

FACT SHEET

Complainant/Victim – C. Cavaluzzo

C. Cavaluzzo is 19 years old and is a member of the Tigers. S/he was playing the Atoms in the final game of a co – ed ice hockey tournament. It was about 8:30 pm., Sunday December 22nd, 1985. The score was tied 1 – 1 and there were 5 minutes left in the period.

Your story:

- You don't skate very well and have hardly played any hockey but you enjoy the social side of these co – ed tournaments
- You had a couple of beers with your team-mates before the game
- You had not played much this game until the last half of the third period when the other players were getting tired
- You had just skated onto the ice when the whistle blew and the scuffle developed in front of your goal between G. Meredith and your teammate.
- Since play was stopped, most of the players on your team headed to the bench but you were fresh and couldn't be bothered.
- You were standing at centre ice, leaning on your stick and watching the crowd
- You vaguely remember seeing, out of the corner of your eye, the linesman grabbing G. Meredith by his/her jersey, as they were skating by you on the way to the penalty box.
- All of a sudden you felt a hard blow on the left side of you face, under your helmet.
- You remember falling forwards and hitting you head hard against the ice.
- It happened so fast.
- You don't remember anything else until you woke up 12 hours later in the hospital
- You had 4 stitches over your left eye and a large bruise under your left eye, which took a couple of weeks to heal.
- You were kept in the hospital for 20 hours before being allowed to go home

You will play C. Cavaluzzo in the mock trial. In order to carry out your role successfully, you will have to meet with Crown counsel before trial to work out other details about your character.

It is important to prepare completely for every possible question, which may be asked of you. You will have to be flexible and be prepared to respond on the spot. Be consistent throughout your testimony. Your credibility is on the line. You have to make the judge believe that you are telling the truth.

FACT SHEET

Crown witness – Linesman R. Larocque

R. Larocque was officiating (linesman) at a hockey game in the Memorial Arena between the Tigers and the Atoms. It was the final game of a 2-day co – ed tournament and R. Larocque was very tired but there were only a few minutes left in the game. The score was tied at 1 – 1 so it looked as if the teams would be sharing the prize as there was no overtime allowed. It was about 8:30 pm., Sunday, December 22nd 1985.

Your story:

- You are not a regular hockey official but volunteered to officiate in this tournament for the money, even though you don't think co – ed hockey games are appropriate
- You used to play hockey but now just officiate because of an injured knee
- The rules in co – ed hockey games are different from those in a regular hockey game and some players have had trouble adjusting. The important rules are:
 - No protective equipment can be worn except helmets and gloves;
 - At least 2 females have to be on the ice at all times and
 - No body contact is permitted
- It is difficult to enforce the rule about “no body contact” because many of the players are poor skaters who can't stop without bumping into someone
- In this case the Tiger defender was trying, from behind, to lift G. Meredith's stick as Meredith was breaking away towards the goal.
- Instead of lifting the stick, the defender accidentally tripped Meredith
- The whistle blew and play was stopped
- You knew there would be trouble as soon as you saw Meredith get up from the ice – s/he was yelling, and immediately headed for the Tiger defender
- Both players dropped their gloves but you got in between them and were able to grab both arms of Meredith, whom you were somewhat jealous of because s/he is a very good player, better than you ever were
- Facing Meredith, you both skated away from the other players so the fight did not spread
- When the ref yelled out the penalty (2minutes for roughing) you tried to escort Meredith to the penalty box on the opposite side of the rink.
- Meredith went “berserk” and started thrashing around, trying to get free from you
- You saw Cavaluzzo standing nearby but couldn't control Meredith
- Meredith broke loose, and then proceeded to punch Cavaluzzo on the side of the head.
- Cavaluzzo fell, hit the ice hard, and was knocked unconscious
- An ambulance was called and Cavaluzzo was taken to the hospital needing stitches for a cut above the eye.
- You finished officiating the game, which ended in a 1 – 1 tie.

- You visited Cavaluzzo in the hospital the next day and noticed a large bruise under his left eye.
- Cavaluzzo was still very shaken up the next day.

You will play R. Larocque in the mock trial. In order to carry out your role successfully, you will have to meet with Crown counsel before trial to work out other details about your character.

It is important to prepare completely for every possible question, which maybe asked of you. You will have to be flexible and be prepared to respond on the spot. Be consistent throughout your testimony. Your credibility is on the line. You have to make the judge believe that you are telling the truth

FACT SHEET

Defence witness – Coach S. Dempsey

It was Sunday December 22nd 1985 S. Dempsey was coaching an exhibition co – ed ice hockey game in Memorial Arena. Your team, the Atoms were playing the Tigers, a team from the neighbouring community. It was late in the third period and the score was tied 1 – 1.

Your story:

- The score is tied and there is not much time left in this final game of the tournament
- Tension is mounting because both teams want to win but the rules do not permit overtime. If the teams tie, they have to share the prize.
- Finally your team gets a chance to score – Meredith intercepts a sloppy pass at centre ice and has a breakaway.
- Meredith is one of your best players an experience hockey player and one of the top goal scorers in this tournament.
- About 10 feet in front of the goal, a Tigers defence player reaches forward with a stick and trips Meredith
- The whistle blew but no one could hear it with all the noise made by the fans
- It looked like a fight might develop in front of the goal between Meredith and the player who tripped Meredith – both dropped their gloves.
- The linesman seemed to have succeeded in calming down Meredith until the ref called the stupid penalty for “roughing”
- Meredith began resisting the linesman and somehow Cavluzzo got hit but you’re not sure how it actually happened – you were too busy with the other players at the bench
- This all happened very fast, within the space of 1 minute
- You rushed onto the ice and sent for an ambulance once you could see the player was unconscious, and needed stitches for the cut above the eye.
- The game ended up a tie

You will play S. Dempsey in the mock trial. In order to carry out your role successfully, you will have to meet with Defence counsel before the trial to work out other details about your character.

It is important to prepare completely for every possible question, which maybe asked of you. You will have to be flexible and be prepared to respond on the spot. Be consistent throughout your testimony. Your credibility is on the line. You have to make the judge believe that you are telling the truth.

FACT SHEET

Accused - G. Meredith

G. Meredith is 19 years old and a member of a community co – ed hockey team, called the Atoms. Your team has won all its games in this 2-day fund raising tournament and you are now playing in the final game. It is late in the third period of play and the score is tied 1 –1. The team you are playing is called the Tigers. It is around 8:30. Sunday December 22nd 1985.

Your story:

- The game is almost over when you manage to intercept the puck at centre ice.
- You skate as fast as you can towards the Tiger’s goal.
- You prepare to shoot but just as you are getting the shot away, someone from behind trips you with a hockey stick.
- Your shot goes wide and your chance to score the winning goal is ruined.
- You are so angry you jump up, and drop your gloves, and start pushing and shoving the Tiger player who tripped you.
- The linesman grabs your sweater, orders you to “cool down” and starts forcing you backwards towards your bench, holding onto both arms.
- The ref yells “2 minutes for roughing”
- You’re furious and try to break loose from the linesman.
- You fail to notice that another Tiger player (Cavaluzzo) is nearby and, by mistake, your left arm flings backward and your hand hits Cavaluzzo in the face.
- Cavaluzzo falls onto the ice and you notice some blood but not much more because you are forced into the penalty box.
- The last few minutes of the game resume after the ambulance has arrived and the player is carried off the ice.
- The next day a police officer comes to your home, giving you a notice which says you are charged with “assault causing bodily harm”

You will play G. Meredith in the mock trial. In order to carry out your role successfully, you will have to meet with defence counsel before trial to work out other details about your character.

It is important to prepare completely for every possible question, which, may be asked of you. You will have to be flexible and be prepared to respond on the spot. Be consistent throughout your testimony. Your credibility is on the line. You have to make the judge believe that you are telling the truth.

INDICTMENT

File number
3270527098

Canada
Province of Ontario
Judicial District of York

HER MAJESTY THE QUEEN

Against

G. MEREDITH

INDICTMENT

Name of
Accused

G. Meredith stands charged:

State of
Offence

Count 1 That, in the City of Toronto, in the Judicial District of York, Ontario, on or about the 22nd day of December 1985, s/he did unlawfully strike and injure C. Cavaluzzo, thereby committing assault causing bodily harm contrary to s. 245.1 of the Criminal Code of Canada.

DATED this _____ day of _____, at _____.

Agent for the Attorney
General of Canada

APPLICABLE LAW

CANADA CRIMINAL CODE

Assault

244 (1) A person commits an assault when

- 1) Without the consent of another person, he applies force intentionally to that other person, directly or indirectly;**

Assault Causing Bodily Harm

245.1 (1) Everyone who, in committing an assault, causes bodily harm to the complainant is guilty of an indictable offence and is liable to imprisonment for ten years.

- (2) For the purposes of this section, “bodily harm” means any hurt or injury to the complainant that interferes with his/her health or comfort and that is more than merely transient or trifling in nature.**