



# Guiding Principles for the Inclusion of Transgender Participants in Community Sport

xxx 2022

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## Foreword

[Introduction]

Sport provides many benefits to both individuals and communities. We know that participating contributes to better physical and mental health outcomes, and brings people together, helping to build connected and vibrant communities. In recognising this, community sport should strive to be inclusive and free from discrimination, so everyone can take part and experience the benefits that come from doing so.

This document outlines guiding principles aimed at supporting the inclusion of transgender participants in community sport. We know transgender people are less likely to be involved in organised sport than the rest of the population, in part, because of concerns around inclusion and acceptance.<sup>1</sup> Inclusion, therefore, needs to be the starting point for any discussion about transgender participants in community sport whether they are players, coaches, officials or administrators.

These guiding principles are part of a wider story around diversity and inclusion of all participants in community sport. We have developed these principles to encourage sporting codes and sports organisations to continue to learn and engage in discussion on transgender participants, knowing this will be part of a broader conversation for many sports organisations on ensuring they are addressing issues around diversity and inclusion for all participants.

This document provides guiding principles rather than set rules or criteria, because it is not possible to provide a 'one-size-fits-all' approach to the inclusion of transgender participants across every code. Different codes will require or want to take different approaches. Whatever approach is taken, it should reflect the guiding principles, because they are the baseline for supporting inclusion of transgender participants in community sport.

We hope this document will prompt all sporting codes and sports organisations across Aotearoa New Zealand to review their approach to the inclusion of transgender participants and any relevant policies, and seek to align them with these guiding principles. We do not expect every sports organisation at the community level to produce a specific policy on the inclusion of transgender participants. Some national sports organisations have indicated they will take the lead around drafting policies and other material to support their regional partners and those at the club and school level with the approach to transgender participants.

We look forward to taking an active role in working with sports organisations as they progress this work. Because this represents a new way of working, we recognise it will be a learning process for everyone involved. As communities grow and change, this is reflected in sporting communities. It is important that sport remains inclusive and accessible to all, and we look forward to supporting the sector to achieve this.

[Ngā mihi]

Raelene Castle  
Chief Executive  
Sport New Zealand Ihi Aotearoa

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<sup>1</sup> Veale, J, J Byrne, K Tan, S Guy, A Yee, T Nopera and R Bentham. *Counting Ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand*. Transgender Health Research Lab, University of Waikato: Hamilton. 2019. Retrieved from [Counting-Ourselves\\_FINAL.pdf](#) (4 April 2022).

## Contents

<b>Foreword</b> .....	<b>3</b>
<b>Glossary</b> .....	<b>5</b>
<b>1. Introduction</b> .....	<b>11</b>
<b>1.1. Background</b> .....	<b>12</b>
1.1.1. What does 'transgender' mean? .....	12
1.1.2. Wider matters for consideration .....	12
<b>1.2. Scope</b> .....	<b>13</b>
<b>2. Guiding Principles</b> .....	<b>14</b>
<b>2.1. Inclusion</b> .....	<b>14</b>
2.1.1. Why is this important?.....	14
2.1.2. How can this be operationalised? How does this apply in practice? .....	14
<b>2.2. Wellbeing + Safety</b> .....	<b>17</b>
2.2.1. Why is this important?.....	17
2.2.2. How can this best be operationalised? How does this apply in practice?.....	17
<b>2.3. Privacy + Dignity</b> .....	<b>20</b>
2.3.1. Why is this important?.....	20
2.3.2. How can this best be operationalised? How does this apply in practice?.....	20
<b>2.4. Anti-discrimination, Anti-bullying and Anti-harassment</b> .....	<b>23</b>
2.4.1. Why is this important?.....	23
2.4.2. How can this best be operationalised? How does this apply in practice?.....	24
<b>2.5. Listening + Responding</b> .....	<b>26</b>
2.5.1. Why is this important?.....	26
2.5.2. How can this best be operationalised? How does this apply in practice?.....	26
<b>2.6. Education</b> .....	<b>27</b>
2.6.1. Why is this important?.....	27
2.6.2. How can this best be operationalised? How does this apply in practice?.....	27
<b>3. Consultation and development of transgender inclusive policies</b> .....	<b>29</b>
<b>3.1. Consultation</b> .....	<b>29</b>
<b>3.2. Drafting considerations</b> .....	<b>Error! Bookmark not defined.</b>
<b>3.3. Content</b> .....	<b>Error! Bookmark not defined.</b>
<b>3.4. Supporting implementation</b> .....	<b>33</b>
<b>3.5. Further support and assistance</b> .....	<b>33</b>

## Glossary

This glossary provides definitions for terms used throughout this document.

Although the terminology around transgender, gender diverse and non-binary people is continually evolving and contested, the following sets out the definitions of specific terms we have used in this document. Using appropriate terminology is important, to respect the diverse individuals within our communities.

Definitions	
Ally	"An ally is someone who supports and advocates for the equal treatment of a community other than their own." <sup>2</sup> The support of allies during the process of gender affirmation is critical.
Bullying	"Bullying is deliberate, harmful, involves a power imbalance and has an element of repetition." <sup>3</sup> It involves "deliberately hurting a specific person either physically, verbally, psychologically, or socially." <sup>4</sup>
Cisgender	Cisgender describes "a person whose gender aligns with their sex assigned at birth." <sup>5</sup>
Community sport	Community sport includes organised sports taking place through clubs, schools and events. It does not include active recreation (such as gym classes), passive recreation (such as gardening) or elite competition (representative level). It should be noted that where the line sits between community and elite sport can differ from code to code. This will be considered by individual sports when using the guiding principles to develop a policy for their code.
Discrimination	Discrimination is the practice of structurally or interpersonally excluding or being hostile toward a person or population on the basis of an aspect of their identity/ies. <sup>6</sup> Legislation such as section 21 of the <a href="#">Human Rights Act 1993</a> , section 19 of the <a href="#">Employment Relations Act 2000</a> , and section 105 of the <a href="#">New Zealand Bill of Rights Act 1990</a> clarifies when an act is discriminatory and unlawful.

<sup>2</sup> Minus18 (n.d.) [How to be a trans ally](#). . No date. Retrieved from [www.minus18.org.au/articles/how-to-be-a-trans-ally](http://www.minus18.org.au/articles/how-to-be-a-trans-ally) (4 April 2022)

<sup>3</sup> Bullying free NZ (n.d.) [What is bullying?](#) No date. Retrieved from [www.bullyingfree.nz/about-bullying/what-is-bullying](http://www.bullyingfree.nz/about-bullying/what-is-bullying) (4 April 2022).

<sup>4</sup> Sport New Zealand (2020), [Discrimination, harassment and bullying](#). 2020. Retrieved from [sportnz.org.nz/resources/discrimination-harassment-and-bullying](http://sportnz.org.nz/resources/discrimination-harassment-and-bullying) (4 April 2022).

<sup>5</sup> Human Rights Commission (2020) [PRISM: Human Rights issues relating to Sexual Orientation, Gender Identity and Expression, and Sex Characteristics \(SOGIESC\) in Aotearoa New Zealand - A report with recommendations](#). Wellington: Human Rights Commission, pages 61–63.

<sup>6</sup> InsideOUT, (2021), [Rainbow terminology, Sex, gender, sexuality & other key terms](#), Wellington, August 2021. Retrieved from <https://www.insideout.org.nz/resources/> (12 April 2022)

Definitions	
Gender or gender identity	Gender or gender identity describes “one’s actual, internal sense of being male or female, neither of these, both, etc. In some circles, ‘gender identity’ is falling out of favour, as one does not simply identify as a gender, but is that gender”. <sup>7</sup>
Gender affirmation (including but not limited to social, medical or legal affirmation) (also transition)	<p>Gender affirmation can involve various actions and possibilities that are unique to each individual. Gender affirmation is not a linear process and gender can be affirmed in many different ways. There is no right or wrong way to affirm one’s gender.<sup>8</sup></p> <ul style="list-style-type: none"> <li>• Social affirmation may occur without anyone noticing. It may include but is not limited to actions such as using a preferred chosen name and pronouns, coming out, wearing new clothing, modifying the shape of one’s body, cutting or shaving hair, and/or altering the tone of one’s voice. Social affirmation may also include playing sport, going to work, and participating in life as a person’s true gender.</li> <li>• Medical affirmation occurs with support from health professionals. It may include but is not limited to actions such as taking hormones (for example, oestrogen, testosterone, progesterone or puberty blockers) or having affirmative surgeries (such as chest surgery, genital surgery and/or facial surgeries).</li> <li>• Legal affirmation occurs through the legal system. It may include but is not limited to actions such as updating one’s name or gender marker at work, school, or on forms of ID and supporting affirmation while working within systems like the police, prison, and immigration.<sup>9</sup></li> </ul>
Gender diverse (also another gender)	<p>Gender diverse has been defined as “an umbrella term used by some who identify outside of the male/female gender binary. Being transgender can be one way of being gender diverse, but not all gender diverse people identify as transgender and vice versa”.<sup>10</sup></p> <p>Some prefer the term ‘another gender’ because it is grammatically incorrect to describe a person, who is a single entity, as ‘gender diverse’. The term ‘gender diverse’ can also be seen as reinforcing cis normative thinking, the implication being that cis genders are normal and the point from which we diverge.</p>
Gender expression	Gender expression “refers to a person’s presentation of gender through physical appearance – including dress, hairstyles, accessories, cosmetics, mannerisms, speech, behavioural patterns, names, and personal

<sup>7</sup> Gender Minorities Aotearoa (2020), [Trans 101: Glossary of trans words and how to use them](https://genderminorities.com/glossary-transgender). No date. Retrieved from <https://genderminorities.com/glossary-transgender> (4 April 2022).

<sup>8</sup> Transhub. [What is gender affirmation?](http://www.transhub.org.au/101/gender-affirmation) 2020. Retrieved from [www.transhub.org.au/101/gender-affirmation](http://www.transhub.org.au/101/gender-affirmation) (4 April 2022).

<sup>9</sup> Transhub (2020), above at 8.

<sup>10</sup> PRISM Report (2020), above at 5.

Definitions	
	references. Gender expression may or may not conform to a person's gender". <sup>11</sup>
Harassment	Harassment is "unwelcome behaviour that is offensive, humiliating or intimidating and is either repeated, or of such significant nature, that it has a detrimental effect on the person, their performance, contribution, or their environment". <sup>12</sup>
Intersectionality	"Intersectionality describes how different parts of a person's identity or circumstances – such as age, race, culture, disability, gender, sex, location, or religion – intersect and combine to shape people's life experiences, including of discrimination." <sup>13</sup>
Intersex	Intersex is an umbrella term that describes people who have or are born with variations in sex characteristics such as chromosomes, gonads, reproductive organs, and hormones. <sup>14</sup> "Variations of sex characteristics means their sex characteristics are ambiguous in the context of the male/female sex binary". <sup>15</sup>
LGBTQIA+	LGBTQIA+ is an acronym of different identities including: <ul style="list-style-type: none"> <li>• lesbian</li> <li>• gay</li> <li>• bisexual</li> <li>• transgender</li> <li>• queer</li> <li>• intersex</li> <li>• asexual</li> <li>• the plus denotes inclusion of other terms not listed.<sup>16</sup></li> </ul>
MVPFAFF+	Specific terms are used relating to sexual orientation and gender identities within the Pacific communities. <sup>17</sup>

<sup>11</sup> PRISM Report (2020), above at 5.

<sup>12</sup> Sport New Zealand (2020), above at 3.

<sup>13</sup> Kimberle Crenshaw, 'Demarginalizing the intersection of race and sex' (1989) University of Chicago Legal Forum (1989) 139, in . [LGBTIQ+ Inclusive Language Guide](#). Canberra, Victoria: Victorian State Government, 2020.

<sup>14</sup> InsideOUT (2021), above at 6.

<sup>15</sup> Gender Minorities Aotearoa (2020), above at 7.

<sup>16</sup> PRISM Report (2020), above at 5.

<sup>17</sup> PRISM Report (2020), above at 5.

<b>Definitions</b>	
	<p>MVPFAFF+ is an acronym that reflects some of the terms used: <sup>18</sup></p> <ul style="list-style-type: none"> <li>• mahu (Hawai'i and Tahiti)</li> <li>• vakasalewa (Fiji)</li> <li>• palopa (Papua New Guinea)</li> <li>• fa'afafine (Samoa and American Samoa)</li> <li>• akava'ine (Rarotonga)</li> <li>• fakaleiti/leiti (Tonga)</li> <li>• fakafifine (Niue)</li> <li>• the plus denotes inclusion of other terms not listed.</li> </ul> <p>This is a snapshot of identities and terms that also cover people with various gender identities and sexual orientations not listed above. Other terms include rae rae and fa'afatama.</p> <p>"The Rainbow (LGBTQI+ and/or MVPFAFF+) people are important and vital members of the Pasifika community and New Zealand society. As the Pasifika community evolves, so do the terms used to describe this population."<sup>19</sup></p>
Non-binary	Non-binary is "an umbrella term for gender identities which are neither male nor female". <sup>20</sup>
Participant	Participant is interpreted broadly in these guiding principles to include all members of community sport, such as players, supporters, spectators, coaches, officials and administrators.
Pronoun	Pronouns have been defined as 'one way people refer to each other and themselves'. Most but not all men (including trans men) use the pronoun 'he'. Likewise, most but not all women (including trans women) use the pronoun 'she'. Some people use a gender-neutral pronoun such as 'they' (for example, 'Pip drives their car to work. They don't like walking because it takes them too long'). <sup>21</sup>

<sup>18</sup> [Rainbow/LGBTQI'](http://www.leva.co.nz/our-work/suicide-prevention/finding-help/support-services/rainbow). LeVa. 2020. Retrieved from [www.leva.co.nz/our-work/suicide-prevention/finding-help/support-services/rainbow](http://www.leva.co.nz/our-work/suicide-prevention/finding-help/support-services/rainbow) and updated in the [Manalagi Project](http://www.manalagi.org). No date. Retrieved from [www.manalagi.org](http://www.manalagi.org) (4 April 2022).

<sup>19</sup> LeVa (2021), above note.

<sup>20</sup> PRISM Report (2020), above at 5.

<sup>21</sup> Victorian State Government (2020), above at 13.

Definitions	
Rainbow communities	<p>Rainbow communities is “an umbrella term commonly used in Aotearoa to describe those who have a diverse sexual orientation, gender identity or expression, and sex characteristics.”<sup>22</sup></p> <p>Some also add that these are characteristics that are something other than cisgender, heterosexual and/or endosex (someone whose innate sex characteristics fit normative medical or social ideas for female or male bodies).</p>
Safety	Safety includes physical, emotional, cultural, and spiritual wellbeing.
Sex assigned at birth	<p>Sex is “the system for assignment and classification of people as male or female based on perceptions of their physical anatomy – generally the appearance of their external genitalia at birth. Sex is not fixed or immutable, and no single criterion (for example genitals, chromosomes, hormones, fertility) definitively describes one’s bodily shape or configuration.”<sup>23</sup></p> <p>“All babies are assigned a sex at birth, usually determined by a visual observation of external genitalia. A person’s gender may or may not align with their assigned sex at birth”.<sup>24</sup></p>
Sex characteristics	Sex characteristics “refer to each person’s physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty”. <sup>25</sup>
SOGIESC	SOGIESC is “an acronym including sexual orientation, gender expression and identity, and sex characteristics”. <sup>26</sup>
Sports organisations	Sports organisations is interpreted broadly in these guiding principles to include clubs, schools and other sporting bodies involved in community sport.
Takatāpui	Takatāpui is “a traditional Māori term which means ‘intimate companion of the same sex.’ It has been reclaimed by some Māori to describe their diverse sexual orientation, gender identity or expression, and sex characteristics.” <sup>27</sup>

<sup>22</sup> PRISM Report (2020), above at 5.

<sup>23</sup> Gender Minorities Aotearoa (2020), above at 7.

<sup>24</sup> PRISM Report (2020), above at 5.

<sup>25</sup> PRISM Report (2020), above at 5.

<sup>26</sup> PRISM Report (2020), above at 5.

<sup>27</sup> PRISM Report (2020), above at 5.

Definitions	
Tangata ira tāne	A term that some Māori may use to describe their gender. This term does not have a Western equivalent but is usually translated to mean 'in the manner of a man.' Its meaning is best understood within its cultural context and may mean something different to each individual. <sup>28</sup> To some this is "a te reo Māori term which roughly translates as trans man". <sup>29</sup>
Transgender	Transgender is "an umbrella term for a person whose gender differs from their sex assigned at birth. Transgender people may be binary or non-binary, and some opt for some form of medical intervention (such as hormone therapy or surgery). Used as an adjective rather than a noun, and often shortened to 'trans'. <sup>30</sup> These guiding principles use the term 'transgender'.
Trans man	Trans man is "a man who was assigned female at birth". <sup>31</sup>
Transphobia	Transphobia "refers to anything that insults, discriminates, or oppresses transgender and gender diverse people." <sup>32</sup>
Transsexual	Transsexual is "an older term considered to be outdated by some younger populations. Transsexual is not an umbrella term; those who prefer this term often see it as an important distinction from transgender. It may refer to a person who has had or is in the process of changing their body to affirm their gender". <sup>33</sup>
Trans woman	Trans woman is "a woman who was assigned male at birth". <sup>34</sup>
Whakawāhine	No direct English translation exists for whakawāhine, it "roughly translates as 'transgender woman'. More literally, it translates as being or becoming, in the manner or spirit of a woman". <sup>35</sup>

<sup>28</sup> InsideOUT (2001), above at 6.

<sup>29</sup> PRISM Report (2020), above at 5.

<sup>30</sup> PRISM Report (2020), above at 5.

<sup>31</sup> PRISM Report (2020), above at 5.

<sup>32</sup> Minus18 and Ygender. 2017. [Trans 1010: Gender Diversity Crash Course](#). Retrieved from Trans101.org.au (5 April 2022).

<sup>33</sup> PRISM Report (2020), above at 5.

<sup>34</sup> PRISM Report (2020), above at 5.

<sup>35</sup> PRISM Report (2020), above at 5.

# 1. Introduction

Sport New Zealand Ihi Aotearoa (Sport NZ) has developed these guiding principles to provide guidance on transgender inclusion in community sports. The principles are designed to help all community sporting codes and sports organisations (such as clubs, schools and other sporting bodies) to foster an environment where transgender participants are welcome, accepted, and comfortable to enjoy the benefits community sport has to offer.

Six guiding principles provide guidance on transgender inclusion in community sport:



This document outlines why these guiding principle are important and gives examples for how they can be operationalised. The principles are intended to provide direction and support to sporting codes and sports organisations to help them consider what is needed to enable inclusion of transgender participants in community sport.

Information is provided on a possible process that sports organisations can use to help them develop their own transgender inclusion policies. The level of work needed will vary between organisations, depending on what they have done already on the inclusion of transgender participants in their code, or on wider diversity and inclusion matters. In some cases, it might be more appropriate to update or expand existing policies to incorporate content on transgender inclusion.

Whatever the case, these guiding principles aim to encourage sporting codes and organisations to continue to learn and engage in discussion, so that sports continue to support communities.

## Background

These guiding principles have been developed following stakeholder engagement with members and organisations from the transgender and sporting communities, academics, researchers, and other advocacy groups. They have also been informed by international sporting policies on the inclusion of transgender participants.<sup>36</sup>

### What does 'transgender' mean?

For the purpose of these guiding principles, 'transgender' is used as an umbrella term for a person whose gender differs from their sex assigned at birth.<sup>37</sup>

Gender is part of a person's internal sense of self. It can be female, male, neither, a combination of the two, or exist completely outside of that.<sup>38</sup> Sex is the system for assignment and classification of people as male or female based on perceptions of their physical anatomy, which is generally the appearance of their external genitalia at birth. Sex is not fixed or immutable, and no single criterion (for example, chromosomes, hormones, genitals, fertility) definitively describes one's bodily shape or configuration.<sup>39</sup> A person's gender may or may not align with their assigned sex at birth and may change over their life.<sup>40</sup>

Gender affirmation (previously referred to as transitioning) describes the steps taken by transgender people to live in their gender. These may include social, legal or medical aspects or simply be a personal and private decision made by an individual. No single approach exists to affirming one's gender and no specific steps are necessary to 'complete' a gender affirmation. Social gender affirmation may include changing clothes, hair, pronouns or name; a legal gender affirmation may include changing name and/or gender marker on legal documents; and medical gender affirmation may include treatments such as hair removal, hormone therapy or various surgeries.

No wrong or right ways exist to affirm one's gender; each person will have their own personal goals and take varying actions. These may be obvious or subtle, based on the person's individual choice. Transgender individuals may choose to share this information and their process with others or to keep it confidential or private.

In this document, transgender is intended to include relevant identities in the [takatāpui](#) and [MVPFAFF+](#) communities.

### Wider matters for consideration

While these guiding principles focus on inclusion of transgender participants in community sport, their implementation is also intended to support inclusion of gender diverse and non-binary people. The guiding principles do not address the inclusion of intersex participants, but may provide a useful starting point for consideration of their inclusion.

When considering these guiding principles and the development or amendment of any policies, organisations need to be aware that transgender participants will come from diverse backgrounds and so will have had different

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<sup>36</sup> For example, the International Olympic Committee framework on fairness, inclusion and non-discrimination on the basis of gender identity and sex variations: [IOC-Framework-Fairness-Inclusion-Non-discrimination-2021.pdf \(olympics.com\)](#).

<sup>37</sup> PRISM Report (2020), above at 5.

<sup>38</sup> Gender Minorities Aotearoa (2020), above at 7.

<sup>39</sup> Gender Minorities Aotearoa (2020), above at 7.

<sup>40</sup> PRISM Report (2020), above at 5.

life experiences. Everyone's identity is, in some way, shaped by factors including age, race, culture, disability, gender, location, socio-economic status or religion.<sup>41</sup>

It is therefore important to recognise that being transgender is just one part of a person's identity, and any work on inclusion should consider the wider factors that may affect a transgender participant's experience.

## Scope

These guiding principles have been developed to support inclusion of transgender participants in community sport in New Zealand. They cover all transgender participants including players, supporters, spectators, coaches, officials and administrators.

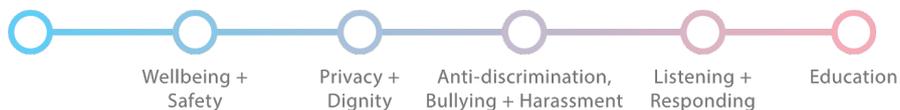
The principles adopt a definition of community sport as including organised sports taking place through clubs, schools and events. The principles do not cover active recreation, passive recreation (such as gardening) or elite competition. However, organisations in other areas of physical activity, such as active recreation, may find it useful to refer to these guiding principles when addressing matters relating to transgender participants.

At the elite level, sporting codes will generally be guided by the relevant international sporting body who may themselves, be influenced by international governing bodies such as the International Olympic Committee. This recognises the requirement at the elite level to ensure that no athlete has a disproportionate competitive advantage. Individuals who wish to compete in these activities have the right to decide themselves if they wish to take the required steps to meet the potentially more stringent eligibility criteria required by international sporting bodies or elite competitions.

It is recognised that sports organisations may need to do further work on their approach to selection of athletes for talent development pathway opportunities, to reflect the potential limit on eligibility for transgender participants at the elite level.

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<sup>41</sup> This is the concept of intersectionality (see definition in the [Glossary](#) for further information).



## 2. Guiding principles

### Inclusion



**Inclusion:** Inclusion of transgender participants in community sports is paramount. Transgender participants can take part in sports in the gender they identify with.

#### Why is this important?

Participation in sports is a powerful means of social inclusion and a basic human right.<sup>42</sup> The opportunity to take part in sports should be available to everyone, regardless of their gender. Transgender people live, work and play in New Zealand, and it is important our sporting communities reflect this.

In New Zealand, community sport provides many physical and psychological benefits as well as the opportunity for people to socialise, build relationships and engage with their communities. Exclusion from sports can have an alienating effect on individuals and groups. This can be particularly harmful to transgender people who may have lived experience of mental distress and marginalisation, including chronic, repeated experiences of exclusion, stigma and discrimination, in many areas of their daily life.<sup>43</sup>

In 2018, 1178 self-identified transgender and non-binary people took part in the first comprehensive national survey on the health and wellbeing of transgender and non-binary people in Aotearoa New Zealand.<sup>44</sup> The survey found that:

- only 14 per cent of transgender and non-binary people had participated in any sports competitions, events or other organised activities in the past four weeks, such as bowls, football practice or a netball game. This is almost half the rate of participation by the general population (26 per cent)
- more than half (61 per cent) of participants were worried about how they would be treated as a transgender or non-binary person in competitive sports. This concern was more common for transgender men (81 per cent) than for transgender women (42 per cent)
- one-in-five participants had been told they could only participate based on their sex assigned at birth.

These results show that fear of discrimination and concerns about eligibility limit the opportunities of transgender people to have equal access to sports. This is concerning because exclusion from sports negatively affects both mental and physical health.<sup>45</sup>

#### How can this be operationalised and how does this apply in practice?

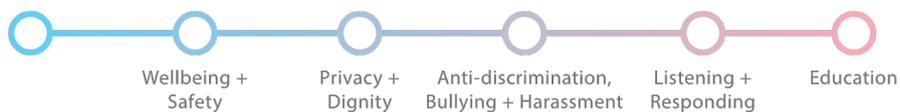
Inclusion can be operationalised in several ways. It may be that sporting codes establish an inclusive transgender

<sup>42</sup> UNESCO (2015) International Charter of Physical Education, Physical Activity and Sport, Article 1, and International Olympic Committee (2020) Olympic Charter – in force as at July 2020, page 11.

<sup>43</sup> Veale, J, J Byrne, K Tan, S Guy, A Yee, T Nopera and R Bentham. *Counting Ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand*. Hamilton, New Zealand: Transgender Health Research Lab, The University of Waikato, 2019.

<sup>44</sup> Veale and others, above note.

<sup>45</sup> OD Hargie, DH Mitchell and IJ Somerville, 'People have a knack of making you feel excluded if they catch on to your difference': *Transgender experiences of exclusion in sport*, International Sociology of Sport Association, International Review for the Sociology of Sport, 2017.



policy or they include additional clauses in an existing inclusion and diversity policy.

### *Transgender inclusion policy*

An inclusive transgender policy allows individuals to take part in their self-determined gender and not the sex they were assigned at birth. It does not ask people to prove or otherwise justify their gender, sex or gender identity. It signals to transgender people that they are welcome, encourages them to remain engaged in sports, and provides guidance to staff and volunteers. As noted, policies should be broad and include consideration of, for example, transgender parents, employees, coaches, board members, organisers and volunteers, who are also participants in community sport.

An inclusive transgender policy should include a clear statement and/or objectives that promote the inclusion of transgender participants. For example, through its guidelines, Touch Football Australia provides the following statement on participation by transgender players in competitions.<sup>46</sup>

- For all Touch Football Australia Affiliate competitions, an individual can participate in the competition or category that best reflects their gender identity.

Touch Football Australia has the following objectives:

- To affirm our commitment to supporting the inclusion of transgender and gender diverse identifying people in Touch Football Australia.
- To ensure we foster a safe, welcoming environment for gender-diverse people by eliminating discriminative behaviour within our facilities, programs, and services.
- To affirm our support of gender affirming practices in our programs, operations, and competitions.
- To promote a safe, inclusive, and welcoming environment that engages and keeps participants with diverse genders and sexualities involved in Touch Football.

The following scenario shows the benefits of sports clubs having a transgender policy in place.

- Ra is a transgender male. He loves tennis but has not played since he transitioned because he does not want to have to provide proof of identity. The sex listed on Ra's birth certificate (and held in the database for his driver's licence) differs from his gender.
- Ra looks at the application criteria for local tennis clubs and finds one with a policy that says all players can participate in the gender with which they identify. Ra calls up the club manager and asks if he can sign up to the men's league.
- The club manager is warm and welcoming and helps Ra process his application to join the men's league.

### *Leadership*

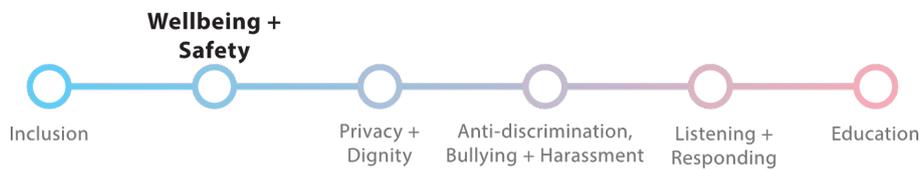
To ensure sports are inclusive of transgender, it is essential that those who lead sporting bodies (for example, the Board) are committed to inclusion. Leaders can show their commitment to inclusion in a variety of ways, such as:

- having a written commitment in governance processes that the Board will welcome and include transgender players in their sport and broader sporting communities (this could include a commitment to regular check-ins with transgender participants)

<sup>46</sup> Touch Football Australia. [Participation Guidelines for the Inclusion of Transgender and Gender Diverse People in Touch Football Affiliates](#). Canberra, New South Wales: Touch Football Australia, 2020, page 7.

- actively engaging in the education of players, coaches, staff and members by providing them with information about how to support transgender players
- supporting and paying for members to take part in educational rainbow workshops
- appointing an inclusion officer as the contact and support person for transgender players
- using pronouns in biographies, on email signatures and in other relevant communication material
- ensuring the organisation's culture is reflective of these policies and that the environment created is one in which transgender participants feel confident and comfortable participating.

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## Wellbeing and safety



**Wellbeing and safety:** The health, wellbeing and safety of participants must be supported.

### Why is this important?

Health, wellbeing and safety are central to sports. Sporting codes and organisations have a duty of care to ensure they provide a safe and enjoyable sporting environment for all participants. Safety includes physical, emotional, cultural, and spiritual wellbeing.

To help ensure genuine inclusion in sporting communities, it is important to design and develop safe and welcoming spaces, facilities, events, travel arrangements and uniforms. Transgender people may face additional difficulty participating in sports if no appropriate facilities, uniforms or travel arrangements are available for them.

### How can this best be operationalised and how does this apply in practice?

#### Health and safety policy

The wellbeing and safety of all participants is supported through the development of an appropriate and inclusive health and safety policy.

Sporting codes should support clubs to implement health and safety policies that apply to their communities and that consider the diversity of participants. Where a sporting code already has its own health and safety policy, this should be reviewed to make sure it is inclusive of transgender participants.

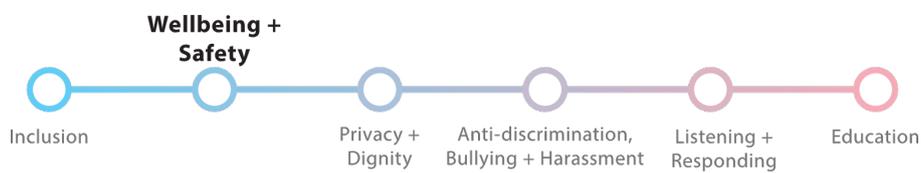
Where a health and safety policy has not been established, sporting codes and organisations can visit [Sport NZ Health and Safety for Clubs](#) for further guidance.

#### Commitment to wellbeing

Consideration of the wellbeing of participants can also be operationalised by including a commitment to it in the relevant Health and Safety and/or transgender inclusion policy documents. For example, Waka Ama New Zealand have the following wellbeing principles in its transgender policy document<sup>47</sup>:

- *Manaakitanga:* We encourage the practice of reciprocity and inclusivity through the sharing of ourselves and of our resources, nurturing all people and accepting our differences.
- *Whanaungatanga:* Is our sense of belonging, identity, and collective strength, not only through kinship/whakapapa but also being related to all within the Waka Ama community.
- *Hauora:* We support and promote the physical, mental, emotional, and spiritual wellbeing of all our participants.

<sup>47</sup> Waka Ama New Zealand. [Waka Ama New Zealand Transgender and Transsexual Policy](http://www.wakaama.co.nz/content/files/5f7f9028c92ff/Waka%20Ama%20New%20Zealand%20Transgender%20and%20Transsexual%20Policy.pdf). No date. Retrieved from [www.wakaama.co.nz/content/files/5f7f9028c92ff/Waka%20Ama%20New%20Zealand%20Transgender%20and%20Transsexual%20Policy.pdf](http://www.wakaama.co.nz/content/files/5f7f9028c92ff/Waka%20Ama%20New%20Zealand%20Transgender%20and%20Transsexual%20Policy.pdf) (5 April 2022).



- *Tū Tangata*: We are accountable for our actions. We have respect for each other, for our waka and our environment. We stand proud in our integrity and passion.

### Active steps

In addition to a transgender inclusion policy, further steps can be taken by sports to support the health, safety and wellbeing of all participants, including transgender participants including:

- regularly checking that equipment, facilities and programmes meet health and safety standards;
- having mechanisms in place to allow players to participate safely and ensure the competition is comprised of an appropriately similar cohort of players, for example weight bands and age brackets;
- appointing a wellbeing officer who is a point of contact and oversees participant welfare; or
- providing an anonymous suggestion box so that people can suggest changes that would enhance the sport and its members' experiences.

### Facilities

Facilities should be user friendly, well maintained and safe. Suitable changing rooms and bathroom facilities need to be available that ensure privacy.

Some people may choose to use the facilities of their gender, while others may prefer private or gender-neutral facilities. Ask the participant which facilities they would prefer to use in a way that respects their privacy. Where new facilities are being built or upgraded, and where practical, sports organisations should advocate for more inclusive gender-neutral and private spaces so people can use them safely and comfortably.<sup>48</sup>

It is appreciated many sports organisations will be operating with older facilities, however, where possible the following changes could be considered to make facilities more welcoming:

- making some bathrooms gender neutral by removing urinals
- providing single self-contained bathrooms
- modifying changing rooms and bathrooms to create private spaces by hanging curtains or putting in room dividers
- making open showers private
- changing signage to be gender neutral.

### Uniforms

All participants (including players, coaches, officials and administrators) should be allowed to take part in community sport in the uniform in which they feel most comfortable.

Sporting codes and organisations should make sure participants are able to dress consistently with their gender (this includes uniforms, formal attire and any other team dress code). Sporting codes are also encouraged to consider whether gender specific sports uniforms are necessary, with best practice seeing gender-neutral uniform options available.

Where practical, sporting codes and organisations should also consider whether they redesign uniforms so they

<sup>48</sup> For further guidance on gender-neutral facilities, see the New Zealand Building Code '[Sanitary facilities](http://www.building.govt.nz/building-code-compliance/d-access/accessible-buildings/interior-space/sanitary-facilities)' webpage: [www.building.govt.nz/building-code-compliance/d-access/accessible-buildings/interior-space/sanitary-facilities](http://www.building.govt.nz/building-code-compliance/d-access/accessible-buildings/interior-space/sanitary-facilities).

are more accommodating of different body types and shapes. Transgender and gender diverse people may use clothes, binders and other aids to enable their body to more closely match their gender. These aids are hard to conceal if participants are required to wear a close-fitting sports uniform or swimming costume. Loose fitting unisex options can be a better alternative. For swimming, this might include rash suits, rash shirts and longer swimming shorts.<sup>49</sup>

## Travel

Sports organisations are encouraged to be proactive when taking trips and to consider any travel and accommodation arrangements ahead of making bookings.

Shared accommodation can raise significant privacy and safety concerns for transgender people. Where teams have shared accommodation, transgender people should be given the option of proposing who they would be comfortable sharing a room with and/or whether they require a separate room.

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<sup>49</sup> The University of Auckland. '[Inclusion of Trans and Gender Diverse Students and Staff in Sport and Recreation Guidelines](https://www.auckland.ac.nz/en/about-us/about-the-university/policy-hub/university-governance/equity/inclusion-trans-gender-diverse-sport-recreation-guidelines.html)'. *Equity*. 2 July 2020. Retrieved from [www.auckland.ac.nz/en/about-us/about-the-university/policy-hub/university-governance/equity/inclusion-trans-gender-diverse-sport-recreation-guidelines.html](https://www.auckland.ac.nz/en/about-us/about-the-university/policy-hub/university-governance/equity/inclusion-trans-gender-diverse-sport-recreation-guidelines.html) (5 April 2022).



## Privacy and dignity



**Privacy and dignity:** The privacy and dignity of all participants must be respected.

### Why is this important?

Respect for the privacy of personal information, and for ensuring the dignity of all participants in community sport, is critical for ensuring people feel safe and included. Transgender people may be dissuaded from participating in community sport if they believe they will need to provide personal information and that this information may be shared with others.

When registering for sports, participants may need to provide personal information such as their name or gender. Collection of this information can create additional barriers for transgender participants. They may prefer to use a different name from that recorded on identity documents and may have differences between their sex assigned at birth and gender.

Gender identity is at the core of a person's being. If someone has shared their gender and specifically requested their identity be kept in confidence, it is a breach of privacy to use, share or communicate that information elsewhere without the express consent of the individual concerned.

As the visibility of transgender, gender diverse and non-binary people increases, some people can be curious to know more about the experiences of individuals. For these individuals, disclosing their gender identity may create real or perceived risks of discrimination or harassment.

### How can this best be operationalised and how does this apply in practice?

#### Privacy policy

The privacy of participants personal information should be ensured as required by the [Privacy Act 2020](#).

- on the [Privacy Commissioners](#) website
- in the [Privacy Act 2020](#)
- on the Sport NZ website at [Privacy Policy – Member protection | Sport New Zealand – Ihi Aotearoa](#).

Sporting codes and organisations should ensure their transgender inclusion policy refers to the relevant privacy policy and/or includes a privacy and confidentiality section that establishes that all personal information will be collected and handled with confidentiality.

A privacy and confidentiality statement should include the following points:

- Personal information will only be collected from participants if necessary and with the individual's consent (or consent of the parent or guardian where the individual is under the age of 18 years).
- Consideration will be given to whether and why the information is relevant or necessary to collect.
- Any information deemed necessary to collect, will not be used, or shared without the express consent of the individual.
- Information will be collected, held, and disclosed in line with the *Privacy Act 2020*.



## Registration forms

Many sporting codes and organisations will already have established registration forms in place. Sporting codes and organisations are encouraged to consider whether the information they are collecting is necessary, and, if so, whether the language and options could be more inclusive.

The registration form structure may also create additional barriers for transgender participants, for example, by requiring them to tick the box of M/F or Ms/Miss/Mrs/Mr. Registration forms (and other documentation) should support transgender participants to use the name, pronoun and gender marker that matches their gender identity. This may include gender-neutral pronouns such as ‘they’ or ‘them’.

Requiring people to provide official identity documents can be exclusionary of transgender participants, particularly those born overseas who may have no ability to amend these documents. Sporting codes and organisations should ask themselves the following questions.

- Why do we collect this information?
- Are we inclusive in the language we use?
- Do we offer safe spaces for people to share their private information?
- How do we store the private information we collect? Is it secure? How long do we keep the private information?
- What do we do with the private information? Do we ensure that confidentiality is upheld?

More guidance on collecting information can be found in the Stats NZ [guide to determining if and how to collect data](#).<sup>50</sup>

If data needs to be collected, the default collection should be gender (as opposed to sex). This is in line with self-determination from a human rights perspective and promotes the respect and inclusion of all people.<sup>51</sup> Sporting codes and organisations should have a clearly established information need for the collection and use of data relating to a person’s sex.

## Language

Pronouns are one way people refer to each other and themselves. Most but not all men, including transgender men, use the pronoun ‘he’. Likewise, most but not all women, including transgender women, use the pronoun ‘she’. Some people use a gender-neutral pronoun such as ‘they’.<sup>52</sup> It is important to accept and respect the pronouns chosen by people. They should not be assumed based on appearance, name or any other factor.

Using inclusive language, asking and correctly using someone’s pronouns are simple ways to show respect. It is important to normalise the sharing of and asking for pronouns, and, as such, it may be appropriate to respectfully ask someone what pronoun they use to describe themselves and to use that pronoun.<sup>53</sup> An example of how to approach this is to privately ask a question such as “what pronouns do you use?”. Be careful not to ask “what pronouns do you prefer?”, because a person’s pronouns and identity are not a preference.

<sup>50</sup> Stats NZ. [Statistical standard for gender, sex, and variations of sex characteristics](#). Wellington: Stats NZ, 2021, pages 7-8.

<sup>51</sup> PRISM Report (2020), above at 4.

<sup>52</sup> Victorian State Government (2020), above at 13.

<sup>53</sup> Victorian State Government (2020), above at 13.

One way to open this conversation is by having an option on any relevant paperwork or forms that asks people what pronoun they use.

Sporting codes and organisations should be gender inclusive in the language they use. This includes ensuring that correct names and pronouns are used and updated on databases, documents (such as team lists, rosters and employment documents) and other correspondence (such as publications on websites). Examples of ways to ensure use of gender-inclusive language include:

- saying “hey everyone” or “welcome everyone” rather than “hi guys” or “welcome ladies and gentlemen”
- using the word “partner” rather than “boyfriend/girlfriend” or “husband/wife”
- asking all players what pronouns they use when they register, then using these pronouns in all verbal and written communication.

### *Commitment to respect an individual's dignity*

Showing a commitment to upholding dignity and respect could also be reflected in a transgender inclusion policy. An example could include a statement on members' expectations, such as that included in Waka Ama New Zealand's transgender and transsexual policy document.<sup>54</sup>

- The following points are considered good practice for all Waka Ama NZ and its members when dealing with members of the paddling community who come under this umbrella term of transgender:
  - Treat the individual with dignity and respect.

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<sup>54</sup> Waka Ama New Zealand (No date), above at 49, page 1.



## Anti-discrimination, anti-bullying and anti-harassment



**Anti-discrimination, anti-bullying and anti-harassment:** There is zero-tolerance for discrimination, bullying, and harassment.

### Why is this important?

Sporting codes and organisations should provide an environment where people are treated fairly and equitably and free from any form of discrimination. Every person in sports, in every role, has the right to participate in an environment that is fun, safe and healthy. Participants should be treated with respect, dignity and fairness.

Discrimination means to be treated unfairly or less favourably than someone else in the same or a similar situation. It involves structurally or interpersonally excluding or being hostile toward a person or population on the basis of an aspect of their identity(ies).<sup>55</sup> The [Human Rights Act 1993](#) establishes prohibited grounds for discrimination (with some exceptions). The [Employment Relations Act 2000](#) and [New Zealand Bill of Rights Act 1990](#) also clarify when acts are discriminatory and unlawful.

Discrimination can be both direct and indirect. Indirect discrimination occurs when a condition, requirement or practice that applies to everyone disadvantages people of a particular group, and the condition is not reasonable in the circumstances. An example of direct discrimination would be a sports club refusing a transgender woman's application to play in a women's team because she is transgender. An example of indirect discrimination would be a sports organisation requiring participants to provide copies of their birth certificate for registration, which may disadvantage transgender players where the information included does not align with their gender identity.

Bullying is deliberate and harmful behaviour that involves a power imbalance and has an element of repetition.<sup>56</sup> It involves deliberately hurting a specific person either physically, verbally, psychologically or socially.<sup>57</sup> Bullying can occur both in and outside the area of sports or activities, and can involve participants, parents, organisers, volunteers, coaches, spectators or officials. It is prohibited by most organisations under their codes of conduct and can result in penalties and punishments being applied. Some forms of bullying constitute assault, harassment or discrimination.

Harassment means unwelcome behaviour that is offensive, humiliating or intimidating and is either repeated or of such a significant nature it has a detrimental effect on the person, their performance, contribution or their environment.<sup>58</sup> Unwelcome behaviour can be harassment even if the recipient does not tell the other party or parties their behaviour is unwelcome and even if there is no intention to offend, humiliate or intimidate. It could even include gossip, jokes, teasing or the use of inappropriate nicknames.

<sup>55</sup> InsideOUT (2021), above at 6.

<sup>56</sup> Bullying Free NZ (No date), above at 3.

<sup>57</sup> Sport New Zealand (2020), above at 4.

<sup>58</sup> Sport New Zealand (2020), above at 4.



Transgender, people face many forms of subtle and overt discrimination, teasing, bullying, harassment and exclusion. Examples include:

- being told they are in the wrong bathroom and asked to leave
- having to complete forms and paperwork that are binary in nature
- being asked invasive questions about physical characteristics
- having team members or players from other teams refuse to play with them
- having their privacy breached (for example, walked in on while in the shower)
- being deliberately deadnamed (the act of referring to a person's name pre-transition) or misgendered (the act of referring to a transgender person as the gender designated pre-transition)
- being intentionally addressed by incorrect pronouns (for example, referring to a transgender woman or girl as he or him).

### How can this best be operationalised and how does this apply in practice?

#### *Code of conduct or bullying and harassment policy*

All sports organisations should promote themselves as places that will not allow or tolerate bullying. This could be supported through a code of conduct or policy that specifically addresses bullying behaviour, such as a bullying and harassment policy.

A robust anti-discrimination and harassment policy should:

- state that discriminatory behaviour and harassment is not tolerated
- clearly state who the policy applies to (such as coaches, umpires and other officials, staff and administrators, spectators, players, volunteers)
- indicate what the consequences of a breach are (for example, spectators may be asked to leave the sports ground or, if the breaches are illegal, may be referred to the police or other relevant authorities)
- provide members with clear guidance as to where they can complain and how their complaint will be handled
- be communicated with members; for example, information on zero tolerance for harassment and discrimination should be clearly displayed at the sports facility. This may include posters and flyers in the club house, kitchen and other frequently used areas.

Sports organisations should review existing codes of conduct to ensure the harassment and discrimination of transgender, people is specifically addressed. Reference to being anti discrimination should also be included in any policy specifically developed to address the inclusion of transgender, people.

Good policies will address a range of inappropriate behaviour, including discrimination, harassment and bullying. These policies can also provide a complaint handling process so organisations can deal with incidents of discrimination, harassment or bullying in a practical manner that is consistent with other inappropriate behaviour. The complaints process should also include avenues for legal redress, if appropriate.

For help in developing a bullying and harassment policy, visit the links below on the Sport NZ website:

- [Preventing Bullying and Harassment Policy](#)
- [Preventing Discrimination Policy](#)



- [Equality, Diversity, and Inclusion Policy](#)
- [Education and training](#)

Scenario of the benefit of a good anti-discrimination and harassment policy:

- Sam is a young transgender woman who plays football. When playing a game against another local team, an opposition player starts yelling offensive things at her and saying she should not be playing in their competition.
- Sam is upset and unsure whether she can do anything about it. Her coach notices she is upset and talks with Sam about what happened. The coach reminds Sam that bullying is not tolerated on or off the field and offers her support.
- Following the club's Bullying and Harassment Policy, the coach talks with Sam about the possibility of meeting with the opposition coach and player. Sam decides she does not want to meet with the player but would like her coach to speak to them.
- Sam's coach arranges a meeting with the opposition coach to discuss the incident. The opposition coach advises that the player has received a warning. The player apologises for their actions and writes a letter of apology to Sam.

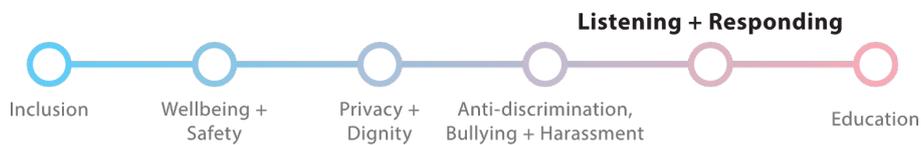
### *Social Media Policy*

Many sports organisations use their own websites and/or Facebook, Instagram, Twitter and other social media platforms to link with participants and their communities. While social media has many benefits, it also has risks. These can range from seemingly harmless sharing of photos without full permission to the most damaging behaviour, like cyberbullying or image-based abuse. This can be particularly harmful to transgender participants.

It is important that organisations make sure they have considered the risks and implications of using social media and how they will mitigate these for all participants. For more information, visit the Sport NZ website: [Using social and digital media](#) or see [Social media policy template](#).

### *Education*

Education is also important for addressing discriminatory behaviour (see the [Education](#) principle below). All members of sporting communities, including staff, officials, coaches, volunteers and spectators, should be educated on what behaviour is considered harmful and inappropriate, to help them identify ways they can be an ally to transgender participants.



## Listening and responding



**Listening and responding.** All participants must be listened to and provided with appropriate options and complaints procedures.

### Why is this important?

Education is also important for addressing discriminatory behaviour (see the [Education](#) principle below). All members of sporting communities, including staff, officials, coaches, volunteers and spectators, should be educated on what behaviour is considered harmful and inappropriate, to help them identify ways they can be an ally to transgender participants.

### How can this best be operationalised and how does this apply in practice?

#### *Complaints procedures*

It is important that complaints procedures are accessible, transparent and anonymised, so participants are comfortable raising a complaint. Sports organisations may choose to incorporate grievance procedures in their specific transgender inclusion policy, or, if they already have relevant grievance and complaints procedures, they may choose to expand them to reference transgender inclusion.

All participants should know where they can raise a complaint and be encouraged to do so if discriminatory or inappropriate behaviour take place. The grounds on which grievances or complaints can be made should be clearly stated in any transgender inclusion policy. An independent avenue for review should also be available for any decisions made.

Examples of what a good complaints process should consider include the following.

- Listen to participants and hear their concerns. Ask them how they would like the issue to be addressed.
- Clearly direct the participant to where they can make a complaint.
- Offer options for the complaint receiver (for example, a coach or a complaints officer).
- Allow an ally to make a complaint on behalf of a player.
- Outline how the complaint will be responded to.
- Offer a formal complaints process and, where appropriate, offer informal resolution. Where possible, offer a confidential and/or independent complaints process.
- Inform members they can contact the Sport NZ [Sport and Recreation Complaints and Mediation Service](#), or the [New Zealand Human Rights Commission](#) (for information about the options for making a complaint, see the guide [Human Rights Complaints: What you need to know](#)).
- Include a statement in your transgender inclusion policy that encourages people to speak out and raise complaints when inappropriate conduct or practice is taking place.

[Complaints Procedure on the Sport and Recreation Complaints and Mediation Service](#) provides

This service is operated by Immediation New Zealand Limited, which is an online dispute resolution company that is independent from Sport NZ. The service can help individuals with a complaint or dispute relating to sport or recreation in Aotearoa New Zealand.

## Education



**Education:** Education of ourselves and our communities must be a priority.

### Why is this important?

Education is crucial to support the inclusion of transgender people and further embed any relevant policies within sporting codes and organisations. Sporting communities need to continue to expand their understanding of transgender and rainbow communities, understand the importance of taking steps to include transgender participants, and recognise what they can do to be active allies. Education needs to be proactive rather than reactive. Sporting communities should educate themselves now to create more inclusive and welcoming environments.

Education is also essential, because it can help increase the confidence of sporting and wider communities to engage in these matters. Education can be used to raise awareness about harassment, provide tools to recognise harassment and develop skills to address it.

### How can this best be operationalised and how does this apply in practice?

One way to support education is to link to or attach a list of frequently asked questions to the sporting organisation's transgender inclusion policy. This can help answer questions or concerns that may be raised in relation to transgender sports.

The examples below are of frequently asked questions drawn from the Australian Human Rights Commission *Guidelines for the inclusion of transgender and gender diverse people in sport*.<sup>59</sup>

1. Are transgender, gender diverse and non-binary players really excluded from sports?

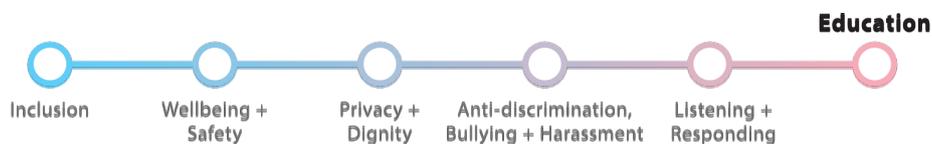
Yes. Sport, particularly at the community level, is supposed to be a mechanism by which people can enjoy physical exercise and gain a sense of community. However, many examples can be found of transgender players being excluded from sports. Examples of exclusion may include: a transgender woman being excluded from participation in a women's sporting club, or a transgender player not having an appropriate bathroom, changing room or uniform.

2. What about safety?

In considering the safety of players at the community level, a multifaceted view should be taken that includes the physical, psychological and cultural safety of all players. The gender identity of a player does not create a danger or risk to safety. Transgender players, as with all cisgender players, are diverse and varied in their height, weight, strength and stamina. Depending on the sport, mismatches or significant disparities among players may contribute to a risk to safety. Various sports have age and weight restrictions, to reduce mismatches and any subsequent injuries that may arise. In some sporting codes, a long-established acceptance exists of physical mismatches, such as in basketball.

Sports often have codes of conduct that include principles of fairness and respect, as well as rules for participation in the game. All players must know the rules of the game and participate in the sport with

<sup>59</sup> Australian Human Rights Commission (2019), above at 62.



informed consent, knowing that injury is an inherent risk when playing sport. If rough conduct or unsafe play occur, the code of conduct or rules of the relevant sporting code should be enacted, and players should be penalised appropriately to ensure the safety of all players.

### *Commitment to education*

A strong transgender inclusion policy would include a commitment to ongoing education. Sports organisations should engage with resources and information available for and about transgender communities and provide links to members so they can access the information themselves. An example of a commitment to education has been shown by Waka Ama New Zealand, which states in its [transgender policy](#) that it is committed to educating its membership and offering support to clubs in this area.

### *Links to further resources*

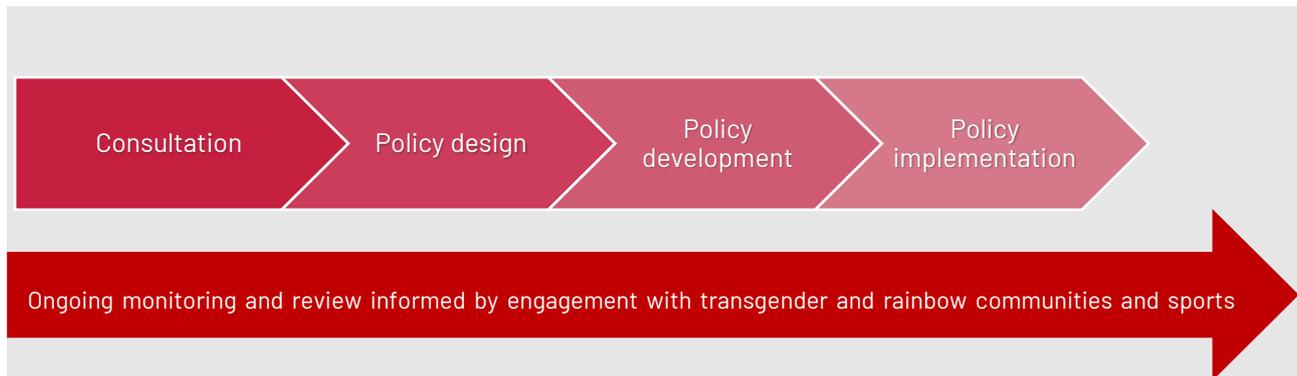
Another way to support education is to provide links to relevant resources. For example, for further information and resources, visit the following sites:

- [Drug Free Sport New Zealand](#) – New Zealand’s national anti-doping organisation
- [F’INE Pasifika Aotearoa Trust](#) – a Pasifika LGBTQIA+-focused provider, providing whānau ora navigational services in the Auckland region
- [Gender Minorities Aotearoa](#) – a cross-cultural, transgender-led organisation that operates on a kaupapa Māori public health framework. It provides research, information and resources, advocacy, education and training, support, and referrals to other services
- [InsideOUT](#) – an organisation that provides workshops, resources and support to help make schools, community organisations and workplaces inclusive for rainbow people
- [New Zealand Human Rights Commission](#) – an advocate for the fair treatment of all members of the LGBTQIA+ communities. The Human Rights Commission offers a free, informal enquiries and [complaints service](#) to deal with unlawful discrimination. Complaints can be made by phone, email, letter, fax, text or using the [complaint form](#)
- [OutLine](#) – a confidential, free, LGBTQIA+ affirming support line and face-to-face counselling
- [Rainbow YOUTH](#) – a charitable organisation dedicated to helping young queer and gender diverse people up to the ages of 27, as well as their wider communities
- [Sport New Zealand](#) – as a kaitiaki of the play, active recreation and sports system in Aotearoa New Zealand, [integrity](#) resources are included on the Sport NZ website that provide community guidance on child protection, member protection, diversity and inclusion, match-fixing and gambling, anti-doping and organisational culture. This includes policies, procedures and e-learning modules on specific integrity topics. Sport NZ also offers an independent [Sport and Recreation Complaints and Mediation Service](#).

### 3. Consultation and development of transgender inclusive policies

Sport NZ undertakes to support sporting codes and organisations with the development of transgender inclusive policies and any work to amend current policies.

This section provides support to sporting codes and organisations to develop their own policies based on the guiding principles. It considers who and how to consult, what to consider when drafting policies, what content to include and what broader policy support is required.



#### Consultation

##### Benefits of effective consultation

Consultation is a valuable investment because it adds value to the policy being developed, maintains transparency, can strengthen community trust and create a more sustainable and appropriate policy. It is important that members of the community and users of the policy are part of its development. Bringing members of the relevant community along on the journey not only helps ensure the final product is fit for purpose, it also creates a sense of ownership and understanding within the community of the importance of the policy.

##### How to consult

- Ask members if they would be interested in engaging in the development of a transgender inclusion policy.
- Hold meetings in spaces where people will feel comfortable sharing their experiences and opinions on the policy.
- Be tactful in the questions asked. A transgender person's experience is personal, so be respectful of their privacy and the information they choose to share.

##### Identification and engagement with stakeholders

To ensure a robust and appropriate transgender inclusion policy is adopted, each sporting code and organisation should make sure it consults with relevant stakeholders in a meaningful way. In drafting the transgender inclusion policy, it is helpful to remember the slogan: *Nothing about us without us*. No policy should be decided by any representative without the full participation of members who are affected by that policy.

Relevant stakeholders may include:

- transgender participants
- representatives of rainbow communities
- sports organisations (such as community clubs, school clubs and other sporting bodies), including women's and men's clubs, mixed-gender clubs and non-binary clubs, and clubs for young people
- current sports players
- relevant leadership bodies (for example, the Board of the relevant sports organisation)
- governing sports bodies (for example, Netball New Zealand).

Where sporting codes are not aware of any transgender participants in their sporting code who can help inform the development of the transgender inclusion policy, consideration should be given to engagement with transgender or rainbow organisations, or members of a similar code who can provide additional support. Contact details for relevant organisations can be found under ['Links to further resources'](#).

## Drafting considerations

- Make sure the transgender inclusion policy is written in plain and simple language. The policy should be able to be picked up by community sport organisers and easily applied.
- Ensure any linked policies (for example, a privacy policy or health and safety policy) are updated and inclusive of transgender participants.
- It is accepted that, for many sports, young people compete in different leagues and formats compared with adults. Any principles and policies developed need to recognise and include young people and not be limited in their scope only to adults.
- Be clear who the policy applies to. For example, clubs, organisers, administrators, officials, coaches, players, families and spectators. Policies need to consider that it is not just the players who need to feel safe and included but also the supporters and support staff.
- Establish the scope of the policy. A sticking point for many sporting codes will be determining at what level the community game ends. There is no one-size-fits-all approach. The line between community and elite sports should be made clear in the relevant policy. If in doubt, consult with Sport NZ.
- Codes are encouraged to include an appendix to their policy that establishes what grades, competitions and teams are considered within the scope of the policy. Including this as an appendix allows for the list to be amended and updated. It also provides clarity of scope.
- Competitions, leagues or events that may not be subject to the policy may include events for those seeking representative selection to national teams who would compete in competitions governed by the code's international sporting body.
- Determine how often the policy will be reviewed, to ensure it remains relevant. Regular reviews will support the policy in remaining up to date with best practice.

## Content

In developing a transgender inclusion policy, consider the guiding principles and the discussion about how they can best be operationalised and applied in practice.

A summary of the relevant elements to consider, to ensure a robust transgender inclusion policy, is given in table 1.

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Table 1: Elements to consider for a robust transgender inclusion policy

Guiding principle	Policy considerations
 <p><b>Inclusion</b></p> <p>Inclusion of transgender participants in community sport is paramount. Transgender participants can take part in sports in the gender they identify with.</p>	<ul style="list-style-type: none"> <li>• Do you allow for players to compete in the gender with which they identify?</li> <li>• Do you have any statement or objectives that promote the inclusion of transgender, gender diverse and non-binary people?</li> <li>• Does your leadership take active steps to include transgender people?</li> </ul>
 <p><b>Wellbeing and safety</b></p> <p>The health, wellbeing and safety of all participants must be supported.</p>	<ul style="list-style-type: none"> <li>• Do you have a robust health and safety policy?</li> <li>• Do you have any statement or objectives that promote welfare?</li> <li>• Do you take active steps to support the health, safety, and wellbeing of participants?</li> <li>• Do you have appropriate facilities?</li> <li>• Do you have uniform options for participants?</li> <li>• Have you considered what safe travel would look like for transgender people?</li> </ul>
 <p><b>Privacy and dignity</b></p> <p>The privacy and dignity of all participants must be respected.</p>	<ul style="list-style-type: none"> <li>• Do you have a privacy and confidentiality policy that establishes that personal information will be collected and handled appropriately?</li> <li>• Do you have inclusive sign-up forms?</li> <li>• Do you ask members what pronouns to use?</li> <li>• Have you used the correct names and pronouns on databases, documents, and other correspondence?</li> <li>• Do you use inclusive language?</li> <li>• Do you have any statement or objectives that commit to treating all individuals with dignity and respect?</li> </ul>
 <p><b>Anti-discrimination, anti-bullying and anti-harassment</b></p> <p>There is zero-tolerance for discrimination, bullying, and harassment.</p>	<ul style="list-style-type: none"> <li>• Do you have a bullying and harassment policy or code of conduct with a zero-tolerance for discrimination and harassment?</li> </ul>

 <p><b>Listening and responding</b></p> <p>All participants must be listened to and provided with appropriate options and complaints procedures.</p>	<ul style="list-style-type: none"> <li>Do you have a complaints process that is accessible, transparent, and anonymous? If not, consider using the <a href="#">Sport and Recreation Complaints and Mediation Service</a>.</li> </ul>
 <p><b>Education</b></p> <p>Education of ourselves and our communities must be a priority.</p>	<ul style="list-style-type: none"> <li>Have you engaged with resources about transgender communities to educate yourself?</li> <li>Do you have any statement or objectives that commit to continuing education?</li> <li>Have you shared helpful links and resources with your communities to help educate them?</li> </ul>

## Supporting implementation

Implementation of a transgender inclusion policy can be supported by:

- appointing a champion from within the sports organisation
- other relevant policies with an educative component.

### *Appointing a champion*

Sporting codes and organisations should consider if someone can champion this work and be a point of contact for the community, should people have questions or concerns. The Champion would be expected to fully understand the transgender inclusion policy and support its implementation and socialisation across the sports organisation.

### *Community education*

To help with the uptake and understanding of the transgender inclusion policy, it is suggested community education takes place alongside implementation. This could include workshops with regional representatives, providing community organisers with information packs and/or holding an online seminar to explain the background to the policy and how it applies.

## Further support and assistance

For further support in developing a transgender inclusion policy, sports organisations may also wish to contact the organisations listed under '[Links to further resources](#)' above.