

Modernizing Junior Hockey in Canada

Supporting Two Junior Development Paths for Canadian Athletes

Executive Committee

British Columbia Hockey League

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Abstract

The British Columbia Hockey League (BCHL) is entering its sixth decade of operation and is the best it has ever been at helping 16 to 20-year-old athletes pursue a junior hockey career in Canada (and beyond). This success has been achieved despite certain systemic barriers that need to be addressed through the revision of the current Canadian Development Model (CDM). The BCHL operates in a system that penalizes elite players for choosing to play college-tracking junior hockey, instead of Major Junior, in their home country.

Our development model penalized players by placing discriminatory regulatory restrictions on their movement and participation in Canada. This forces many players into decisions to leave the Canadian system entirely. While the rules were likely devised with good intentions, they are proving to be unfair to some of our best young athletes, their individual development, and their families. These regulations do not recognize the changing development patterns that have emerged since they were written 17 years ago, including the significant growth of leagues like the BCHL that have invested in an athlete-centric path. This paper outlines where the system has failed and how we can better develop these players in Canada.

It is important to note that the writing of this white paper is not, in any way, related to the recent crisis surrounding Hockey Canada. Our position was tabled with Hockey Canada long ago and has been ignored. However, given the appointment of a former Supreme Court of Canada Justice Thomas Cromwell to perform an independent review of Hockey Canada's governance structure, the BCHL believes its long-held concerns are relevant to this review. Our objective is to have a frank, open and constructive discussion on the future of college-tracking junior hockey with the Board of Hockey Canada as part of that review.

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The BCHL's objectives for this discussion are:

1. To keep elite players at home in Canada by moving college-tracking junior up in relevance as a supported development path under the CDM.
2. To create a tiering strategy for non-pay-to-play college-tracking junior hockey, complete with an additional post-season championship.
3. Most importantly, to have a strong dual-path system in Canada, supported by Hockey Canada and the NHL that creates opportunities for Canadian players to stay at home and be the best that they can be.

Brief History of Hockey Canada Development Model

The Canadian system has been forged over decades of various bodies managing and organizing the sport of hockey at local and regional levels. Over time, provincial associations and other organizations operating independently as Branches (Members) came together to form Hockey Canada, a federation dedicated to representing the best interests of hockey across the country. The mission statement of Hockey Canada is “Lead, Develop and Promote Positive Hockey Experiences”. Its vision is to be “World Sports Leaders”.

These goals are admirable, but the BCHL believes they are only achievable by adapting to changes in the way our game is developing. At the junior level, specifically, strategic direction has been impeded by legacy regulations and the framework of the Canadian Development Model (CDM), which was implemented in 2006. For instance, in defining the funnel of development in Canada, Junior A hockey across the country has been deemed a feeder system for Major Junior. However, Junior A hockey that is college-tracking and played at its highest level, is now able to develop elite Canadian players that do not choose the Major Junior route, as has been our country’s historical path. These young men choose to play Junior A to maintain NCAA college eligibility, which would be lost to them the moment they signed with a team in Major Junior. The NCAA considers the Canadian Hockey League (CHL) a professional league with some of its players signed to professional contracts, which disqualifies all of their athletes from attending college in the United States. This makes Junior A the only path in Canada for those who want to play hockey at a U.S. college.

This path is not new to Canadians. It is how our female players have developed into their preeminent position on the international hockey scene. They play college hockey in the United States. Quite simply, our young female athletes have been developing in the NCAA system for

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decades, which has done nothing but improve their development and performance while giving them a quality education. While we understand that there is no Major Junior path available to female athletes under the Hockey Canada model, the point is that just because the CHL exists, it does not, and should not, disqualify Hockey Canada from offering equal support to its college-tracking male hockey players. At the very least, there should be no regulatory barriers to young Canadian men pursuing a collegiate career, as our young Canadian women do, should they wish to do so.

It is important to understand that the BCHL's position and proposal are not in any way a condemnation of Major Junior. Far from it. We simply must have a recognition that there are two development paths in Canada – Major Junior leading to the National Hockey League (NHL) being one and Junior A leading to a US college and then the NHL being the other. Both are important. Both should be supported.

The BCHL has been home to many players that have the talent to play at the Major Junior level, even some top draft picks, but they choose the college route. Alex Newhook, who just won a Stanley Cup with the Colorado Avalanche, Tyson Jost, who was captain of our U18 World Championship team breaking Connor McDavid's points record in the tournament, and Kent Johnson, who has represented Canada at the Olympics, World Championships and most recent scored the Golden goal for Team Canada at the World Juniors are examples of NHL development outside of Major Junior. Top level college-tracking junior hockey can produce NHL players.

Perhaps, the best example is Cale Makar. As a member of the Stanley Cup champion, Colorado Avalanche, he was awarded the Norris trophy for best defenseman in the NHL and the Conn Smythe trophy for Stanley Cup Playoffs Most Valuable Player this past June. An exceptional Alberta prospect who was highly sought after to play Major Junior, he chose to

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spend two years of Junior A with the highly successful Brooks Bandits of the Alberta Junior Hockey League (AJHL). He developed as a player and then went to the University of Massachusetts after he was selected fourth overall in the NHL draft. As of 2019, 33% of the NHL is made up of players who chose a similar path – namely, to pursue a college education in the United States and develop their hockey skills under scholarship. College hockey is the fastest-growing development path for the NHL having increased by 65% over the last 19 years.¹

Unfortunately, however, our Canadian development system treats athletes that choose the Junior A/college path as misfits, despite the words written by Hockey Canada:

We have always believed that the current Canadian development system is the best in the world and our success on the world stage supports that statement, but there are a few things to keep in mind.

*We cannot rely on past successes. We must always strive to improve what we do, not just to win gold medals, but rather that we continue to be world sports leaders and offer our participants the opportunities needed to be the best that they can be while always remembering to put the athlete first in making him or her a better person.*²

We wholeheartedly agree with this premise, but, in practice, offering “our participants the opportunities needed to be the best that they can be” is not what is happening in Junior A hockey. Young college-tracking Canadian athletes who want to play Junior A in Canada are often caught in a regulatory bind that forces them to flee to competitive leagues in the United States. It is our contention that, through some simple regulation revisions, we can stop the drain of our athletes

¹ <https://collegehockeyinc.com/in-the-nhl.php>

² https://cdn.hockeycanada.ca/hockey-canada/Hockey-Programs/Players/Downloads/cdn_dev_model_policy_manual_e.pdf

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to the American junior system and develop a successful level of college-tracking junior hockey in Canada that puts “the athlete first.”

Until the Canadian university system can compete on a level playing field with what is being offered in the United States, we need to support the Canadian players who choose, at an early age, to pursue the NCAA college route. Instead of supporting that path, Hockey Canada regulations restrict interprovincial movement of college-tracking athletes at ages 16 and 17, which are critical development years. Denied the right to a competitive Canadian option, they simply leave the country and play in a league like the United States Hockey League (USHL) or the North American Hockey League (NAHL).

The players leaving are some of the best Canada has produced out of our minor hockey system. Owen Power is an example. At age 16, as a tremendous prospect out of Mississauga, Ontario, he chose to leave Canada to play in the USHL with a goal of moving on to a U.S. college. Eventually, after one year at the University of Michigan, he was selected first overall by the Buffalo Sabres in the 2021 NHL draft and chose “another year of development” by going back to Michigan for his sophomore year. More and more, that is what NHL teams are looking for – players who have been allowed to mature through a college system.

But, if Owen Power, at a young age, had decided to stay in Canada and play Junior A in an elite program like Brooks, Hockey Canada rules would have prevented it due to his family residing in Ontario. He would not have been allowed to leave his home province to play in his own country. His only choice to move inter-provincially as a 16-year-old was to play Major Junior, so, having committed to the college route, he didn’t sign with the team that drafted him in the Ontario Hockey League (OHL), the Flint Firebirds. This is one of the significant challenges facing 16- and 17-year old players and their families, having to irrevocably choose between

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Major Junior and the NCAA at an early stage of their development. As Owen Power could not have transferred to a college-tracking junior program with a proven record of preparing players for U.S. college within his own country, like the AJHL or the BCHL, he had no choice but to go to the United States. We are not claiming that a player like Owen Power would have automatically chosen the BCHL or the AJHL, but he should have had that right. We should be giving Canadian college-tracking student-athletes every opportunity to stay and play in Canada. And, give Canadian college-tracking junior teams the opportunity to recruit these elite young athletes. The sad fact is young, developing Canadian players are forced out of their own country, instead of being allowed to play college-tracking junior in another province. To further emphasize the unfairness of this rule, while the USA Hockey system gladly welcomes Canadians of any age to their junior hockey system, the Hockey Canada regulations (H.1) prohibit that reciprocal arrangement unless the transfer is to Major Junior. It is strictly one way.

Hockey Canada and the Branches (Members) need to review the regulations to make them relevant to the way development has evolved. There is a clear bias against Junior A player movement in our country that could keep these players in Canada. In some cases, the Junior A options in their home province are not satisfactory, but unless their parents move across the country and change residence, they are stuck. Some might say “the rules are the rules”, which, if applied equally, might be the case. Unfortunately, they are not applied equally. Major Junior and the Accredited Schools have no such restrictions. Just Junior A. That is the problem.

Admittedly, the attractive college-tracking junior programs for Canadian prospects includes the BCHL, which is a haven for Canadian players who want to go to college in the United States. Removing the residential requirement to give young players from other provinces the right to move to B.C. would no doubt benefit our league. But, it would benefit the players

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more. Right now, our rosters are tilted towards American and out of province 18 to 20-year-olds. Our desire as a league is to get younger and generate more than the nearly 200 NCAA scholarships we have on BCHL rosters each year. The USHL leads the way in terms of scholarships earned per team, but the BCHL, despite the player movement restrictions in Canada, is second. We have a proven record of delivering NCAA scholarships and believe that every college-tracking Canadian young athlete (male or female) should have the right to go join a good development league in Canada that serves their needs. [See Appendix 1.](#)

There is a natural opposition to such change at Hockey Canada because there is a belief that Branches (Members) will lose some of their good players to the BCHL. That could be the case, but, when many of our best young athletes now choose to play outside the country instead of staying in their home province, the BCHL thinks it is time for a frank discussion with these protectionist Branches. Since 2017, our system saw 24 under-18 college-hopeful Ontario players leave for the USHL. This does not include the many more Canadians over the age of 18 who departed for the USHL and those that left for the NAHL. In that same timeframe, British Columbia has only lost 1 player who left B.C. at the age of 13. We believe that proves that our league offers an excellent alternative for developing Canadian players here at home, but the restricted residency rules literally make it easier for an Ontario athlete to go to the USHL than the BCHL. Losing elite Canadian college-tracking athletes doesn't stop at the ages of 16 and 17. Some Canadian athletes don't depart to the USHL at a young age but instead sign with a Junior A team in their home province. This means that the player is forever protected by that team unless the team agrees to trade their playing rights. Elite-level players that outgrow the league they chose to play in at 16 or 17 years of age often depart to the USHL in order to further develop. The athlete cannot simply choose to play for any team in a league like the BCHL or AJHL, but

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rather the team that holds the player's "rights" can choose whom they want to trade with. In many cases, they choose to let the player leave for the USHL to get an automatic release fee. Instead of the rules protecting the Branches, it should be the player's right to go where they feel they can get better. [See Appendix 2.](#)

Confronted with such stark statistics, the BCHL thought it had an answer. Knowing that there were other college-tracking junior leagues that felt the way we did, we asked the Canadian Junior Hockey League (CJHL), of which we were a member, to investigate some options following a request from the CJHL for all members to submit what they would want to be included in the new partnership agreement with Hockey Canada. For instance, we suggested they create a tier of Junior A that rivals more closely the USHL, and that could be an attractive proposition for elite Canadian athletes to stay at home and be provided with an elite stream of college-tracking hockey in Canada. The CJHL considered such "tiering", especially when it came to not charging players in an upper tier, not in the best interest of the majority of its leagues. The CJHL Board believed that the 132 teams that made up the CJHL at that time should all operate at the same level, which is unrealistic and unachievable.

As dramatic evidence, take the Centennial Cup Junior A Championship final that recently saw the Brooks Bandits of the AJHL defeat another team that, after two weeks of tournament play, was assumed to be one of the best in the country. The Bandits, in a 4-1 victory, outshot their opponent 44-11 in that game. Their opponent had one shot-on-goal in the second period. The disparity is apparent to everybody, but nobody has had the courage to call it out. The BCHL thinks it is time to find a more competitive way for Junior A to operate in this country.

Despite our efforts to present our ideas, they were dismissed by the CJHL. So, our next step was to meet with a mediator assigned by Hockey Canada to help resolve our issues. We sent

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a letter of withdrawal from the CJHL, hoping to be able to speak directly with Hockey Canada. Until then, our only voice to Hockey Canada was through the CJHL office, whose executive had cancelled two meetings to discuss our position after both sides had agreed to meet. That was a clear first sign that there would be no dialogue. Believing that we could now talk directly to Hockey Canada without the CJHL as an intermediary, we laid out our concepts for improving the level of Junior A hockey in Canada. [See Appendix 3.](#)

One idea included encouraging some teams in the ten leagues across the country to move away from a pay-to-play model to compete more evenly with Major Junior and the USHL where players do not pay fees to their teams. That would help make it affordable for athletes to stay in Canada and maintain their college eligibility. While the CJHL was not fond of the idea of no player fees, the BCHL already had a third of its teams not charging player fees. The BCHL chose to be a leader and has required the elimination of all fees for players by 2025. We believe that is the right thing to keep hockey affordable, and our players at home, while giving our teams time to replace that revenue stream. We thought Hockey Canada would approve of a league making itself better by offering a free experience and elite development to its athletes.

We wanted to discuss remedies for problems that were preventing elite athletes from having positive Junior A hockey experiences in Canada. We were told that the only way our issues would be addressed would be to rejoin the CJHL, but we knew our position wasn't shared by the majority of CJHL members. We asked to have a substantive conversation with Hockey Canada instead, which ended the mediation. However, we were asked, as a member of BC Hockey and Hockey Canada, what our agenda would be if we were invited to speak to Hockey Canada. We provided talking points and, nearly two years later, we are still waiting for that meeting. [See Appendix 4.](#)

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It was clear from the reaction from Hockey Canada and the Branches (Members) that the BCHL not rejoining the CJHL was unpopular. We offered to consider rejoining the CJHL if there was a genuine desire for change and we could have a substantive conversation first. The offer to rejoin was extended with an implied warning that we needed to get in our lane before anyone would listen. That message was delivered when Hockey Canada signed a CJHL partnership agreement that prevented BCHL players from attending events such as the National Championship and the World Junior A Challenge. That agreement gave the CJHL the power to not invite paying participants in Hockey Canada to these events. Our Branch, BC Hockey, is still waiting for an explanation as to how it is fair for its paying participants to be shut out of these competitions, due to Hockey Canada licensing their operation to the CJHL. Moreover, we certainly hope it is not punishment for speaking our minds and leaving an association (the CJHL) that does not represent our interests and will not do what is in the players' best interests. The BCHL is simply trying to make Junior A better, but the administrators want the status quo and want the BCHL to keep quiet. In the meantime, BCHL players are suffering by being excluded from Hockey Canada events.

Hockey is constantly changing, but there has been a reluctance to examine the growing impact that the Junior A level of hockey is having (especially in B.C. and Alberta) on the ecosystem in Canada. The level of hockey in these two provinces has noticeably improved through years of dedication to attracting good prospects and providing them with top-notch coaching, facilities and opportunities to be seen by college and NHL scouts. It seems contradictory that the BCHL represents the highest level of junior participation under Hockey Canada, yet there is no interest in hearing what we have to say, unless it is funneled through the

CJHL. Moreover, there seems to be a desire to make our League a pariah for simply standing up for what we believe and our vision for Junior A in Canada.

There are likely many reasons that the issues we raised have been dismissed, some of which are rooted in the close Hockey Canada partnership with Major Junior teams through the CHL. The CHL partnership and the World Junior tournament that is such a resounding financial windfall are important to Hockey Canada. We understand that. The Hockey Canada website tells us that 51% of the revenue generated is from events and sponsorship, with the World Junior tournament televised each Holiday season as the centrepiece.³

Meanwhile, as Hockey Canada's biggest partner, the CHL has a vested interest in convincing players to stay away from the U.S. college path and play Major Junior. We welcome fair competition for players, but, if Hockey Canada is truly representing all players in Canada, both paths should be promoted to and by our Federation, not one over the other. For Hockey Canada to extoll the virtues of Major Junior as the single development path for Canadian players and ignore the potential benefits that college-tracking junior can provide players is short-sighted, biased and wrong.

So, how did we get here? This situation is logically traced back to regulations introduced in the early 2000s to deal with the transition of young players from minor hockey to the junior hockey ranks. A group spent over three years devising what came to be known as the Canadian Development Model (CDM). It was in that process that Junior A lost its voice and its way. So, let us start there.

³ <https://www.hockeycanada.ca/en-ca/corporate/about/funding>

The Canadian Development Model

To put it in perspective, we believe that Hockey Canada and the Branches (Members) meant to create a system that would funnel athletes up through minor hockey, to Junior B, Junior A and on to Major Junior. A great deal of time was spent on designating how 14-year-olds, 15-year-olds, and 16-year-olds are allowed to move through the system. The goal was to make sure that each player was given the right path to develop at their own pace, so long as the elite players made their way to the CHL, which was threatening to leave the system.

The Canadian Development Model was born. Hockey Canada was able to secure development dollars from the NHL by promoting the Major Junior path. Major Junior would have a monopoly on the best players and Hockey Canada would borrow those players to secure gold medals at the World Junior Tournament. Junior A was to be a feeder system that was considered a level above minor hockey and a stop along the way to Major Junior for the best players. But, as more players started to choose the college path, it ignored the reality that was emerging. As the college route became more popular, it created pressure on Major Junior recruits to consider the fact they were denying themselves the college option when they signed with a CHL team. The NCAA ruled that the moment a player signs with a CHL team, he is a professional and cannot play U.S. college hockey. The two systems were at odds, and remain so, and Canadian college-tracking players were caught in the middle.

In the BCHL, that political divide between the two systems created an opportunity for players to develop and train in an NCAA-focused environment. The BCHL leads all Canadian Junior A leagues in getting players NCAA scholarships. We have little stake in the competition between Major Junior and the NCAA. But, both paths have to be available without regulatory

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restrictions. The BCHL wants players to come to our League as early as possible based on their personal choice as to what path suits them best. They should have that right.

We should all agree that, if players and their families have the desire to pursue the Major Junior path, they can. But players who choose the NCAA path should not be regulated differently. Unfortunately, Junior A leagues, which represent the growing trend of Canadian players heading to college in the United States, have been disadvantaged in recruiting players. This is why.

Firstly, we are not blaming the CDM for the inequity, as some of the problems are vestiges of other regulations that have not been addressed. But, when all is said and done, Major Junior, by regulation, has been given advantages in recruiting young players over Junior A. We will speak to that situation in detail, but it is important to note that there is a growing trend in all Canadian sports (men's and women's) to find a roster spot on an NCAA team. Whether it is basketball, soccer, volleyball, golf, football, or many other sports, the U.S. colleges have incredible resources and can provide world-class coaching, facilities, training assets and other amenities that benefit the student-athlete. That includes scholarships.

While the Canadian university system works for some, especially older players that are at the end of their aspiration to the professional ranks, younger players in all sports overwhelmingly want an NCAA scholarship. It is prestigious. There are full arenas, televised games and the exposure to scouts that the Canadian collegiate system cannot offer. In some cases, NCAA players are given full ride scholarships with up to \$100,000 annually in tuition and other expenses covered, while they pursue their career and a first-rate education. In the BCHL, nearly half of our players are given some sort of scholarship to a U.S. college each year. That total is a few short of all of the nine CJHL Leagues combined.

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Think about that. Of 400 odd players, nearly 200 are getting an education at least partially paid for through playing in our league. These are players that have sacrificed their whole lives to get to the junior level, and in the BCHL they are seen by scouts nightly, recruited heavily, and half of them get commitments to a U.S. college. This is providing opportunities for Canadian student-athletes that go far beyond the hockey arena. Whether or not they become professionals, these young men are in an educational environment that can help them grow and provide them with many opportunities, inside and outside of hockey. Why would we not support that?

The Canadian Development model says it wants “*to put the athlete first in making him or her a better person.*” But, not every player is suited to the Major Junior funnel. Some are not ready for the grind of the CHL schedule of 68 regular season games, plus playoffs. NCAA Colleges play an average of 36 regular season games in a season. Other players may just be intellectually disposed to a higher education. Some may have the desire to pursue their NHL dream through a longer college route because they are not physically developed yet. Instead of forcing them to a Major Junior signing decision at a tender age, these athletes should be allowed (and encouraged) to pursue their hockey career in the way that suits them, in their own country.

The regulatory issues we have raised and will expand on next are systemic. Even though there are some other leagues in the CJHL that quietly agree the situation is unfair, there is little will to fight against Hockey Canada for equal treatment of 16 to 20-year-olds, who do not want to pursue a career in the CHL. The leagues have simply given up and accepted that there will be no changes at Hockey Canada or the Branches. Or, the changes we have proposed do not matter to them. Or, they do not have a level of hockey strong enough to reasonably claim they deserve equal treatment with Major Junior. The BCHL is not one of them. We will fight for what is right.

Restricted Player Movement in Canada

The majority of Branches (Members) that oversee the geographical territories that the country has been divided into have long opposed young players moving from province to province in Junior A. In other words, at the age of 16 or 17, a Junior A player, no matter their skill level, has had to stay in their Branch's territory to play hockey or they must have their parents establish residence in another province where their son wants to play. This, ostensibly, is to prevent players from travelling to another Branch and leaving their hockey organizations without any say. These are found under Hockey Canada Bylaws H. Transfers and C. Players.⁴ See regulation C below:

PLAYERS: RESIDENTIAL QUALIFICATIONS:

Players seventeen (17) years of age and below must register in the Member where their Parent(s) reside, unless the Player is registered in a Hockey Canada School With Residence or Hockey Canada Accredited School, and registers with one (1) of that school's Teams.

It shall be the obligation/responsibility of each Member, in their sole and unfettered discretion, to implement additional residency registration regulations for the formation of Teams within their Geographic Subdivision.

A Player's residence is established by:

- a) The Parents' usual residence when Parents live in the same house; or*
- b) In cases where the Player has more than one custodial Parent, each of whom lives in a separate residence, the usual residence of the Parent with whom the Player usually*

⁴ <https://cdn.hockeycanada.ca/hockey-canada/Corporate/About/Downloads/2021-22-bylaws-e.pdf>

lives. If the Player lives equally with both Parents, his place of residence shall be determined by the Member.

NOTE: the term “usual residence” is defined as four (4) out of seven (7) days.

When a Player’s custodial Parent changes due to a guardianship order to an individual who is not a Parent of that Player prior to that guardianship order being obtained, and the Player changes residence to live with that Parent in another Member, the Player may not, in the first Season after that change has occurred, register or Affiliate with any Team that could earn the right to participate in a Hockey Canada Regional or National Championship.

Authority to assign Residence of a Player is as follows:

a) Hockey Canada, in its sole and unfettered discretion under powers vested in it by By-Law 53 may, on application made by or on behalf of any Player, deem such Player to be resident in a Member other than that where his Parent is resident and Hockey Canada’s decision in this regard shall be final and binding.

b) A Member, in its sole and unfettered discretion may, on application made by or on behalf of any Player, deem such Player to be resident in a place within the Member other than where his Parent is resident and the Member’s decision in this regard shall be final and binding.

So, what has this got to do with the CDM? The bolded section of the first paragraph of the regulation tells the tale. The rules allow even younger players (14 to 15-year-olds) to leave their home province to play for a “Hockey Canada School With Residence or Hockey Canada Accredited School” of their choice. As we have said, this Residential Restriction rule only applies to Junior A, not Major Junior and not the hockey academies. Furthermore, Major Junior

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leagues in the CHL are “partners” and have negotiated an agreement with Hockey Canada with the right to player movement. The Vancouver Giants can draft and sign a 16-year-old from Saskatchewan and have them move to British Columbia without any restrictions. It just cannot happen, by regulation, if you want to play Junior A. In other words, this restriction only applies to players of that age if they wish to attend an NCAA college one day. That is patently unfair, but it has stood unchallenged.

Moreover, if the BCHL is paying to be a participant of Hockey Canada, why then is it restricted in ways that other participants (accredited schools) are not? Especially, since many of our players go to the same schools as the players who have been allowed to move across the country to play for these academies. It is absurd that out-of-province players attending an academy in B.C. can be the same age, practice in the same facility and go to the same school as BCHL athletes, but cannot register to play or affiliate with our teams, unless their parents uproot and move to B.C. to meet Hockey Canada’s residential restrictions.

This is the case in Penticton, a BCHL team in the interior of B.C. Recruits are going through hoops to establish residency in B.C. to play for the Penticton Vees, only to sit in the same high school classroom and then practice and play in the same facility as a player who came with no residential restrictions to the Okanagan Hockey Academy. Just because the player has chosen the Junior A path for development, they alone must satisfy “Residential Qualifications”. It does not make any sense.

An excruciating example of the flaws in the rules came to us last season from the father of a very good 16-year-old player from Alberta who had been playing for Yale Academy, which is an accredited school ten minutes from the BCHL’s Chilliwack-based team. The father of the player inquired why his son could not “affiliate” to go up and play some games with our

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Chilliwack Chiefs. The player in question also inquired about signing with the Chiefs for the 2022-23 season, but this was not possible due to the residency restrictions. As a result, he will be playing in the USHL next season.

We explained that while his son was allowed to leave home in Alberta to pursue his dream at the Yale Academy in B.C. without any residential restrictions, if he wanted to affiliate up to Junior A with a BCHL team a stone's throw from his school, Hockey Canada required that his Alberta-based parents move and reside in B.C. This was a stark example of how the rules hurt the player and his family. Instead of him having a great experience in the BCHL for ten games as an affiliate, like many of his peers were entitled to, he was denied the opportunity. The father wrote the following:

“We clearly have some work to do for the betterment of our young Canadian athletes so let's see if through collaboration and progressive leadership we can find progress. If we know one thing we know that the hockey landscape has evolved these past few years. What worked in the past for rules and regulations now results in being in direct opposition and contradiction to a focus on the development of our players in today's current Canadian hockey landscape”

“All of us in Hockey Canada; coaches, managers and staff of any kind who currently “work in hockey” must avoid all bureaucratic tendencies and must keep the big picture in focus and if development is not at the top of our mission statement we are needing a calibration”

“Every year around this time we celebrate Hockey Canada and our young up and coming players with the world juniors and all other Team Canada events. Today It's quite difficult not to question the validity of Hockey Canada's mission statement of “ To Lead, develop

and promote positive hockey experiences” when in this scenario we are most certainly failing on all three of those fronts”

If there is a Residential Restriction rule, it should apply equally to all 16 to 17-year-olds across the country no matter what development path they choose. It is confusing and unfair to parents and players alike that some young athletes can move out of their province to play and others of the same age cannot. We know that Hockey Canada has approached the Branches about changing the regulations as there is the belief that it borders on a human rights violation, but that initiative has been turned away. We say there should be no residential restrictions within Canada for junior-level players, especially since the Branches are already allowed to “deem such Player to be resident in a Member other than that where his Parent is resident.” This outdated regulation has the Branches policing if a Canadian player’s parents live in their province, instead of helping that player develop.

Surely, it is better for our junior athletes to have the right as Canadian citizens to pursue their hockey dream in their own country, without arbitrary and discriminatory residential restrictions that may or may not apply to them depending on their own aspirations. Imagine telling the parents of a great young ballerina that because she lives in Oakville, Ontario, she cannot attend the Winnipeg Ballet for her training. It is an archaic piece of regulation that unfairly penalizes hockey players and their families.

The Financial Dilemma in Junior A

There is a financial struggle that has burdened the Junior A leagues for years. Major Junior is given money by Hockey Canada from the NHL to develop their players. When a player is drafted by the NHL, there is recognition that the development of the athletes came at a cost to the Major Junior team and they are compensated. Those payments have been in place for a long time and Junior A has applied to the NHL to be similarly recognized for developing draft picks. While that argument has fallen on deaf ears, there is still money allocated by the NHL to Hockey Canada for the CJHL.

The irony is that our league produces the most NHL draft picks in this country compared to any other CJHL league, yet, we receive none of the NHL money being funnelled through Hockey Canada to the CJHL. That is grossly unfair. Our owners have built a 60-year-old league that is widely recognized as the best college-tracking junior league in the country and, because we did not want to sign a partnership agreement as part of the CJHL, we are cut off from access to NHL funding by our federation, Hockey Canada. That does not make sense.

During the recent COVID-19 crisis, Hockey Canada, with all of its assets, was also unable to provide funding for Junior A teams that were in dire straits trying to provide their players with a semblance of a season. While minor hockey associations operate off player fees, our league revenues are largely derived from having fans in the seats. Health protocols prevented audiences from attending, so our teams lost money playing games in empty arenas. But, instead of throwing in the towel, our league drew upon its reserves to pay for testing protocols and organized a five-city “pod” season to make sure the players got a season of 20 games in 2020-21, which was critical to their scholarship pursuits. Meanwhile, Hockey Canada reported a 2021 year-end surplus of some \$13.2 Million that could have been used to develop

COVID-19 support programs to help the players who were being denied a season.⁵ Thankfully, our provincial government stepped up with emergency funds that lessened the financial loss to our teams. Hockey Canada did nothing.

There is another alarming trend in Junior A that we feel hurts our players. The “pay to play” mentality has grown to the point that some leagues across Canada reportedly charge up to \$12,000 per player annually. While we understand the economics may require a player to step up financially in some Junior A leagues across the country, it is our intention to reverse that trend. A year ago, our Board voted that, in three years, no players will pay to play in our league. If you are recruited and offered a spot on a BCHL team, neither you nor your parents will have to write a cheque. The BCHL will not simply look at the players as a revenue source. That is what is making Junior A lose its relevance and making it difficult to attract good players.

Instead, we are going to work at the business, as hard as we are at the hockey. We have recently developed a “Scorecard”, that requires our teams to meet certain business standards to maintain their good standing. Revenue streams are to be driven by ticket sales, concessions and sponsorship – not charging our players. The more fans in seats, the better chance there is of breaking even or making a profit. It is up to our teams to make their franchises work better and they have committed to do that.

The work to create a first-class college-tracking junior option is one thing, but the best part of this initiative is that low-income parents with talented children will have instant relief. If your son has the skills and work ethic, wants to go to college and is seeking a scholarship, the BCHL will make that possible for free. Furthermore, we want that option open to all young

⁵ <https://www.cbc.ca/news/canada/hockey-canada-federal-funding-1.6493025>

Modernizing Junior Hockey in Canada

Canadian athletes, no matter what province they live in. We know that means new and different thinking.

Trying to create new ideas within the Canadian system as it stands is very difficult. It would take a gritty and cohesive board at the CJHL to insist that Junior A be given respect and support. Unfortunately, respect for the college-tracking junior path will only come when it is demanded. Historically, that is how the CHL was able to leverage its position as a partner of Hockey Canada. It was through threatening to leave the system that they were able to get a new tier operating above the junior level. They literally created Major Junior for themselves because they leveraged their position and forced Hockey Canada's hand. And the CHL has been highly successful. They have a lot of power.

At one point, there seemed to be a desire at Hockey Canada to help build consensus. Our Commissioner, Chris Hebb, and our Chairman, Graham Fraser, were invited to a meeting chaired by the former CEO of BC Hockey, along with the Western Hockey League (WHL), the AJHL and Hockey Alberta, in addition to representatives from Hockey Canada and the CJHL. However, in an email that preceded that meeting, we were made aware of how the WHL viewed the agenda. It was their belief that the BCHL and AJHL were infringing on some of the privileges that they felt they had been awarded as a partner. Specifically, they asked for the two Junior A leagues to ensure the following:

- 1. Player recruitment messaging from the BCHL and AJHL and their teams would be balanced equally between the Canadian and US systems.*
- 2. BCHL and AJHL teams would not conduct prospect camps for bantam age players in advance or immediately following the annual WHL Bantam Draft.*

3. *15 or 16 year old players would not be permitted to play in the BCHL or AJHL as roster or affiliate players. The only exception would be if a WHL team assigned a 16 year old player to a BCHL or AJHL team.*

The meeting was cordial, but it became clear to us that there was no middle ground. Clearly, our two leagues (BCHL and AJHL) are strong competitors for recruiting young players. Both of our leagues have strong programs that are taking prospects down the collegiate path, to the chagrin of the WHL. The WHL reportedly prohibits CSSHL teams from attending BCHL or NCAA education seminars as a policy in their partnership agreement. In 2019, the BCHL requested setting up an information booth at the CSSHL Championship weekend in Penticton, BC, but we were advised that it couldn't be accommodated due to their WHL partnership.

These seminars are to provide athletes and their families with more information about our path and the opportunities available to them. This clearly disadvantages Canadian athletes in a critical decision period in their hockey career, which unfortunately occurs at an extremely young age. If true, how does that help our players and their families – limiting their access to information and opportunities? The WHL feels that when a prospect chooses Junior A in Canada, Hockey Canada is obliged to step in. To further quote the WHL, they concluded their email with a very clear message:

“We recognize that prospects and their parents have every right to consider opportunities outside our system but believe the Junior A Leagues in BC and Alberta should function as partners as opposed to competitors.”

We agree. The BCHL should be given the same partnership benefits that the CHL has. We would welcome a partnership with Hockey Canada, with privileges similar to those of the CHL. In our opinion, Hockey Canada's role should not be to dampen competition for players. It

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should be to support both paths equally. Hockey Canada's job is to "Lead, Develop and Promote Positive Hockey Experience." College-tracking junior development in the BCHL is a positive experience. We have had many ex-NHL players and Hockey Hall of Fame members who put their children in our league these past few years. These are players like Martin Brodeur, Joe Nieuwendyk, Scott Niedermayer, Mark Recchi, Doug Weight, Rod Brind'Amour and Mike Richter. They join an extensive list of former NHL players, coaches, and executives who want their sons to follow the college path and they see the BCHL as a strong training ground of its own, not a feeder system for Major Junior.

If we want to focus on what is best for the players, it is clear more options are delivered by choosing college-tracking junior. If they change their mind about going to the NCAA and want to take the Major Junior path, that is always available. On the other hand, if the player chooses to sign with Major Junior and it does not work out, their NCAA eligibility is lost forever. Clearly, our path gives players more flexibility, as opposed to forcing a decision on them at 14 and 15 years old that they and their families may regret. More players and parents are learning that the BCHL is a place to develop and mature, while giving them more time to consider and weigh their options.

The BCHL has stepped out on an island to convince Hockey Canada to give us a hearing. We have asked through our Branch, BC Hockey, to meet with the Hockey Canada Board. At the end of the day, if the system is too broken to fix, then we will be the first to back down and go our own way. But, what makes sense to us is to challenge conventions that are not serving the development of Canadian players in Canada, and to bring together the stakeholders to determine a fair and equitable solution. In fact, in addition to finding a solution, we should be looking at

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creating new competitive advantages to give our players more opportunities and to continue to strengthen our game.

Prior to joining the BCHL, our Commissioner was invited to speak at an Annual General Meeting of Hockey Canada. The topic was “change”. There was a recognition of the fact that the organization of hockey in Canada was stagnant and required different thinking. We agree, and we sincerely hope that an open and constructive discussion, and solution, is in our near-term future. That is all we ask.

BCHL Recommendation for Junior A

Participation in Governance Review

The BCHL feels that there is unfair treatment of college-tracking junior players under the current regulations. This includes areas like Player Movement, Face Shields, Funding for Events and Categories of Play (tiering), among many others. We call for a review of specific regulations to ensure a fair and equitable opportunity for all junior players in Canada to pursue their chosen path. The review would recognize that Canadian players need to be educated and supported in sorting through their options and Hockey Canada must eliminate regulations that are specifically disadvantaging Junior A. It is incumbent on the system to allow players the right to choose the type of junior hockey that works best for them early in their development, and to empower them to pursue their path with no fear of impediments or reprisals.

Furthermore, as we have stated, Hockey Canada should support the path that has been created by college-tracking junior leagues, even though it may not fit the ideals of the CDM. We call for a thorough discussion on the state of junior hockey in general and, specifically, supporting the path to college for Canadian athletes.

Conclusion: A Collaborative and Equitable System

In Canada, there is very little recognition of the college-tracking junior development path. Major Junior dominates the landscape in our country. CHL games are televised, the buildings are big, the fanbase is solid, and they have NHL support. The World Juniors has become the be-all and end-all for hockey at our players' age level. Interestingly, now that some Junior A players are getting invited to participate, there is progress to celebrate. One day, maybe even one of our coaches will be asked to stand behind the bench and wear the Hockey Canada logo. We often forget that the top level of junior hockey under Hockey Canada's administration is Junior A and that recognition is long overdue.

Major Junior is a "partner" of Hockey Canada, but Junior A is "part" of the system. We understand that the CHL partnership came out of a threat to leave the system that gave CHL teams special benefits. We don't begrudge them their success. They had the players that Hockey Canada needed to build the World Junior tournament and bring gold medals to our country. But, gold medals are not the only reason that Hockey Canada exists. Hockey Canada is here to make all players at every level better. On the 2021 World Junior team, there were three athletes that came out of Junior A on the roster for Canada. They used Junior A to secure American collegiate opportunities and they came back to play for their country. The BCHL sees that trend and wants it to grow.

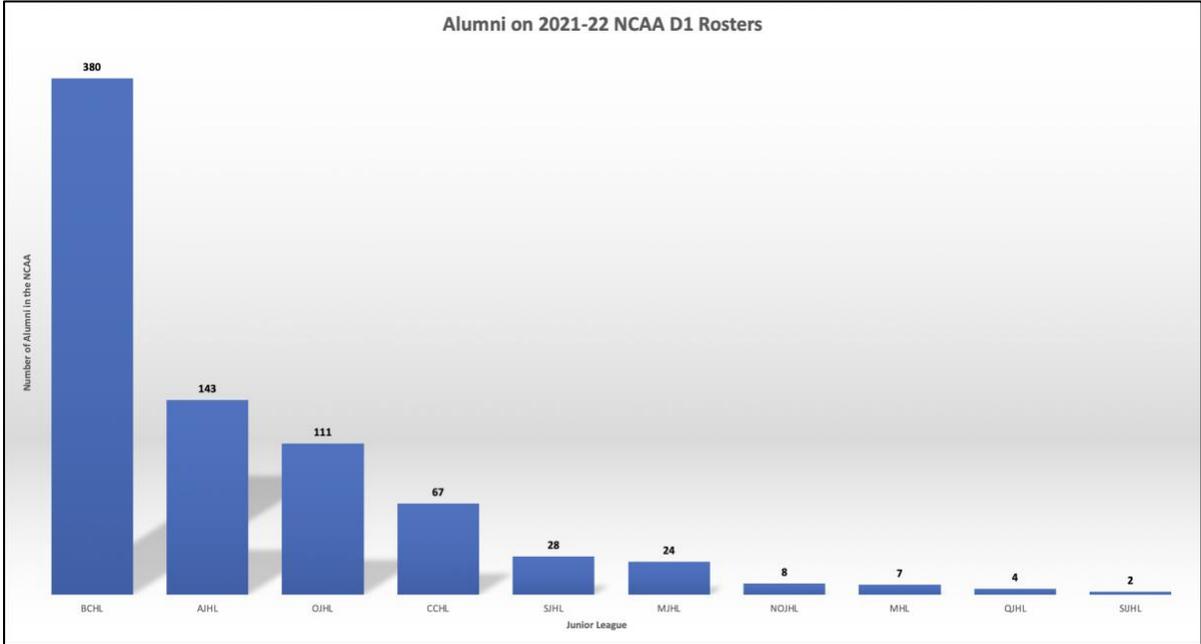
Our desire is to make the collegiate path a proud alternative in this country. The path to college hockey is not going to disappear and the NCAA will continue to be an attractive option for good Canadian hockey players. In the BCHL, we have a 60-year-old highly respected development line to the NCAA that should be considered an asset by Hockey Canada, not a problem.

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We are simply asking that the system provide support for college-tracking junior hockey in this country to grow its capabilities and get Canadian players to the NCAA through the skill of our coaches, the resources of our teams and the support of our communities. It is embarrassing to watch good Canadian players join the American system because they have been regulated away. Supporting players that want to go to a NCAA college is not “betraying” the Canadian system. It is declaring that we are growing the Canadian Development Model to include two paths, both of which are important, and both of which will strengthen our game. That may mean that Major Junior will lose a player to college-tracking junior hockey from time to time. Or vice-versa. But, Hockey Canada won’t. Isn’t the real Canadian win to support and grow both Major Junior and Junior A/College development paths, while ensuring that our system keeps our players coming home?

Appendix

Appendix 1: NCAA Sources of Talent by Canadian Junior A League



As of March 1st, 2022.

Data collected from Elite Prospects.

Some athletes are listed as alumni of multiple leagues. Minimum 10 GP in each designated junior league.

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Appendix 2: Canadians Departing for the USHL

Under-18 Canadians Departing Hockey Canada (from any level) to the USHL					
<i>(2017 – present)</i>					
PROVINCE	PLAYERS DEPARTED	% OF TOTAL DEPARTED	AVERAGE AGE WHEN DEPARTED	TOTAL NCAA COMMITTED	TOTAL NHL DRAFTED
Ontario	24	50.0%	16.0	21	8
Quebec	11	23.0%	15.5	9	1
Alberta	3	6.2%	16.3	2	0
Manitoba	3	6.2%	16.3	3	0
Saskatchewan	3	6.2%	15.0	3	0
British Columbia	1	2.1%	13.0	1	0
New Brunswick	1	2.1%	16.0	1	0
Newfoundland	1	2.1%	15.0	1	1
Nova Scotia	1	2.1%	15.0	1	1
	48	100.0%	15.8	42	11

As of August 1st, 2022.

Data collected from Elite Prospects.

Appendix 3: Letter to the Hockey Canada Mediator



September 5, 2021

Via email

Mr. Aaron Fox, QC
McDougall Gauley LLP

Dear Sir:

Thank you for your letter of September 2, 2021 stating your position with regard to the mediation between the Canadian Junior Hockey League (CJHL) and the British Columbia Hockey League (BCHL). We very much appreciate the fact that Hockey Canada has mandated you to negotiate a return to the CJHL for our league and, as a member of BC Hockey and Hockey Canada, we understand their desire to see the Junior A leagues all under one umbrella. As we have only had one hour long call, we also understand that you may be making some assumptions without full information, so we would like to respond to some of your points in writing, just for clarity.

First of all, you are correct in your perspective on letting bygones be bygones. We agree that we must move forward. Having said that, it is our belief that our withdrawal was the only way we were going to be heard. And, the fact that we are having this discussion with you is proof of that.

It was unfortunate that the other leagues were distracted by the pandemic and we will accept that as their reason for not addressing our concerns. But, when we saw that the COVID-19 distraction was not preventing the renegotiation of the Hockey Canada partnership agreement and we were about to be locked into that deal, we were left no option. Had there been a true attempt by the CJHL Board to discuss the issues the BCHL raised in our presentation 14 months prior to the proposed signing, we would not have been in that position. Furthermore, we were promised two meetings with the CJHL Board after we withdrew and, despite the best efforts of the President, they were both cancelled.

The CJHL has subsequently been given regulatory control of Junior A to decide who gets included in Hockey Canada events. If the CJHL chooses to not invite our players to these events, that is on them. According to information we received, that is the first time a partnership agreement has trumped the interest of a Branch. We realize that is precedent-setting, but our Board was forced to ask the question: "Should we be part of an organization that does not reflect our views or go it alone as a member of BC Hockey and Hockey Canada?" We chose the latter.

That decision was not taken lightly and was unanimously supported by our Board. For you to better understand that position, we have some clarifications to make on your letter.

1. With regard to the idea of tiering the CJHL, you ask how we would "go about telling 6-10 of your teams that they are Tier 11". We recently produced a motion out of our Futures Committee that was unanimously accepted by our Board to raise the standards of all of our teams in the next three years, so that we would be confident they would all qualify for Tier 1, should the CJHL decide to move in that direction. That plan is already implemented in our league and it is incenting our owners to deliver an even better experience for our players and our communities. We hope other CJHL leagues are headed in this direction for the betterment of our game.
2. Included in that motion was a mandate that our teams will not charge any player any fee in three years time. That includes billet fees, showcase fees, etc. We feel strongly that the right thing to do is to give players at this elite level the best possible experience, regardless of their economic circumstances. We would think that Hockey Canada would approve of that. It will raise the level of play because it will attract players for their talent, not their pocketbooks.
3. We understand that there are some CJHL leagues that cannot do the same, as their survival depends on charging players and we accept that. Unfortunately, though, a "pay to play" business model is becoming the norm. That is one of the reasons we withdrew. We believe that "pay to play" is hurting the development of Junior A in our country and there should be a nationwide tier for elite college-tracking players to compete without it costing them money.

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4. We also want to clarify our position with regard to 16-17 year old movement. That has quickly been seized upon as the “center piece” of our proposal. It is not. That might be a convenient positioning of the BCHL, but we simply asked the question that parents would ask: “Why is it that a ballet dancer not born in Manitoba can pursue her dream at the Winnipeg Ballet and a young elite hockey player has to stay in his home province till he is 18?” This is even more puzzling when evidence suggests that elite college-tracking 16 and 17 year olds are choosing to go to the United States to play Junior hockey in part because they can’t go to teams outside of their province.
5. We were told by Hockey Canada that the Branches don’t want that player movement at that age. But, then why is it allowed for Major Junior and even the academies for players much younger? That is a clear double standard that we thought the CJHL would want to investigate. They did not. We were merely asking the CJHL to explore that topic with the Branches in the partnership negotiation. The answer we have been given by the CJHL, Hockey Canada, and now by you, is that they can’t effect change at the Branch level, so we live with elite players going to the United States to play rather than have them develop in Canada. That just doesn’t make sense.
6. We thought the CJHL would stand up for 16 and 17 year old Junior A players to preserve the same rights available to athletes in hockey academies and Major Junior -- rights that are available to young players in other sports, let alone ballet. That could have been a discussion point in the negotiation with the Branches of the revamped Hockey Canada partnership, but it never got on the table. We know even Hockey Canada has tried to address that issue with the Branches and been rebuffed. We were merely asking that the CJHL take the time to understand why.
7. We also struggle with the fact that Junior A is not allowed to have non-North American players on their rosters. We were told by Hockey Canada that there is no interest in that option, even if it would not increase the number of foreign players allowed under their regulations. Instead of an American, for example, you could have a European, or an Asian for that matter, as long as the foreign content of your roster remained at six players maximum, which we agree with. Again, we felt that was a very fair question to ask, not an outrageous demand.

We had hoped that the mediation process would have brought to light how we can all be better, but it seems there is only one goal – get the BCHL back in the CJHL. To us, that is not the goal. What we have wanted from the beginning is dialogue and we are finally having it, albeit through a mediator. As members of Hockey Canada, we hope we are allowed to co-exist with the CJHL in a spirit of cooperation and have our players included in Hockey Canada events because we all believe in the potential of Junior A as an elite development opportunity.

To be clear, we withdrew to be **heard** and your proposal that we return to the CJHL without having been heard seems to defeat our purpose. What you propose is that we “ask the CJHL to allow us to return for the 2021-22 season”, then have the discussion we have outlined in the attached agenda. Understandably, we would be hesitant to jump back into an organization that needs desperately to develop a strategic vision for Junior A in Canada. We propose that the best avenue forward is to have the parties take this season to have a long and substantive discussion. If those talks result in a strategic plan, and the CJHL is the vehicle that can deliver the change that is needed, we would consider membership. But, at this point, we have been given no assurances that these talks will even take place.

Regards,

A handwritten signature in black ink that reads "Chris Hebb". The signature is written in a cursive, flowing style.

Chris Hebb
Commissioner, BC Hockey League

Cc: Graham Fraser, Steve Cocker

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Appendix 4: Hockey Canada Meeting Talking Points (had the BCHL been invited)

Talking Change

Agenda Items for meeting with Hockey Canada and CJHL

Ensuring the growth and health of Junior A in Canada, for the players, first and foremost:

- Loss of elite players to USHL
 - What are the reasons?
 - How do we keep them in Canada?
 - Is the 16-17 year-old rule a factor?
 - Why does it not apply to Major Junior and Academies?
 - Is the system flawed so that it forces our best to the USHL?
 - Are we keeping Junior A from being a development path in Canada?
- Loss of opportunity to play Junior A for free
 - What are the reasons?
 - Could tiering create a level of unpaid hockey?
 - Better for low resource families with talented kids
 - Better for development of elite players that want to go to college
 - Has worked in the US and now our elite players are going there
- Lack of NHL support for Junior A
 - USHL receives dollars from USA Hockey. Why not CJHL?
 - Should there be a tier of Junior A that is more relevant to the NHL
 - Creating better events to give the NHL value
 - A higher level of Junior A attracts former NHL players as owners (see USHL)
- Does the CHL not want Junior A to be successful?
 - Do we need to work better with Major Junior?
 - Can there be a part of the Canadian Development Model that allows for an elite level of Junior A or is that a problem?
 - Should there be collaboration with Major Junior in a way that benefits both?
- Revamped Junior A national championship allows for NAHL or USHL events
 - Current Centennial Cup not attractive
 - Higher level of player means more interest
 - Two championships, instead of one
 - Creates TV and sponsorship opportunities