



England
Rugby

**POLICY FOR THE PARTICIPATION OF
TRANSGENDER & NON-BINARY GENDER
PLAYERS IN CONTACT RUGBY UNION IN
ENGLAND**

Effective date: [●]

SCOPE OF THIS POLICY

This Policy sets out the process to facilitate the participation of transgender and non-binary gender players in all forms of domestic contact rugby union in England and applies to players whose gender identity is different from the sex assigned to them at birth, and whether or not they have undergone any form of medical intervention.

Any applications under this Policy should be submitted by the player except that in the event of any Age Grade Players, they should be submitted by the parent, guardian and/or the club where the player plays or wishes to play.

The eligibility criteria set out in this Policy apply to all forms of contact rugby and 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 judgment or questioning of the gender identity of any player.

This Policy does not cover the following, which are subject to the respective transgender policies of the relevant organiser or Union (as applicable):

- Domestic rugby activity outside of England or outside of the jurisdiction of the RFU;
- International rugby (including Six Nations, Autumn Internationals, Olympics and World Rugby Tournaments); or
- International club competitions (such as those organised by EPCR, being the European Champions Cup and European Challenge Cup).

Note: If players are playing in another Union (including whilst touring with a RFU member club), players and clubs should ensure that they are aware of the eligibility criteria and regulations of that Union and contact that Union for further information.

BACKGROUND

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.

As the national governing body for rugby union in England, it is the responsibility of the RFU to regulate participation in rugby in England in order to promote the safety and equitable treatment of all taking part. As a contact sport, player welfare is paramount and the RFU seeks to ensure that participation in rugby union is safe and fair for all those who wish to take part.

This Policy has undergone extensive consultation prior to being published and remains under ongoing review. The RFU acknowledges the complexities of this area and has taken into account the differing views and concerns of a variety of stakeholders when formulating this Policy. We are also mindful of the RFU’s legal obligations with regards to participant welfare, player safety, non-discrimination and equality.

As such, this Policy seeks to strike a balance between inclusion, fairness and safe participation by: (a) enabling participants to participate in the gender in which they identify where it is reasonably safe to do so; and (b) putting in place reasonable and proportionate measures to safeguard and mitigate as far as reasonably possible against any risks to the player and the participants they will play against. The RFU has considered alternatives as part of its review (including both more and less restrictive measures) but having considered such alternatives, the RFU believes that the criteria adopted by this Policy are the most appropriate for domestic rugby union in England at this time.

For further clarification on any of the transgender related terms set out within this Policy, please refer to the Glossary page at the back of this document.

Should any individual wish to make an application under this Policy, wish to raise any concerns or queries pertaining to this Policy or wish to report any concerns or allegations pertaining to discrimination, victimisation, harassment or breaches of this Policy, please contact:

- Applications and queries: [*insert contact email*] and [*insert phone number*] to contact the secretary to the RFU Transgender Panel (“**Panel**”)
- Raising concerns: [*insert hyperlink to <https://www.englandrugby.com/about-rfu/rfu-policies/speak-up-policy>*] and [*insert Speak Up contact email*]

All applications, concerns and queries will be dealt with sensitively in accordance with this

Policy and such other investigative procedures that may apply, and any data provided to us as part of such concerns or queries will be handled in accordance with the RFU's Regulatory and Governance Privacy Policy which is available [here](https://www.englandrugby.com/about-the-rfu/privacy-policy) [insert hyperlink to <https://www.englandrugby.com/about-the-rfu/privacy-policy>]

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 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](https://www.englandrugby.com/about-the-rfu/privacy-policy) [insert hyperlink to <https://www.englandrugby.com/about-the-rfu/privacy-policy>].

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, subject to any specific eligibility requirements that may apply to certain competitions.

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 men's and women's 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 considered to be appropriate and necessary for men's and women's 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.

Other participation in rugby

In addition to playing rugby, the RFU encourages all participants to get involved with rugby off the pitch, for example by coaching, match officiating and/or taking on a role in rugby administration. For more information on how to be involved in other ways, please visit [[link](#)].

ELIGIBILITY CRITERIA

Transgender Men or Boys

To be eligible to participate in adult men's or Age Grade boy's contact rugby a transgender man/boy must meet the following criteria and be approved in accordance with the Approval Process outlined below:

- The player must provide a written and signed **declaration** [*insert hyperlink*] to confirm that:
 - their gender identity is a man/boy (as applicable) and that they wish to participate in men's or boy's contact rugby (as applicable); and
 - they are aware of, understand and accept the associated risks of playing men's or boy's contact rugby.
- In respect of players under the age of eighteen, the above declaration must also be signed by the parent or legal guardian of the player. Where such consent is not possible, this should be flagged with the RFU who will discuss the matter with the player further.
- In respect of players participating in (or wishing to participate in) the Men's Premiership or Men's Championship competitions and undergoing transition treatment which involves taking Prohibited Substances as specified in the WADA 2021 Prohibited List, confirmation and evidence that a Therapeutic Use Exemption has been obtained as required under **RFU Regulation 20** [*insert hyperlink to <https://www.englandrugby.com/governance/rules-and-regulations/regulations>*].
- In respect of a transgender man/boy who has not yet commenced testosterone treatment and/or commenced gender re-assignment treatment, the player may continue to play women's contact rugby.
- In respect of a transgender man/boy who has commenced testosterone or gender re-assignment treatment, the player may no longer be permitted to play women's or girl's contact rugby. In such situation, the player must submit an application to the RFU in accordance with this Policy and the Panel will determine what level of assessment is required in order to determine if the player is permitted to continue playing women's contact rugby.
- In respect of a transgender man/boy who commenced testosterone or gender re-assignment treatment but has since stopped such treatment and wishes to participate in women's or girl's contact rugby, the player must submit an application to the RFU in accordance with this Policy and the Panel will determine what level of assessment is required in order to determine if the player is permitted to play women's or girl's contact rugby.

Transgender Women or Girls

To be eligible to participate in adult women's or Age Grade girl's contact rugby a transgender woman/girl must meet the following criteria and be approved in accordance with the Approval Process below:

- The player must provide a written and signed **declaration** [[insert hyperlink](#)] to confirm that their gender identity is a woman or girl (as applicable) and that they wish to participate in women's or girl's contact rugby (as applicable).
- In respect of players under the age of eighteen, the above declaration must also be signed by the parent or legal guardian of the player. Where such consent is not possible, this should be flagged with the RFU who will discuss the matter with the player further.
- The player must:
 - (a) demonstrate that the concentration of testosterone in their serum has been less than 5 nmol/L continuously for a period of at least 12 months immediately prior to application; and
 - (b) keep their serum testosterone concentration below 5 nmol/L for so long as they continue to compete in girl's and women's contact rugby.
- The player's height and weight must be 170cm and 90kg or below*, and details of the player's rugby experience and sporting background must be provided**.
- If the player's height and weight is above 170cm and/or 90kg, or if otherwise determined necessary by the Panel in its absolute discretion, the Panel may request that the player undergo an assessment to be carried out by a qualified and appropriately experienced RFU coach/personnel, who shall be determined and appointed by the RFU. The coach will conduct an assessment of the player in an appropriate training environment to review and identify whether or not:
 - (a) the player has or may have a material performance advantage over other participants; and/or
 - (b) there is or may be a safety risk to other participants which is above the level presented by cis women players at the level of the competition/rugby in which the player wishes to participate.

Such assessment must be completed to the satisfaction of the Panel.

- If a player's circumstances change from those on which their approval was based then they must contact the RFU who will, in accordance with this Policy and via the Panel, determine whether a review of their application is required in order to determine if the player is permitted to continue playing women's or girl's contact rugby. The change in circumstances could include, by way of example, the player's regular weight exceeding 90kg and/or the competition level at which they are playing changing by two or more levels.

- 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. Any altered criteria in respect of such players will be determined by the Panel in their absolute discretion.

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

* Research has identified that differences in height, weight and strength provide transgender women with a potential advantage over cisgender women. Including a height and weight marker for transgender women applicants provides an initial indication of any physical potential advantage. The figures have been set at the 90th percentile measurements for the general cisgender women UK population and therefore it is reasonable to assume that an individual whose height/weight is under these measurements would be comparable with the height/weight norms of cisgender women players.

** Reviewing an individual's playing experience and sporting background will provide an insight into any potential performance advantage and/or safety risk to the participants they will play against.

References:

1. *Weight and height percentiles of the UK male and female adult populations*
2. Cassola, Vagner & Milian, Felix & Kramer, Richard & Lira, Carlos & Khoury, Helen. (2011). *Standing adult human phantoms based on 10th, 50th and 90th mass and height percentiles of male and female Caucasian populations. Physics in medicine and biology.* 56. 3749-72. 10.1088/0031-9155/56/13/002.
3. Harper J, O'Donnell E, Sorouri Khorashad B, McDermott H, Witcomb G (2021). *How does hormone transition in transgender women change body composition, muscle strength and haemoglobin? Systematic review with a focus on the implications for sport participation. British Journal of Sports Medicine Published Online First: 01 March 2021. doi: 10.1136/bjsports-2020-103106*

APPROVAL PROCESS

1. All applications related to this Policy must be submitted to the secretary of the Panel at [*insert contact email*] using the designated form which is available [here](#) [*insert hyperlink*] and accompanied by the relevant supporting documentation including a fully completed application form, a signed declaration, details of any assessment carried out (if required by the Panel) and such other documentation as is considered necessary by the Panel. 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.
2. The application will be submitted to the Panel to determine whether the criteria have been met. The Panel will consist of the RFU Head of Legal and Regulation, 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).
3. The Panel will notify the secretary of its findings who will as soon as reasonably practicable send written confirmation of the Panel's decision to the player.
4. Unless otherwise approved by the Panel, a player may only play contact rugby in the gender that corresponds to 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 man/boy who decides to commence hormone or other reassignment treatment will not be eligible to participate in women's or girl's contact rugby from the date that hormone treatment has commenced.
5. The player may challenge the decision of the RFU by way of appeal in accordance with RFU Regulation 19.14.
6. The RFU may monitor a player's ongoing compliance with the criteria 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.
7. Where a transgender player from another sport or Union wishes to participate in rugby union 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. Such decision as to recognition will be determined by the Panel.
8. 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 their eligibility subject to the criteria within this Policy if it considers that there are grounds to do so.

9. No player should or would be forced to undergo any medical or other assessment against their wishes, and it is solely the player's decision as to whether they wish to undergo such an assessment. However, the player should be aware that deciding not to participate in an assessment required as part of the eligibility criteria may impact the player's ability to participate in the category of contact rugby that is consistent with their gender identity.
10. This Policy is supplemental to all RFU Regulations. The eligibility requirements set out in this Policy are in addition to all other regulatory requirements (including pertaining to eligibility) that are applicable to all players (transgender or otherwise) under the RFU Regulations.

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GLOSSARY

The following are a list of commonly used terms in this Policy and are provided to ensure the Policy is clear to everyone who reads it. The RFU acknowledges that not all the terms are used or agreed on by all people.

Transgender: refers to individuals whose gender identity (i.e. how they identify) is different from their sex assigned to them at birth (whether they are pre or post-puberty, and whether or not they have undergone any form of medical intervention).

Transgender man: refers to an individual who is assigned as female at birth and who did not/will not experience a testosterone-driven puberty but identifies as a man (or boy, as appropriate).

Transgender woman: refers to an individual who is assigned as male at birth and who experienced/will experience a testosterone-driven puberty but identifies as a woman (or girl, as appropriate).

Non-binary: refers to individuals whose gender is neither male nor female, or both male and female, or whose gender does not relate to male and/or female.

Sex: refers to an individual person's biological and physical characteristics, associated with being male or female.

Gender: refers to the social and cultural contexts related to masculinity and femininity. It is also often used to refer to a person's sense of self as, for example, a man, woman or non-binary person, and to associated behavioural expressions.

Male: refers to a person who produces testosterone at puberty and adolescence.

Female: refers to a person who does not produce male levels of testosterone at puberty and adolescence.

Age Grade Player: refers to a player participating in Age Grade Rugby.

Age Grade Rugby: the structured progression to cover the introduction, teaching, playing and coaching of the Game in stages from U7 to U18.