plead ignorance anymore," Jaffe said about injuries from hockey violence.

There has to be an attitude change, he said, from a hockey public that cheers on fights and crushing hits, to an understanding of the implications, much the way seatbelt laws and drinking and driving attitudes have evolved.

"Hockey moms and dads and coaches and kids have to stand up and say this is unacceptable," Jaffe said.

"We'll never protect all the players all the time, but we can certainly reduce the carnage."

Jane Sims is a Free Press justice reporter.

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