POLICY FOR THE PARTICIPATION OF
TRANSGENDER &
NON-BINARY GENDER
PLAYERS

IN RUGBY UNION

Effective date: 20 May 2019
INTRODUCTION

Rugby Union is a sport for all and the Rugby Football Union (RFU) seeks to promote equal opportunities to ensure that anyone who wishes to play the game should be able to do so without prejudice. Our Core Values of Teamwork, Respect, Enjoyment, Discipline and Sportsmanship lie at the heart of what we do and how we play.

As the national governing body for rugby union in England, it is the responsibility of the RFU to regulate the participation of training and playing rugby in England in order to promote the safety and equitable treatment of all taking part. Harassment and discrimination will not be tolerated and will be dealt with in accordance with RFU Regulations.

The purpose of this Policy is to provide a clear framework to enable transgender and non-binary gender players to participate in rugby.

For practical guidance to support the participation and inclusion of transgender and non-binary gender players please also refer to the following links:

Other Organisations & Resources:

Stonewall

Provides support for young trans people aged 8-25. Has a range of services for educational settings and offers training and consultancy for professionals.

Gender Identity Research & Education Society (GIRES)

Its purpose is to improve the lives of trans and gender non-conforming people of all ages, including those who are non-binary and non-gender.

The NHS: Gender Identity Development Service (GIDS)

The Gender Identity Development Service (GIDS) is a highly specialised clinic for young people presenting with issues regarding their gender identity.
USEFUL TERMS

For the purposes of this Policy these terms have the following meaning:

**Age Grade Rugby**
The structured progression to cover the introduction, teaching, playing and coaching of the game of rugby union (or variations of it) in stages from Under 7 to Under 18. A player’s age grade is determined by their age at midnight on 31st August at the beginning of each Season and that age grade applies for the whole Season. Players must play in their own age grade unless permitted to play outside their age grade in the limited circumstances set out in these regulations.

**Gender Dysphoria**
This term describes the distress that some transgender people feel due to the difference between assigned sex at birth and felt gender identity. This distress can include high levels of disgust with one’s primary and secondary sexual characteristics, as these may contradict the felt gender identity. The distress can also be caused (or worsened) by the prejudice and discrimination from society. The same term (Gender Dysphoria) is also used as a diagnosis.

**Gender Identity**
The psychological identification of oneself in relation to gender.

**Gillick Competency**
Gillick competency refers to a legal case which looked specifically at whether doctors should be able to give contraceptive advice or treatment to under 16-year-old girls without parental consent. Since then, it has been more widely used to help assess whether a child has the maturity, understanding and intelligence to make their own decisions and to understand the implications of those decisions.

**Non-binary Gender**
This term is used to describe people who don’t see themselves as being part of the binary gender (male or female). Non-binary identifying can also be defined as identifying as either having a gender which is in-between or beyond the two categories ‘man’ and ‘woman’, as fluctuating between ‘man’ and ‘woman’, or as having no gender, either permanently or some of the time.

**Sex**
Refers to the biological characteristics that define humans as female or male. While these sets of biological characteristics are not mutually exclusive, as there are individuals who possess both, they tend to differentiate humans as males and females.

**Secondary Sex Characteristics**
Are any of a number of manifestations, such as development of breasts or beard, musculature, distribution of fat tissue and change of pitch in voice, specific to the male and female body, starting and developing at puberty, but not essential to reproduction.
Transgender or Trans
People who share the protected characteristic of gender reassignment, as defined by the Equality Act 2010. A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex. The legislation uses the term transsexual.

In general language transgender is an umbrella term to describe anyone whose gender identity, expression or behaviour is different from the assigned gender at birth based on the sexual characteristics. Trans is also used as an abbreviation for transgender.

Transgender Man/Male or Trans Man/Male
A person who was assigned as female at birth based on their sexual characteristics, but who identifies as male.

Transgender Woman/Female or Trans Woman/Female
A person who was assigned male at birth based on their sexual characteristics but who identifies as female.

Transition
The process of changing one’s gender presentation permanently to correspond with one’s felt gender. It is usually the time when a person begins to live as their felt gender. This can take the form of a social gender role transition (by coming out to people, asking people to use the right pronoun and name, changing name legally, changing the way one presents and looks, undertaking medical interventions etc). Transitioning may or may not include gender affirming medical interventions, such as cross-sex hormone treatment or surgery.
SCOPE OF THIS POLICY

This Policy outlines the process by which Transgender players and players who identify as Non-binary Gender can participate in domestic rugby union in England, which is governed under the jurisdiction of the RFU. This Policy does not cover:

- Domestic rugby activity outside of England or outside of the jurisdiction of the RFU;
- International rugby (which is subject to the World Rugby Transgender Policy); or
- International club competitions (such as those organised by EPCR, being the European Champions Cup and European Challenge Cup).

GENDER IN RUGBY

Non-contact rugby
Non-contact forms of rugby such as ‘Tag’ or ‘Touch’ are mixed-gender and do not have gender based eligibility categories. Players may participate without exception in the gender with which they identify.

Contact Rugby
Rugby is a gender-affected sport due to the contact nature of competition where the physical strength, stamina or physique of an average person of one gender, could put them at an advantage or a disadvantage to an average person of the other gender. For this reason, and as permitted by English Law, there are separate male and female eligibility categories in contact rugby in England from the Under 12 Age Grade upwards and in adult rugby.

Under 11 Age Grade and below
RFU Regulation 15 (Age Grade Rugby) provides that contact Age Grade Rugby at Under 11 and below is mixed-gender and does not have gender based eligibility categories. Players may participate without exception in the gender with which they identify.

Under 12 Age Grade and above (including adult rugby)
Due to physical and psychological development changes brought about by puberty, it is appropriate and necessary for male and female eligibility categories to apply from the Under 12 Age Grade upwards and into the adult game. The RFU wishes to be as inclusive as possible by implementing only necessary and proportionate eligibility requirements in order to enable players to train and play in the category of rugby that is consistent with their gender identity.
ELIGIBILITY CRITERIA

The eligibility criteria set out in this Policy are driven solely by the desire to enable participation in rugby, as far as is possible, in a safe and fair way. In no way are they intended as any kind of judgement on or questioning of the gender identity or the dignity of any Player.

Transgender male Players

To be eligible to participate in the male category of rugby a Transgender male player must meet the following criteria:

- he (parent or legal guardian in the case of a minor*) must provide a written and signed declaration that his gender identity is male and that he wishes to participate in the male category of rugby.

*It is strongly encouraged that consent from a parent or legal guardian is provided, however where this is not forthcoming the consent of the Player alone may be acceptable in accordance with the principle of Gillick Competency.

Transgender female Players

To be eligible to participate in the female category of rugby a Transgender female player must meet the following criteria:

- she (parent or legal guardian in the case of a minor*) must provide a written and signed declaration that her gender identity is female and that she wishes to participate in the female category of rugby;

*It is strongly encouraged that consent from a parent or legal guardian is provided, however where this is not forthcoming the consent of the Player alone may be acceptable in accordance with the principle of Gillick Competency.

- she must demonstrate that the concentration of testosterone in her serum has been less than 5 nmol/L continuously for a period of at least 12 months immediately prior to application; and
- she must keep her serum testosterone concentration below 5 nmol/L for so long as she continues to compete in the female category of rugby.

In the case of an Age Grade player, due to the unique variance of physical and psychological developmental changes that take place during puberty and the medical options available to adolescents, the panel may, where appropriate, consider and approve an application without direct reference to the above criteria but will be mindful of such criteria when assessing such applications. Further guidance on certain medical aspects of this Policy can be found here.

Non-binary Gender Players

Players who identify as Non-binary Gender may participate in the gender category of rugby that they feel most comfortable with.

If this gender category of rugby is different to that associated to their sex assigned at birth the process and criteria applicable to their participation in that category shall be the same as for a Transgender player.

The criteria shall also apply to those players who have previously transitioned the gender category of rugby in which they play, and now wish to play in the other gender category of rugby.
APPROVAL PROCESS

a) All applications related to this Policy should be addressed to the RFU Legal & Governance Executive using the designated form which is available here. To ensure that approval is received in good time, it is recommended that the player should submit their application to the RFU at least six weeks in advance of the date at which they first wish to play in their requested gender category of rugby.

b) The RFU Legal & Governance Executive will submit the application to a panel to determine whether the criteria have been met (or, if not, then what else the player must provide to satisfy the criteria). The panel will consist of the RFU Head of Regulation & Integrity, RFU Player Welfare Manager and a medical representative appointed by the RFU. The panel may make such enquiries as it considers necessary including requesting further information from the player and/or obtaining additional expert opinion(s).

c) The panel will notify the RFU Legal and Governance Executive of its findings, who will as soon as reasonably practicable send written confirmation of the decision to the player.

d) A player may only play contact rugby in the sex they were assigned at birth until written confirmation is received from the RFU that they may play in their identified gender, save that a Transgender male player who decides to undergo hormone treatment will not be eligible to participate in the female category of rugby from the date that hormone treatment has commenced.

e) The player may challenge the decision of the RFU by way of appeal in accordance with RFU Regulation 19.14.

f) The RFU may monitor a player’s ongoing compliance with the criteria, and in particular hormone-related treatment, as determined on a case by case basis. Where the criteria are not complied with the RFU may withdraw approval for that player to continue to play in the gender category for which they applied.

g) Where a Transgender player from another sport or Union wishes to participate in rugby in England, the RFU may recognise and give effect to the eligibility decision of the sport governing body, World Rugby or other Union (as applicable) with respect to that player, provided that it is consistent with the principles set out in this Policy.

h) In the event that the gender of a player is questioned, the RFU will work with the individual to undertake a sensitive and confidential review of their circumstances and shall have the authority to take appropriate measures to determine whether the player is required to establish eligibility subject to the criteria within this policy if it considers that there are grounds to do so.
CONFIDENTIALITY

All personal information provided to the RFU under this policy will be dealt with in strict confidence at all times and will only be accessible by those named for the sole purpose of the application of this policy. All information and data relating to a Player’s application will be handled in accordance with the RFU’s Regulatory and Governance Privacy Policy which is available here.

CONTACT

For further information on this policy and for guidance for clubs, schools and players on the inclusion of Transgender players in rugby, please contact:

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