

TRANSSEXUAL PEOPLE

ELIGIBILITY TO COMPETE IN
DOMESTIC COMPETITION



CONTENTS

Transsexual people – eligibility to compete in domestic competition	4
The legal framework - <i>England, Scotland and Wales</i>	5
The legal framework – <i>Northern Ireland</i>	7
Single-sex competition	9
Policy options for NGBs - Sporting, regulatory framework	12
Policy options for NGBs - International vs. domestic competition	14
Policy frameworks for non-contact sports	16
Policy framework for contact sports or those with the potential for contact	22
Further Reading	31

This resource supports the *Guidance for NGBs on Transsexual People and Competitive Sport September 2013*. It has been developed by the home country Sports Council Equality Group (SCEG) to assist those involved in administering sport to identify and take the necessary action to remove barriers to transsexual people playing competitive sport.

It forms part of a series of supporting resources which are available on the Equality in Sport website www.equalityinsport.org

Sports Council Equality Group



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TRANSSEXUAL PEOPLE – ELIGIBILITY TO COMPETE IN DOMESTIC COMPETITION

The issue of inclusion of transsexual players has to be seen in the context of UK law which permits sporting organisations to run separate male and female competitions in most sports. Exclusion of transsexual people in these circumstances amounts to indirect discrimination under the Equality Act, and is permissible only when the legitimate aim is to secure fair competition and the safety of other competitors. However, the discrimination must be proportionate, that is, its negative effect on transsexual people must be mitigated as far as possible, to permit as much inclusion as is fair and safe.

THE LEGAL FRAMEWORK

ENGLAND, SCOTLAND AND WALES

The Equality Act 2010 and sporting competition

The Equality Act 2010 includes three types of exceptions that may apply in relation to a competitive sport, game or other competitive activity in relation to sex and gender reassignment.

- *For sporting competitions where physical strength, stamina or physique are significant factors in determining success or failure, the Act permits separate competitions to be organised for men and for women.*
- *If the physical strength, stamina or physique of the average person of one sex would put them at a disadvantage compared to the average person of the other sex as competitors in a sport, game or other competitive activity, it is not unlawful for those arranging the activity to restrict participation to persons of one sex.*
- *The Act permits the organisers of such a sport, game or other competitive activity to restrict participation of a transsexual person in that activity but only if this is necessary in a particular case to secure fair competition or the safety of other competitors.*


Sports clubs which are associations in equality law can organise separate sporting activities for men and women if they choose to where:

- physical strength, stamina or physique are major factors in determining success or failure, and
- one sex is generally at a disadvantage in comparison with the other.

Separate competition for girls and boys may or may not be permitted, depending on the age and stage of development of the children who will be competing. At some ages and in some sports it is not possible to say that boys and girls have significant differences of physical strength or stamina or that one sex is at a disadvantage in comparison with the other. Only if it is possible to say this will separate competitions be allowed.

For example:

A local running club has separate senior male and female 100 metre races. This would be lawful. The same club has mixed junior races up to the age of 12 as there is no real difference in strength and stamina between the boys and girls.



Sports must not restrict the participation of a transsexual person in such competitions unless this is strictly necessary to uphold fair or safe competition. In other words, treat a transsexual person as belonging to the sex in which they present (as opposed to the physical sex they were born with) unless there is evidence that they have an unfair advantage, or there is a risk to the safety of competitors which might occur in some close contact sports.

Sports teams can continue to select on the basis of nationality, place of birth or residence if the competitor or team is representing a country, place, area or related association or because of the rules of the competition.

THE LEGAL FRAMEWORK

NORTHERN IRELAND

Equality legislation and sporting competition

The Sex Discrimination (Northern Ireland) Order 1976 (SDO 76), as amended by the Sex Discrimination (Northern Ireland) Order 1988, the Sex Discrimination (Indirect Discrimination & Burden of Proof) Regulations (Northern Ireland) 2001 and the Employment Equality (Sex Discrimination) Regulations (Northern Ireland) 2005, makes it unlawful to discriminate against an individual on the grounds of his or her sex in the fields of employment; training and related matters; education; the disposal and management of premises; and the provision of goods, facilities and services.

SDO 76 exception - sport

In any sport, game or other activity of a competitive nature where the physical strength, stamina or physique of the average woman puts her at a disadvantage to the average man, then NGBs may discriminate by restricting people to compete only if the discrimination is necessary to secure –

- (a) Fair competition, or
- (b) The safety of competitors.

The **Sex Discrimination (Amendment of Legislation) Regulations 2008** introduced protection from direct discrimination and harassment on the grounds of gender reassignment in the provision of goods, facilities, services or premises.

Single sex exceptions

Privacy or decency

Under the SDO 1976, it is lawful to restrict facilities or services (for example, toilets or changing rooms) to one sex, if they are provided for, or likely to be used by, two or more persons at the same time, and either:-

- a. male users are likely to suffer serious embarrassment at the presence of a woman (or vice versa), or
- b. a user is likely to be in a state of undress and a male user might reasonably object to the presence of a female user (or vice versa).

This exception now also applies to the ground of gender reassignment. However, any discrimination must be a proportionate means of achieving a legitimate aim.

Other exceptions

Sport

The exemption under the SDO 1976 on the grounds of sex, relating to certain competitive sports and games has been amended to permit discrimination on the ground of gender reassignment, only if necessary to secure fair competition, or the safety of competitors.

SINGLE-SEX COMPETITION

Sex-related differences

The following are some of the main sex-related differences that contribute to the decisions by NGBs to provide single-sex competition and include examples from badminton and hockey.

In the UK men in the 25-34 age range are taller than women by approximately 14cm (5.5 inches).¹ On average, males are physically stronger than females. The difference is due to females, on average, having less total muscle mass than males, and also having lower muscle mass in comparison to total body mass. While individual muscle fibres have similar strength, males have more fibres due to their greater total muscle mass. The greater muscle mass of males is in turn due to a greater capacity for muscular hypertrophy as a result of men's higher levels of testosterone. Males remain stronger than females, when adjusting for differences in total body mass. This is due to the higher male muscle-mass to body-mass ratio.²

The English Institute of Sport, through the England Hockey Board, has provided the following with regard to the physical/physiological differences between males and females, these points are generalised and, as always, there will be exceptions to every rule.

- Males generally have higher testosterone levels than females which will result in:
 - Greater muscle mass when compared to females, which will result in:
 - Increased strength and power capabilities (i.e. stronger and faster)

Males also generally have a higher aerobic capacity (VO₂ max) than females, which will allow males to perform for the same length of time as females but with relatively less fatigue and therefore drop off in performance.

¹ Health Survey for England (2008)

² Maughan et al (1983)

BADMINTON England


Badminton is not a close contact sport (like rugby, judo or football) and the safety of players is not a key issue. It is, however, a sport where physical strength, stamina and physique are significant factors in determining success or failure, so, in line with many other sporting organisations, both nationally and internationally, BADMINTON England permits separate competitions for men and women as a result of being a gender-affected sport. In addition they sanction mixed doubles competitions which are run with a male and female on each team which maintains a balance of physical strength, stamina and physique on each pair.

The advantage that height and strength gives an average man in badminton, as compared to the average woman, includes issues such as creating more power in overhead shots such as smashes and vertical jump smashes; the greater arm length means the average man can reach angled shots more easily as well as reaching and clearing shots directed to the back of the court. This will give the average man a competitive advantage. In individual instances, of course, this generality may not apply.

England Hockey Board

While hockey is a non-contact sport it does have the potential for some contact to occur; as physical strength, stamina and physique are significant factors in determining success or failure, and also in contributing to possible injuries to competitors, the EHB permits separate competitions for men and women as a result of being a gender-affected sport; in addition it sanctions mixed-sex competitions.

The advantage that height and strength gives an average man in hockey, as compared to the average woman, includes issues such as greater stamina, increased power in hitting and greater strength in tackling. This will give the average man a competitive advantage. In individual instances, of course, this generality may not apply. The increased strength of men might, however, result in an increased risk in the number and severity of injuries when men compete against women in hockey.



As a result of this analysis England Hockey Board has undertaken a detailed risk assessment for mixed hockey and has determined that it will continue to sanction a mixed version of the sport. It will continue to monitor the mixed version, including introducing an injury monitoring system, and will continue to review its risk assessment regularly to ensure the safety of all competitors.

It is in the context of the understanding with regard to sex-related differences that, typically, men have advantage over women in most non-contact sports that the inclusion of transsexual women in non-contact sports, in particular, must be considered. The advantage that this is deemed to confer on those who have undergone male puberty, is central to the concerns about the inclusion of transsexual women, who have usually experienced the initial physical advantage of male development.

For contact sports the greater strength of men may be considered a risk to the safety of all competitors, and this must be taken into account in relation to the inclusion of transsexual people. The greater strength for those who have undergone male puberty is central to the concerns about the safety and inclusion of both transsexual women and transsexual men. The former have usually experienced the initial physical advantage of male development and the latter have not.

POLICY OPTIONS FOR NGBS SPORTING, REGULATORY FRAMEWORK

International Olympic Committee (IOC)

The IOC is responsible for the conditions under which athletes can compete in high performance sport – the Olympics and Paralympics, including conditions for transsexual people to participate.

The IOC position on athletes who have changed their gender status is very clear as explained in its *Statement of the Stockholm consensus on sex reassignment in sport May 2004*.

UK equality legislation


The framework of equality legislation in the UK, explained above, is what governs NGBs' decisions about domestic competition.

Eligibility framework

The IOC's position is that any "individuals undergoing sex reassignment of male to female before puberty should be regarded as girls and women" (female). This also applies to individuals undergoing female to male reassignment, who should be regarded as boys and men (male).

The group recommends that individuals undergoing sex reassignment from male to female after puberty (and vice versa) be eligible for participation in female or male competitions, respectively, under the following conditions:

- Surgical anatomical changes have been completed, including external genitalia changes and gonadectomy.
- Legal recognition of their assigned sex has been conferred by the appropriate official authorities.
- Hormone therapy appropriate for the assigned sex has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantages in sport competitions.



Eligibility should begin no sooner than two years after gonadectomy and a confidential case-by-case evaluation will occur. In the event that the gender of a competing athlete is questioned, the medical delegate (or equivalent) of the relevant sporting body shall have the authority to take all appropriate measures for the determination of the gender of a competitor.

The Act permits the organisers of a sport, game or other competitive activity to restrict the participation of a transsexual person in that activity but only if this is necessary in a particular case to secure fair competition or the safety of other competitors i.e. where:

- physical strength, stamina or physique are major factors in determining success or failure, and
- one sex is generally at a disadvantage in comparison with the other.

Sports must not restrict the participation of a transsexual person in such competitions unless this is strictly necessary to uphold fair or safe competition.

In other words, treat a transsexual person as belonging to the sex in which they present (as opposed to the physical sex they were born with) **unless there is evidence** that they have an unfair advantage, or there is a risk to the safety of competitors which might occur in some close contact sports.

POLICY OPTIONS FOR NGBS

INTERNATIONAL VS. DOMESTIC COMPETITION

International Federations

Many international federations have adopted the IOC guidance with regard to transsexual athletes and their status in international competitions. A number of others have not done this but it is reasonable to assume that they would fall in line with IOC guidance should the need arise. Some current examples are shown below.

International Hockey Federation (FIH)

The FIH has a responsibility (among many others) to ensure a level playing field for players and sets out regulations for member associations to abide by including those in relation to participation in FIH competitions. In 2006 it adopted the IOC policy on sex reassignment.

International Association of Athletics Federations (IAAF)

The IAAF has a regulation concerning women's competitions - *IAAF regulations governing eligibility of athletes who have undergone sex reassignment to compete in women's competition May 1st 2011*. It is based on the IOC statement on sex reassignment.

Badminton World Federation (BWF)

The Badminton World Federation does not have any policies or procedures with regard to transsexual people playing badminton. It is reasonable to assume, however, that if it did, it would adopt the IOC policy which is in line with many other national and international governing bodies of sport.

National Governing Bodies of Sport

IOC guidelines do not allow for the different approaches to treatment and legal status in the UK and should not, therefore, be applied to competitions run by UK NGBs.

Many people view the IOC conditions as very severe when considering domestic competitions. There will be transsexual people who would not be able to meet the conditions. Surgery may not be appropriate or possible for some people for a number of reasons including the high rate of complications associated with certain procedures, health reasons, and the lack of funding available for surgery. Similarly many transsexual people cannot access legal gender recognition due to the fees involved, possible financial implications, because they are married or in a civil partnership, or because they cannot provide the vast amounts of evidence required by the panel.

A much more pragmatic solution would be to adopt different policies for the inclusion of transsexual players, depending on whether a player seeks to participate in domestic or international competitions and taking into consideration the difference between transsexual people. This would reflect a more inclusive approach from NGBs and would also satisfy the following principles:

- Address the needs and wishes of transsexual people to compete in their affirmed gender.
- Support the NGB's role to regulate participants and provide fair and safe competition.

Address concerns from people involved in organising local competitions about any perceived, or real, unfair advantage or about the safety of all competitors.

POLICY FRAMEWORKS FOR NON-CONTACT SPORTS

Determining the appropriate policy for each NGB will depend on its unique circumstances and will be governed by the assessment of any unfair advantage and also the safety of all competitors. The following provides more detailed information to assist your understanding of the issues and the rationale behind the policy frameworks that are being recommended to NGBs.

Non-contact sports

In non-contact sports, such as badminton or athletics, the inclusion of transsexual people in competition is only about unfair advantage. These non-contact sports may be sanctioning single sex and/or mixed-sex competitions.

For non-contact sports it is recommended that NGBs:

1. Adopt the policy framework for non-contact sports.
2. Review any age-restricted competitions to ensure they are in line with equality legislation (we recommend that NGBs look at the Government's website www.gov.uk or contact their Sports Council for further advice with regard to age discrimination).
3. Establish a set of clear procedures to implement their policy with regard to transsexual people competing in domestic competition. These will need to include the following:
 - All enquiries should be passed to a nominated person at the NGB who has sufficient seniority and knowledge of the issue to manage it appropriately.
 - All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.
 - Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.

- The nominated person at the NGB should undertake all communication with the individual concerned only sharing information with members e.g. county associations, districts, leagues and clubs on a 'needs-led' basis allowing them to manage player registration.
- In order to determine compliance with this policy it is recommended that the nominated NGB representative and/or the Chief Executive and a medical representative appointed by the NGB consider the evidence on a case-by case basis.
- An appeals process should be established for decisions made in relation to any individual.

Seek their own legal advice with regard to their policy and procedures for transsexual people and competitive sport.

Non-contact sport			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
Any transsexual male (female-to-male transsexual person)	May compete in his affirmed gender in any male or mixed-sex domestic competition.	For non-contact sports there is a consensus that transsexual men and boys, even after a considerable period of time on testosterone therapy, do not usually have an unfair physical advantage over other men or boys, and therefore should be allowed to compete in male and/or mixed-sex domestic competitions as male.	Verification of identity should be no more than is required of any other player e.g. passport, driving licence.
Transsexual woman – over 16 and post-puberty (male-to-female transsexual person)	May compete in her affirmed gender in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender or that she has had a gonadectomy Or She may compete in any male or mixed-sex competition if she has not started hormone treatment.	Policy options for transsexual women focus on the physical advantage, real or perceived, of transsexual women over other women (birth sex) as well as the safety of competitors. After the age of 16 transsexual women can receive cross-sex hormones, which can alter a person’s body to further fit with their gender identity. The effects of these hormones are only partially reversible so they are not offered to people under the age of 16. Once a person reaches the age of 18 they can then begin the process of gender confirmation surgery e.g. gonadectomy which results in no further production of male hormones. Not all transsexual	It must be made clear to the transsexual woman or girl that she is not entitled to play in female or mixed-sex domestic competitions in her affirmed gender until such time as she has provided evidence that the criteria set out by the NGB have been met to its satisfaction. The transsexual woman (and her legal guardian if under 18) should be asked to: <ul style="list-style-type: none"> • Disclose sufficient information from her GP and/or Consultant to the NGB (and any other information, records or other material as the NGB may require from time to time) to allow it to ascertain that hormone therapy has been administered in a verifiable manner or the date of her

Non-contact sport			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
		<p>women choose, or are able, to undergo gender confirmation surgery.</p> <p>For female or mixed-sex domestic competitions a transsexual woman should only need to demonstrate that hormone therapy has minimised any gender-related advantage that she may have previously had. This would reduce any risk of injury to other competitors to a level that is compatible with competitions where all competitors were birth sex female.</p> <p>The minimising of any gender-related advantage either through hormone therapy or following gonadectomy should be the only necessary criteria for inclusion.</p>	<p>gonadectomy and that a medical representative deems that this has minimised any gender-related advantages in competitions.</p> <ul style="list-style-type: none"> • This information will need to demonstrate that the hormone treatment will have reduced her blood-measured testosterone level to that of the affirmed gender for an appropriate length of time and that this is in line with any anti-doping regulations. • Hormone-related treatment must be verified annually to ensure its validity. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual's right to privacy. <p>Verification of identity should be no more than is required of any other player e.g. passport, driving licence.</p>
Transsexual girl – under 16 and post-puberty	<i>Either</i> she may compete in her affirmed gender in any female or mixed-sex domestic competition subject	Transsexual girls under 16 and post-puberty should be considered on an individual case-by-case basis as there can be considerable differences in their strength and status. In	It must be made clear to the transsexual girl that she is not entitled to play in female or mixed-sex domestic competitions in her affirmed gender until such time as she has provided

Non-contact sport			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
	<p>to an individual case-by-case review, if required, undertaken by the NGB</p> <p>Or</p> <p>She may compete in any male or mixed-sex competition if she has not started hormone treatment.</p>	<p>addition this is a key group who may drop out of sport and any action the NGB can take to encourage people to stay in sport should be considered.</p> <p>Some of the reasons that need to be considered include that the transsexual girl:</p> <ul style="list-style-type: none"> • May or may not have received treatment to interrupt pubertal development by blocking the production of gonadal hormones; while this is now more widely available in the UK it doesn't appear to be widespread. • May or may not have taken oestrogen (usually around 16 years old). <p>Has a physique that may or may not be more muscular than the average girl.</p>	<p>evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual girl and her legal guardian should be asked to permit the NGB to undertake an individual case-by-case review. This will involve a review meeting with the transsexual girl, her advocate (e.g. parent, social worker, rep from a LGBT young people's group such as Intercom in the South West) and a rep from the NGB. Their role will be to agree a way forward for the young person based on her individual circumstances and to manage everybody's expectations with due consideration to fairness and safety.</p> <p>Verification of identity should be no more than is required of any other player e.g. passport.</p>
Transsexual girl – pre-puberty	<p>May compete in her affirmed gender in any female or mixed-sex domestic competition subject to confirmation of her stage of pubertal development.</p>	<p>A transsexual girl who is pre-puberty will have no gender-related advantage as she will largely have escaped the virilising effects of testosterone on her adolescent development; the risk of injury to competitors would be minimal and would be compatible with competitions</p>	<p>It must be made clear to the transsexual girl that she is not entitled to play in female, domestic competitions in her affirmed gender until such time as she has provided evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual girl and her legal</p>


Non-contact sport			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
		<p>where all competitors were birth sex female.</p> <p>Any transsexual girl who is pre-puberty should be allowed to compete in any female or mixed competition (as female) subject to the provision of information about her stage of pubertal development.</p>	<p>guardian should be asked to:</p> <ul style="list-style-type: none"> • Disclose sufficient information from her GP and/or Consultant to the NGB (and any other information, records or other material as the NGB may require from time to time) to allow it to ascertain the stage of pubertal development that the girl has reached. • This is subject to an annual review. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual's right to privacy. <p>Verification of identity should be no more than is required of any other player e.g. passport.</p>

POLICY FRAMEWORK - CONTACT SPORTS OR SPORTS WITH THE POTENTIAL FOR CONTACT

In contact sports, e.g. judo, or sports with the potential for contact, such as hockey and football, the inclusion of transsexual people in competitive sport is mainly about the safety of competitors. These contact /potential contact sports may be sanctioning single sex and mixed-sex competitions.

For contact sports or sports with the potential for contact it is recommended that NGBs:

1. Adopt the policy framework for contact sports or sports with the potential for contact. In order to ensure the safety of competitors it is important that this framework is not allowed to supersede the NGB's rules or regulations with regard to the age that mixed-sex competition is sanctioned.
2. Review any age-restricted competitions to ensure they are in line with equality legislation (we recommend that NGBs look at the Government's website www.gov.uk or contact their Sports Council for further advice with regard to age discrimination).
3. It is recommended that contact sports and sports that have the potential for contact that sanction mixed-sex competitive sport, undertake a risk assessment to support their decision as the increased strength of men might result in an increase in the number and severity of injuries when men compete against women in these sports.
4. Establish a set of clear procedures to implement their policy with regard to transsexual people competing in domestic competition. These will need to include the following:
 - All enquiries should be passed to a nominated person at the NGB who has sufficient seniority and knowledge of the issue to manage it appropriately.
 - All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with the NGB's policies with regard to the management of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.

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- Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.
 - The nominated person at the NGB should undertake all communication with the individual concerned only sharing information with members e.g. county associations, districts, leagues on a 'needs-led' basis allowing them to manage player registration.
 - In order to determine compliance with this policy it is recommended that the nominated NGB representative and/or the Chief Executive and a medical representative appointed by the NGB consider the evidence on a case-by case basis.
 - An appeals process should be established for decisions made in relation to any individual.

Seek their own legal advice with regard to their policy and procedures for transsexual people and competitive sport.

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
<p>Transsexual male – over 16</p> <p>(female-to-male transsexual person)</p>	<p>May compete in his affirmed gender in male or mixed-sex domestic competition if his blood-measured testosterone level is within the range of his affirmed gender and this is confirmed annually by a suitably qualified medical representative appointed by the NGB.</p> <p>Or</p> <p>If he has not started hormone treatment he can play in any female domestic competition.</p>	<p>For contact sports or sports where there is the potential for contact there is the safety of competitors to consider and competing in male or mixed-sex domestic competitions should be conditional on the transsexual man or boy having blood-measured levels of testosterone that are within the range for his affirmed gender and which meet anti-doping regulations.</p> <p>Some NGBs from close contact sports sanction mixed-sex competition up to a certain age and this also needs to be a consideration in any decision about the participation of transsexual men and boys.</p>	<p>It must be made clear to the transsexual male that he is not entitled to play in male or mixed-sex domestic competitions in his affirmed gender until such time as he has provided evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual male (and his legal guardian if under 18) should be asked to:</p> <ul style="list-style-type: none"> • Disclose sufficient information to the NGB (and any other information, records or other material as the NGB may require from time to time) to allow it to ascertain that hormone therapy has been administered in a verifiable manner. • This will need to demonstrate that the male has blood-measured testosterone levels which are within the range of his affirmed gender for an appropriate length of time and that this is in line with any anti-doping regulations. • Hormone-related treatment must be verified annually to ensure its validity. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
			<p>the NGB and will assist in ensuring the individual's right to privacy.</p> <p>Verification of identity should be no more than is required of any other player e.g. passport, driving licence.</p>
Transsexual boy – under 16 and post-puberty	<p>May compete in any male or mixed-sex domestic competition subject to age eligibility and subject to an individual case-by-case review undertaken by the NGB.</p> <p>Or</p> <p>If he has not started hormone treatment he can play in any female domestic competition.</p>	<p>For contact sports or sports where there is the potential for contact there is the safety of competitors to consider and competing in male or mixed-sex domestic competitions should be conditional on the transsexual man or boy having blood-measured levels of testosterone that are within the range for his affirmed gender and which meet anti-doping regulations.</p> <p>Some NGBs from close contact sports sanction mixed-sex competition up to a certain age and this also needs to be a consideration in any decision about the</p>	<p>It must be made clear to the transsexual boy that he is not entitled to play in male or mixed-sex domestic competitions in his affirmed gender until such time as he has provided evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual boy and his legal guardian should be asked to permit the NGB to undertake an individual case-by-case review. This will involve a review meeting with the transsexual boy, his advocate (e.g. parent, social worker, rep from a LGBT young people's group such as Intercom in the South West) and a rep from the NGB. Their role will be to agree a way forward for the young person based on his individual circumstances and to manage everybody's expectations with due consideration to fairness and safety.</p>

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
		participation of transsexual men and boys.	Verification of identity should be no more than is required of any other player e.g. passport.
Transsexual boy – pre-puberty	May compete in any male domestic or mixed-sex competition subject to age eligibility and subject to confirmation of his stage of pubertal development.	<p>A transsexual boy who is pre-puberty will have no gender-related advantage; the risk of injury to competitors would be minimal and would be compatible with competitions where all competitors were birth gender male.</p> <p>Accordingly any transsexual boy who is pre-puberty should be allowed to compete in any male or mixed competition (as male) subject to the provision of information about his stage of pubertal development.</p>	<p>It must be made clear to the transsexual boy that he is not entitled to play in male or mixed-sex domestic competitions in his affirmed gender until such time as he has provided evidence that the criteria set out by the NGB have been met to its satisfaction. The transsexual boy and his legal guardian should be asked to:</p> <ul style="list-style-type: none"> • Disclose sufficient information from his GP and/or Consultant to the NGB (including any other information, records or other material as the NGB may require from time to time) to allow it to ascertain the stage of pubertal development that the boy has reached. • This is subject to an annual review. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual's right to privacy. <p>Verification of identity should be no more than is required of any</p>

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
			other player e.g. passport.
Transsexual woman – over 16 and post-puberty (male-to-female transsexual person)	<p>May compete in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed gender or she has had a gonadectomy.</p> <p>Or</p> <p>If she has not started hormone treatment she can play in any male domestic competition.</p>	<p>Policy options for transsexual women focus on the physical advantage, real or perceived, of transsexual women over other women (birth sex) as well as the safety of competitors. After the age of 16 transsexual women can receive cross-sex hormones, which can alter a person’s body to further fit with their gender identity. The effects of these hormones are only partially reversible so they are not offered to people under the age of 16. Once a person reaches the age of 18 they can then begin the process of gender confirmation surgery e.g. gonadectomy which results in no further production of male hormones. Not all transsexual women choose, or are able, to</p>	<p>It must be made clear to the transsexual woman or girl that she is not entitled to play in female or mixed-sex domestic competitions in her affirmed gender until such time as she has provided evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual woman (and her legal guardian if under 18) should be asked to:</p> <ul style="list-style-type: none"> • Disclose sufficient information from her GP and/or Consultant (and any other information, records or other material as the NGB may require from time to time) to allow it to ascertain that hormone therapy has been administered in a verifiable manner or the date of her gonadectomy and that a medical representative deems that this has minimised any gender-related advantages in competitions. • This will need to demonstrate that the hormone treatment will have reduced her blood-measured testosterone level to that of the affirmed gender for an appropriate length of time and that this is in line with any anti-doping

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
		<p>undergo gender confirmation surgery.</p> <p>For female or mixed-sex domestic competitions a transsexual woman should only need to demonstrate that hormone therapy has minimised any gender-related advantage that she may have had. This would reduce any risk of injury to other competitors to a level that is compatible with competitions where all competitors were birth sex female.</p> <p>The minimising of any gender-related advantage either through hormone therapy or following gonadectomy should be the only necessary criteria for inclusion.</p>	<p>regulations.</p> <ul style="list-style-type: none"> • Hormone-related treatment must be verified annually to ensure its validity. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual's right to privacy. Verification of identity should be no more than is required of any other player e.g. passport, driving licence.
Transsexual girl – under 16 and post-puberty	May compete in any female domestic or mixed-sex competition subject to age	Transsexual girls under 16 and post-puberty should be considered on an individual case-by-case basis as there can be considerable	It must be made clear to the transsexual girl that she is not entitled to play in female, domestic competitions in her affirmed gender until such time as she has provided evidence

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
	<p>eligibility and subject to an individual case-by-case review undertaken by the NGB</p> <p>Or</p> <p>If she has not started hormone treatment she can play in any male domestic competition.</p>	<p>differences in their strength and status. In addition this is a key group who may drop out of sport and any action the NGB can take to encourage people to stay in sport should be considered.</p> <p>Some of the reasons that need to be considered include that the transsexual girl:</p> <ul style="list-style-type: none"> • May or may not have received treatment to interrupt pubertal development by blocking the production of gonadal hormones; while this is now more widely available in the UK it doesn't appear to be widespread. • May or may not have taken oestrogen (usually around 16 years old). • Has a physique that may or may not be more muscular than the average girl. 	<p>that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual girl and her legal guardian should be asked to permit the NGB to undertake an individual case-by-case review. This will involve a review meeting with the transsexual girl, her advocate (e.g. parent, social worker, rep from a LGBT young people's group such as Intercom in the South West) and a rep from the NGB. Their role will be to agree a way forward for the young person based on her individual circumstances and to manage everybody's expectations with due consideration to fairness and safety.</p> <p>Verification of identity should be no more than is required of any other player e.g. passport.</p>

Contact sports or those with the potential for contact			
Affirmed gender	Domestic competition	Further information	Process to determine eligibility
Transsexual girl – pre-puberty	May compete in any female or mixed-sex domestic competition subject to age eligibility and subject to confirmation of her stage of pubertal development.	<p>A transsexual girl who is pre-puberty will have no gender-related advantage as she will largely have escaped the virilising effects of testosterone on her adolescent development; the risk of injury to competitors would be minimal and would be compatible with competitions where all competitors were birth sex female.</p> <p>Accordingly any transsexual girl who is pre-puberty should be allowed to compete in any female or mixed competition (as female) subject to the provision of information about her stage of pubertal development.</p>	<p>It must be made clear to the transsexual girl that she is not entitled to play in female, domestic competitions in her affirmed gender until such time as she has provided evidence that the criteria set out by the NGB have been met to its satisfaction.</p> <p>The transsexual girl and her legal guardian should be asked to:</p> <ul style="list-style-type: none"> • Disclose sufficient information from her GP and/or Consultant to the NGB (and any other information, records or other material as the NGB may require from time to time) to allow it to ascertain the stage of pubertal development that the girl has reached. • This is subject to an annual review. • The NGB should also be permitted to refer back to the GP and/or Consultant to clarify or verify any details. This will ensure that the transsexual person is managing the information that is shared with the NGB and will assist in ensuring the individual’s right to privacy. Verification of identity should be no more than is required of any other player e.g. passport.

FURTHER READING

- Buzuvis, E. (2011)**, *Transgender Student-Athletes and Sex-Segregated Sport: Developing Policies of Inclusion for Intercollegiate and Interscholastic Athletics* Western New England University School of Law.
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- Griffin, P. and Carroll, H.J (2010)**, *On the Team: Equal Opportunity for Transgender Student Athletes*, NCLR, WSF and It Takes a Team.
- Intercom Trust, Devon and Cornwall Police and Cornwall County Council (2012)**, *Draft 9: Cornwall Schools Transgender Guidance*.
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- NHS (April 2010)**, *Gender dysphoria – Treatment*, <http://www.nhs.uk/Conditions/Gender-dysphoria/Pages/Treatment.aspx>
- Wagman, B. (2009)**, *Including Transitioning and Transitioned Athletes in Sport: Issues, Facts and Perspectives*, Promising Practices: Working with Transitioning/Transitioned Athletes in Sport Project.