



Policy and guidance for trans or transgender people playing hockey

2017

Scottish Hockey's Policy and Procedures for Trans or Transgender Hockey Players approved by Scottish Hockey Board 18/09/2017

****This document is currently under review in light of proposed government and FIH guidance* as of March 2023***

Wording updated in March 2023

Introduction

Scottish Hockey (SH) is committed to the principle of equality and inclusion in a safe sporting environment. SH aims to ensure that all people within the hockey family, irrespective of their age, gender reassignment, gender identification, disability, marriage or civil partnership, pregnancy and maternity, race (including ethnic origin, nationality and colour), religion or belief, sex and sexual orientation have a genuine and equal opportunity to participate in hockey at all levels and in all roles in a safe and inclusive environment.

SH will ensure that there will be open access to all those who wish to participate in any aspect of hockey activities and that they are treated fairly, equally and with respect. Under current Scottish legislation, hockey, as a gender-affected sport, may be regulated by SH in respect of the participation of a trans person.

SH wishes to try, as far as is possible, to permit trans people to compete in their affirmed gender while balancing this with its role in providing fair play and competition and protecting the integrity of women's, men's and mixed competitions.

In addition to those wishing to compete, it also has a responsibility to protect those who may be staff, coaches, officials, volunteers, or spectators, and who may be trans people, or perceived to be so, or associated with them, such as family members. However, this document focuses only on players, or would-be players, in hockey competitions.

1. Scope

SH is the National Governing Body for the sport of hockey in Scotland. Therefore, this policy and procedures relate solely to activity within this territory. SH is responsible for setting standards, values and behaviours to apply throughout hockey at every level in Scotland. It is the responsibility of SH to apply the rules of hockey and regulate participation of persons as competitors in hockey matches to ensure that it provides fair competition and has due regard for the safety of all competitors. It runs and organises a range of competitions to suit the needs of all players.

- This policy covers players in all competitions sanctioned by SH; it includes competitions managed and organised by its staff, members, district associations, and affiliated leagues and clubs, referred to as **domestic competitions** in this paper.
- The policy also covers the eligibility and selection of trans players to represent Scotland in international hockey competitions, referred to as international competitions in this paper.

SH's Policy and Procedures for trans Hockey Players applies to all individuals involved, whether paid or in a voluntary capacity. Everyone in hockey has a responsibility to ensure that trans people are treated with dignity, respect and treated fairly in a safe and inclusive environment.

The policy also covers the eligibility and selection of trans players to represent Scotland in international hockey competitions, referred to as international competitions in this paper.

SH's policy and procedures for trans hockey players applies to all individuals involved, whether paid or in a voluntary capacity. Everyone in hockey has a responsibility to ensure that trans people are treated with dignity and respect and treated fairly in a safe and inclusive environment.

Guidance and legislation

Transgender and transsexual people, and the ability to obtain legal recognition of their acquired gender are protected by legislation against discrimination. The practices and procedures within this policy and documentation are based on the principles contained within Scottish legislation and take the following into consideration:

- Equality Act 2010.
- IOC Consensus Meeting on Sex Reassignment and Hyperandrogenism November 2015.
- Data Protection Act 2018.
- Gender Recognition Act 2004.

2.Understanding the terms that are used;

Term	Explanation
Assigned Sex	The sex, male or female, assigned at birth based on physical characteristics
Gender-affected sport	Hockey is a 'gender-affected' and means that the average woman will be at a disadvantage when competing against men.
Gender Dysphoria or gender identify disorder	A condition where someone experiences discomfort or distress because of a mismatch between their gender identity and sex assigned at birth. Signs can at a young age e.g., a child refusing to wear typical clothes of their gender or taking part in non-typical games – this occasionally passes but usually continues to adulthood. The onset of puberty may increase the risk of self-harm, addiction or suicide.
Gender identity or affirmed gender	The gender to which a person identifies or has transitioned or is transitioning, and which is opposed to that which was assigned at birth. Every person has a right to be able to express their gender in a way that is comfortable to them. Always use a transgender person's chosen name.
Gender Reassignment	A term used for a person 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. (Gender Reassignment is a protected characteristic under the Equality Act 2010)
Gender Recognition Certificate (GRC)	Trans people whose birth was registered in the UK can apply to the Gender Recognition Panel to have their acquired/affirmed gender recorded on their birth certificate. If accepted, the applicant receives a GRC which permits the holder to be recognised for all legal purposes, inc marriage, in their acquired gender.
Intersex	A condition where a child at birth doesn't clearly appear male or female. Parents may be recommended to wait until the child can choose their own gender identity before any surgery is carried out.
Non-binary	Someone who defines their gender as falling somewhere in between man and woman; for example, those who are both man and woman, or neither man nor woman, or moving between genders.
Non-gendered	A person who doesn't identify with either male or female gender
Real-Life Experience/ living in full-time gender	The Real-Life Experience (RLE) is a period of time in which transgender people live full-time in their preferred gender role. The purpose is to confirm that a transgender person can function successfully as a member of the opposite gender in society, and confirms that they are sure they want to live as that gender for the rest of their life.
Trans	The umbrella term for any person whose gender identity does not correspond to that person's biological sex assigned at birth, and all cross over identities that challenge the socially constructed border between the genders This includes androgynous, polygender, cross-dressing and transvestite people.
Trans Woman or girl	A person assigned male at birth who identifies with the female gender but has not necessarily transitioned.
Transgender Man or boy	Someone designated as female at birth but identifies as male but has not transitioned.
Transition	Someone who is taking or has taken the 4–5-year complex medical process of changing their birth sex and their legal documentation to become the opposite sex.
Transphobia	Discriminatory, abusive or negative language or behaviour directed towards a transgender person and may include refusal to provide access to services equal to non-trans people. It is as unacceptable as racism, sexism or homophobia.
Transsexual	A person who proposes or undergoes to realign their gender and sex through use of

medical intervention.

3. Domestic competitions

Hockey is a non-contact sport and SH sanctions men's, mixed and women's hockey competitions; as such there are no evidenced safety concerns for any trans male or female wishing to take part in sanctioned hockey competitions, in training or friendly/recreational hockey. Accordingly, you should accept people in the gender they present and verification of their identity should be no more than that expected of any other player.

We recognise, however, that there may be some concerns about fairness in the women's and mixed game. Our policy assumes that trans women (male-to-female trans person) wishing to compete in mixed or female sanctioned hockey competitions do so with the best of intentions and with no intent to deceive about their status to gain any competitive advantage.

Should someone have a genuine reason to believe that there may be some deception to gain a competitive advantage in the mixed or women's game or that there are genuine and substantive concerns about the trans woman's physical strength, stamina or physique that may put other female competitors at risk, they should refer their concerns to the SH Director of Hockey Operations in the first instance.

4. Scottish Hockey Performance Pathway and International Competitions

Players in the performance pathway are there to train and challenge for a position in national squads. Trans players seeking to represent Scotland in hockey in any FIH sanctioned competition will need to be compliant with FIH policy. This applies from under 16 National Age Group Squads (NAGS) as this is the point from which FIH sanctions international competition. The FIH adopts with International Olympic Committee (IOC) guidance. We recognise that, for some people, the process of gender reassignment may start before joining the performance pathway or during it; we will work with each trans person on a case-by-case basis to ensure that they know about the implication of the international policy and are supported in their gender reassignment process.

The IOC1 has the following guidelines to be considered by sports organisations when determining eligibility to compete in male and female competition:

4.1 Those who transition from female to male are eligible to compete in the male category without restriction.

4.2 Those who transition from male to female are eligible to compete in the female category under the following conditions:

- 4.2.1. The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.
- 4.2.2. The athlete must demonstrate that her total testosterone level in serum has been below 10 nmol/L for at least 12 months prior to her first competition (with the requirement for any longer period to be based on a confidential case-by-case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women's competition).
- 4.2.3. The athlete's total testosterone level in serum must remain below 10 nmol/L throughout the period of desired eligibility to compete in the female category.
- 4.2.4. Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months.

For both trans men and trans women

It is generally assumed that a trans hockey player will seek to play hockey in their affirmed gender whether that is at domestic level or in the performance pathway. It is possible that a trans player may seek the opposite to this (i.e., live in one gender and play in the opposite gender). To facilitate this while maintaining fairness for all players and to protect the integrity of the sport the following will apply:

- A trans player must ensure that the competition they choose to play in at domestic level is consistent with the player pathway they want to be considered for at national level i.e., a trans female playing in female domestic competition could only be eligible for female national squads.
- A trans player living in his or her affirmed gender may choose to play in his or her birth gender as follows:
 - A trans male could choose to live in his affirmed gender and continue to play in female domestic competition and be eligible, or selected, for the female performance pathway at national level until he starts male hormone treatment.
 - A trans female could choose to live in her affirmed gender and continue to play in male domestic competition and be eligible, or selected, for the male player pathway at national level until her₃ hormone treatment starts.

For trans women only

The SH's procedure to determine eligibility for trans females to represent Scotland in international competitions.

- All enquiries must be passed to SH's Director of Hockey Operations in the first instance
- All documentation revealing information about a trans female's past or present gender reassignment status must be managed in accordance with SH's policies with regards to the management of sensitive and confidential information and in line with the Data Protection Act 2018 and, where relevant under the Gender Recognition Act 2004.
- Anyone involved will understand the confidentiality obligations that are associated with handling such a matter.
- SH will undertake all communication with the trans female concerned, only sharing information with international competition organisers to allow it to verify the status of the trans female.
- The trans female (and her legal guardian if under the age of 18) will be asked to permit their GP and/or consultant and the Gender Recognition Panel (where appropriate) to disclose sufficient information to SH (including such other information, records or other material as SH may require from time to time) to allow it to ascertain that the conditions that have been set by the IOC have been met.

To determine compliance with this policy SH's Director of Hockey Operations, and a medical representative appointed by SH will consider the evidence on a case-by case basis.

5. Changing personal details for international competition purposes

Players in the performance pathway are there to train and challenge for a position in national squads. Trans players seeking to represent Scotland in hockey in any FIH sanctioned competition will need to be compliant with FIH policy. This applies from under 16 National Age Group Squads as this is the point from which FIH sanctions international competition.

- 5.1 If the change is of a sensitive and confidential nature e.g., a sex change, then the change request will be handled by Scottish Hockey's Director of Hockey Operations.
- 5.2 Where changes are requested that do not have any significant impact on a player's status in competition then these are made without any proof of the change. For example, a **change of name** – no evidence of proof is asked of people for a change of name e.g. following marriage; accordingly, a request for a change of name for a trans person can be made in the same way.
- 5.3 Where changes have a significant impact on a player's status in competition, for example a change of sex for international competition, that change will need to be backed up by proof.

5.4. Change of sex

As this is a change that will have a significant impact on a player's status, it can only be made if there is proof of the change. In the UK, people can change their name without any legal process, however proof of a change of sex could be any of the following:

- Birth certificate, Passport or Driving License indicating relevant sex; a Deed Poll or a Statutory Declaration (before a solicitor or magistrate in court), or a doctor's letter may also be used.
- If none of the above are available, and, as the trans person will be known to Scottish Hockey, then an alternative of a written, signed statement from the trans person to indicate that they intend to live in their acquired gender from then on can be accepted; it would help if this was endorsed by a member of the club e.g. club secretary if possible.
- Please note that some trans people will go through the process of obtaining a Gender Recognition Certificate. This allows trans people born in the UK to automatically receive a new birth certificate and provides enhanced legal protection over the disclosure of their previous gender status. A GRC indicates that the person has already lived in the affirmed gender role, for at least two years and intends to continue doing so. It would be wholly inappropriate for anyone to request or require a person to provide a GRC as this is a breach of the person's privacy and may be harassment.

6. Roles and Responsibilities

All hockey organisations should:

- Treat the trans person with dignity and respect.
- Welcome the player just as you would any other new attendee or member.
- Accept them in the gender they present; verification of their identity should be no more than expected of any other player.
- If asked, explain that there are no restrictions on playing in domestic hockey competitions or participating in training or informal matches.
- Respect the private and confidential nature of the person's situation.
- Take your lead from the person, ask their name and use it.
- Agree with the trans person how information is to be shared with others if this is absolutely necessary; this may include a change of name and title and this should be accommodated without prejudice or aggravation.
- Support the trans person with their choice of changing facilities.
- Take prompt and decisive action against anyone in the organisation whose behaviour or language is inappropriate or offensive to or about trans people. Disciplinary procedures should be employed to manage this.
- Ensure a Code of Conduct is publicised indicating your zero-tolerance policy towards all bullying/harassment of people with protected characteristics.
- Ensure that any training the organisation undertakes with regards to equality covers trans people and the policy as well as the general equality policy.
- Avoid making assumptions about the player, either in terms of their sexual orientation or their medical background, take your lead from the information they may, or may not, offer you.
- Be clear about what language to use the language you use, the trans player should be referred to as the sex that they tell you are, i.e. use 'he' or 'she' as you would with anyone else.

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