



# Welsh Target Shooting Federation

## Gender Reassignment Policy

## **Introduction**

Welsh Target Shooting Federation is fully committed to the principles of equality of opportunity and is responsible for ensuring that no job applicants, employees, consultants, Directors, volunteers or participants are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation. It is the responsibility of each individual to treat others with respect, dignity, sensitivity and fairness; discriminatory, offensive, violent or abusive behaviour or language is all unacceptable and complaints will be acted upon.

Under current UK legislation, shooting as a gender-affected sport, may be regulated.

The purpose of this policy is to clarify guidelines for transsexual people to participate and compete under their acquired gender. Transsexual people enjoy sport, including competitive sport, and Welsh Target Shooting Federation has a responsibility to protect and consider their needs in the sporting environment. In addition to those wishing to compete, it also has a responsibility to protect those who may be staff or spectators, and who may be transsexual people, or perceived to be so, or associated with them, such as family members. However this particular policy focusses only on athletes, or would-be athletes, in shooting competitions.

This Policy will:

- Set out how Welsh Target Shooting Federation will deal with the issues facing transsexual people seeking to compete at international level and encourage NGB's to greater inclusivity to all those engaged in the sport at domestic level competition in a way that is fair to everyone and all those concerned.
- Show how Welsh Target Shooting Federation will demonstrate this inclusivity whilst protecting the integrity of men's, women's and mixed competitions.
- Build greater understanding amongst the shooting community of the issues, needs and rights of transsexual people in the sport.
- Cover the eligibility, selection and participation of transsexual athletes in domestic and international competition.

## **Definitions and Terminology**

Transgender person - the term transgender person or trans person are umbrella terms to cover a number of specific terms such as transsexual men, transsexual women, intersex people, androgyne and polygender people, cross-dressing and transvestite people.

Transsexual person - this term refers to someone with the protected characteristic of gender reassignment. The term transsexual man describes a female-to male transsexual person and transsexual woman to describe a male-to-female transsexual person. This is not the same as a crossdresser, or transvestite people, nor is it the same as sexual orientation.

Gender dysphoria - the NHS uses the following terms and explanations with regard to gender dysphoria. Gender dysphoria is a condition in which a person feels that there is a mismatch between their biological sex and their gender identity. Biological sex is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person 'identifies' with, or feels themselves to be. Gender dysphoria is a recognised condition, for which treatment is sometimes appropriate. It is not a mental illness. Some people with gender dysphoria have a strong and persistent desire to live according to their gender identity, rather than their biological sex and may undergo treatment so that their physical appearance is more consistent with their gender identity.

On average, men are diagnosed with gender dysphoria five times more than women. While gender dysphoria is rare, the number of people being diagnosed with it is increasing due to growing public awareness about the condition.

Affirmed (acquired) gender – the terms ‘affirmed’ or ‘acquired gender’ describe the sex that the person has transitioned/is transitioning to as opposed to that which was assigned at birth.

Transphobia - the term ‘transphobia’ or ‘transphobic discrimination’ describes discriminatory, abusive or negative language or behaviour that is directed towards anyone who comes under the umbrella term of transgender; in addition it may be towards a transsexual person’s friend or supporter, or anyone that may be perceived to be a transsexual person (whether they are a transsexual person or not). The behaviour may include a reluctance or refusal to provide access to services to the same extent as that provided for a non-transsexual person.

Gender reassignment is one of a number of protected characteristics defined in the Equality Act 2010 and is the process of transitioning from one sex to another. This legislation (as well as the equality legislation in Northern Ireland) prohibits discrimination against a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning their sex.

### **Gender Recognition**

Gender Recognition is a process which enables transsexual people to be legally recognised in their acquired gender. Under the provisions of the Gender Recognition Act 2004, a transsexual person may submit an application to the Gender Recognition Panel. Successful applicants will receive a Gender Recognition Certificate (GRC) and will, from the date of full recognition, acquire all the rights and responsibilities appropriate to a person of his or her acquired gender

Applicants must provide paper evidence to the Gender Recognition Panel indicating that they have already changed their name, title and gender role, on a continuous basis, for at least two years, and that they have the intention to live in the altered gender role for the rest of their lives. A medical opinion indicating that the applicant has experienced gender dysphoria is necessary, and some details regarding the nature and dates of treatment where this has been undertaken. However, no surgery is required.

In practical terms, legal recognition will have the effect that, for example, a male-to-female transsexual person will be legally recognised as a woman in English law. On the issue of a full Gender Recognition Certificate, the person will be entitled to a new birth certificate reflecting the acquired gender and will be able to marry someone of the opposite gender and, from March 2014, the same gender to his or her acquired gender. The GRC has strict privacy provisions which must not be breached by any person acquiring such information in an ‘official capacity’. Disclosure to a third party would be a criminal offence.

The Act makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport. A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport.

### **Scope**

Welsh Target Shooting Federation is an umbrella body that supports the sovereign National Governing Bodies (NGBs) and represents the NGBs of international competitive target shooting sports. Welsh Target Shooting Federation Member Bodies, (Clay Pigeon Shooting Association, National Rifle Association, National Small-bore Rifle Association, Disability Shooting Great Britain and British International Clay Target Shooting Federation) are encouraged to adopt this policy framework to ensure the sport of shooting is wholly inclusive and transsexual people are welcome in all disciplines. The policy covers competitions which may be run under the auspices of Welsh Target Shooting Federation and run in accordance with its regulations and policies governed by the International Governing Bodies (IGBs). Welsh Target Shooting Federation encourages the NGBs to adopt a level of expectation around events which includes transsexual people at every reasonable opportunity in domestic competitions.

### **Guidance and Legislation**

The practices and procedures within this policy and documentation are based on the principles contained within UK legislation and IOC guidance and take the following into consideration.

- Equality Act 2010.
- IOC Guidance on Sex Reassignment 2004
- Data Protection Act 1998.
- Gender Recognition Act 2004.

### **International Representation and Olympic Competition**

Athletes funded via Welsh Target Shooting Federation to compete or potentially compete in events governed by the International Shooting Sport Federation (ISSF) and International Olympic Committee (IOC) must comply with, and qualify under, the IOC current Gender Reassignment guidelines. The ISSF follows the IOC guidelines which are set out in the *Stockholm consensus on sex reassignment in sports*. The phrase 'sex reassignment' used by the IOC has the same meaning as 'gender reassignment used in the UK

#### The Stockholm Consensus

In May 2004 the International Olympic Committee (IOC) announced the conditions under which transsexual athletes may compete in sports competitions. This announcement follows a period of consideration and consultation carried out by an ad hoc committee convened by the IOC Medical Commission. These conditions were applied as of the Athens Olympics in 2004:

- Any transsexual women who underwent sex reassignment surgery before puberty should be accepted in sport as girls and women (female). This also applies to individuals undergoing female-to-male reassignment, who should be regarded as boys and men (male).
- Individuals undergoing sex reassignment after puberty be eligible for participation in the acquired gender 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.

In the opinion of the group, eligibility should begin no sooner than two years after gonadectomy. It is understood that 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.

Many international federations have overtly adopted the IOC guidance with regards to transsexual athletes and their status in international competitions. The International Paralympic Committee (IPC) does not have a stated policy on transsexual people and sport.

### **Domestic Competition**

A transsexual person may compete in domestic competition, where IOC restrictions do not apply, under the following conditions:

#### Any transsexual male (female to-male transsexual person)

May compete in his affirmed gender in any male or mixed sex domestic competition

#### 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.

#### Transsexual girl – under 16 and post-puberty

*Either*

She may compete in her affirmed gender in any female or mixed-sex domestic competition subject to an individual case-by-case review, if required, undertaken by the relevant governing body.

Or

She may compete in any male or mixed-sex competition if she has not started hormone treatment nor had a gonadectomy.

#### Transsexual girl – pre-puberty

May compete in her affirmed gender in any female or mixed-sex domestic competition subject to confirmation of her stage of pubertal development.

### **Roles and Responsibilities**

The Welsh Target Shooting Federation Board is accountable for the adoption, implementation and monitoring of this policy. Day to day management will be the responsibility of the Safeguarding Officer (SO) at Welsh Target Shooting Federation who has sufficient seniority and knowledge of the issue to manage it appropriately.

Clubs and event organisers, when dealing with a request from a transsexual person to compete, will:

- Treat the individual with dignity and respect.
- Explain the NGB policy and procedure and ask their view on how to proceed. Provide contact details of the NGB contact.
- Respect the private and confidential nature of the individual's situation.
- Agree with the individual what information is to be shared with others and if this is necessary how it should be shared. In general no information should be shared by the local official unless they have express permission from the transsexual.
- Ask the individual what communal changing facilities they would prefer to use as not every changing facility will have private cubicles. This will depend on whether the individual has transitioned or is in the process of transitioning and whether they have undergone any gender reassignment surgery. It may be that the most appropriate option is to use the cubicles in the toilets appropriate to their full-time gender-role or arrive changed and ready to participate to avoid any misunderstanding should they still have the secondary sex characteristics of their former gender. In line with good safeguarding practice the governing body should recommend that adults (unless they are the parents) do not use the same changing facilities as children under the age of 18 unless there are separate cubicles.
- Encourage the individual to feedback any inappropriate language or behaviour from other members or spectators so that it can be dealt with.
- Ensure a Code of Conduct is publicised indicating their zero tolerance policy towards all bullying/harassment of people with protected characteristics.

### **Determining eligibility**

- All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with Welsh Target Shooting Federation'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 SO will undertake all communication with the individual concerned only sharing information with members e.g. recognised Governing Bodies with the individual's permission and on a 'needs-led' basis allowing them to manage athlete registration.
- In order to determine compliance with this policy it is recommended that the SO and/or the Chief Executive consider the evidence on a case-by case basis.

**Athletes living the Real Life Experience (RLE):** People who were assigned male at birth and who are now living in their acquired gender as women. This is often required of individuals before they are placed on hormone treatment which will suppress their testosterone level. The impact of the hormone treatment means they would not be operating at any strength advantage.

When hormone treatments and testosterone levels are confirmed, the individual will be free to compete in mixed and acquired gender competitions. Confirmation of testosterone levels would be supplied by the treating clinic.

### **Complaints**

Complaints will only be accepted in relation to matters within Welsh Target Shooting Federation jurisdiction. Complaints relating to any of Welsh Target Shooting Federation's constituent bodies must be directed to that NGB. Complaints shall be treated seriously, confidentially and respectfully, and will be managed under the Welsh Target Shooting Federation Complaints Policy.

### **Appeal**

Appeals will be accepted only in relation to matters within Welsh Target Shooting Federation jurisdiction. Appeals relating to any of Welsh Target Shooting Federation's constituent bodies must be directed to that NGB. Any individual whose participation is refused shall have the right to appeal to the Welsh Target Shooting Federation appeals panel established for the purpose.

### **Qualifications and Awards**

There will no change in the status of an individual who, having achieved qualifications and national or international status in any other capacity, for example as coach or judge.

### **Monitoring**

Welsh Target Shooting Federation will monitor this policy regularly including any complaints or appeals by transsexual people and their involvement in the shooting in all capacities through the equality audit.

### **Review date**

This policy will be reviewed no later than May 2017 or sooner in the event of legislative changes or revised policies and best practice.